2016 World Telecommunication Standardization Assembly
U.S. Business Priorities
September 27, 2016

Overview

The World Telecommunication Standardization Assembly 2016 (WTSA-16) will convene October 25-November 3, 2016, in Yasmine Hammamet, Tunisia to determine the structure and work program of the International Telecommunication Union (ITU) Telecommunication Standardization Sector (ITU-T) for the next four-year study period. The ITU-T develops Recommendations (standards) through the work of its Study Groups.

The U.S. Council for International Business (USCIB)\(^1\) acknowledges the important role of the ITU-T in the development of international standards that promote the interoperability of global telecommunication networks. The WTSA-16 presents an important opportunity to ensure that the ITU-T's structure and work program remain firmly rooted in this technical telecommunications standardization core competency. In this regard, we urge the U.S. Government to pursue the following priorities at the WTSA-16:

- Advocate against WTSA Resolutions that would expand the scope of Study Group work and effectively open the door to inappropriate and counterproductive ITU work well beyond its current remit, including matters relating to Internet governance and policy;
- Support an ITU-T structure that is open and transparent and enables full participation by and inputs from both Member States and Sector Members in the work of the Sector;
- Encourage a bottom-up process by the membership in generating output from the Sector;
- Discourage burdensome regulations that would hamper industry-led innovation; and
- Oppose efforts by some Member States to seek regulation or mandate use of promising new technologies.

From PP-14 to WTSA

WTSA-16 comes just two years after the ITU Plenipotentiary Conference 2014 (PP-14), which featured sometimes heated discussions about proposals that would have expanded the ITU's role in international Internet governance. USCIB and other non-governmental stakeholders were pleased that the U.S. Government worked successfully with like-minded Member States at the PP-14 to prevent efforts to modify the ITU’s Constitution and Convention and add new Resolutions, which would have appropriately expanded its remit. We note with favor that the so-called “Busan Consensus” determined that Internet governance issues would be addressed in other international forums and that ITU proceedings would be more transparent and inclusive.

\(^1\) The U.S. Council for International Business (USCIB) is a trade association composed of more than 300 multinational companies, law firms, and business associations from every sector of the U.S. economy, with operations in every region of the world. In particular, USCIB Members include a broad cross-section of the leading global companies in the information and communications technology (ICT) sectors. We welcome this opportunity to offer a multi-sectoral perspective on priorities for the 2016 World Telecommunications Standardization Assembly.
In the interim, however, many ITU-T study groups have actively pursued work on such Internet-governance related issues as “over-the-top” (OTT) applications, Internet Protocol (IP)-based networks, the Internet of Things (IoT), and cybercrime, to name a few. In comments to the Commerce Department earlier this year concerning potential roles for the government in fostering IoT, USCIB highlighted the ITU-T’s post-2014 foray into IoT regulatory policy. We expressed acute concern about how this expands the scope of ITU’s work to a worrisome degree and may suggest “a propensity to support government mandates that will stifle rather than promote the benefits of IoT.” We urged the Commerce Department to pursue approaches to ensure that the ITU does not go down that regulatory road and we echo that call in these comments.

It is even more concerning to U.S. business that some WTSA proposals appear designed to build on activities in ITU-T and bring Internet governance-related work more formally into the T-sector’s work plans. This trend contradicts the letter and spirit of the Plenipotentiary consensus and Final Acts. Even more troubling, the push for expanded ITU-T work on Internet governance issues would appear to reflect a new strategy by some Member States to try and use the WTSA process to realize an expansion of the ITU’s activities that was unambiguously rejected at the Plenipotentiary. Any further changes to the ITU’s remit must be properly considered through a transparent process, such as the approach used at Plenipotentiaries to consider amendments the ITU's Constitution and Convention.

The ITU’s Appropriate Remit and Study Group Focus

We urge the U.S. Government to push back strongly on efforts by some Member States to use the WTSA review of the ITU-T’s work program as an opportunity to expand the ITU’s jurisdiction to include various Internet governance issues. A multistakeholder framework has proved far more effective in addressing Internet policy matters against a dynamic technological backdrop than binding rules developed by an intergovernmental organization. The work that some members wish the ITU to undertake already is being undertaken in these bottom-up forums. Duplicating that work at the ITU is both unnecessary and deeply troubling to those who believe, as we do, that the best way to ensure the Internet’s continued success is to ensure that all stakeholders have a say in its future.

Moreover, enlarging the ITU-T’s work program to include Internet-related topics risks stretching already limited resources to the detriment of the ITU’s core competencies and uncontested remit. As noted already, it also would be wastefully duplicative. Such work is already being performed in existing multistakeholder, globally recognized, voluntary and consensus-based Standards Development Organizations (SDOs). SDOs, such as the Internet Engineering Task Force (IETF), enable a nimble, “bottom-up” approach to standards development that both promotes and facilitates timely adjustments to technology innovations.

USCIB values and respects the ITU’s primarily technical mission; its role in allocating spectrum, developing technical standards that ensure the interoperability of international telecommunication networks and promoting human capacity building in developing countries. This has been and should remain the principal focus of the ITU’s activities. Thus, we strongly encourage the U.S. Government to work with other Member States to ensure that the WTSA Resolutions keep the work

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2 The ITU-T Study Group 3 developed a Draft Recommendation on “over-the-top” applications, which are defined as “applications and services delivered over telecommunications networks through the Internet and directly to end-users by entities that are not necessarily operators of those networks.”
of the ITU-T properly focused on technical telecommunication standards and do not otherwise have the effect of expanding the ITU’s policy and regulatory jurisdiction.

No Mandates or Regulation of Emerging Technologies

As discussed above, USCIB regards the ITU-T's post-2014 focus on IoT applications and services – and proposed WTSA Resolutions that urge an expansion of that focus – as highly problematic. The creation of Study Group 20 during the June 2015 meeting of Telecommunication Standardization Advisory Group (TSAG) is a good example of the looming threat faced by industry in this key sector. This group was established directly against the wishes of the United States, Germany and United Kingdom. Totally disregarding the view of these countries, the approval was rushed through in a single meeting. This group has begun, and is expected to continue, the generation of highly problematic and intrusive recommendations over the next study period. Similar concerns can be raised in the work of Study Group 3, and potentially other groups within ITU-T as well. The U.S. Government should oppose these efforts in the strongest possible terms.

U.S. business is well-positioned to serve as a global leader in pioneering further advancements in the development and use of IoT technologies. To realize this potential, however, industry needs a global, “light touch,” interoperable regulatory framework, which also features business collaboration in SDOs to develop technological best practices and voluntary standards. This is because business is in the best position to understand the potential of emerging technologies for commercial, economic, and societal benefits and, thus, can collaborate with stakeholders in SDOs to revise and update standards accordingly. This is a key consideration for future investments in markets all over the world.

Related to this, USCIB finds equally onerous proposed Recommendations by some ITU Member States that could open the door to ITU regulation of certain emerging technologies and mandate their use ostensibly to combat counterfeiting. A proposal put forward by Saudi Arabia and Russia,\(^3\) zeroes in on the potential of marrying the so-called Handle system (Digital Object Architecture, DOA), which allows vendors/industries to store in their database a product’s profile, with IoT tags to provide a secure mechanism for securing access to the product’s profile. The proposed Recommendation notes that IoT/DOA-based systems may be used in industries as diverse as ICT, pharmaceuticals, automotive, and avionics.

DOA systems have been used successfully in the past, especially by libraries, think tanks and research institutes which rely on strong intellectual property and patent-based work. We are not disputing this fact. What we are concerned about is an intergovernmental entity such as the ITU mandating the use of a particular technology, giving governments even stronger top-down control over a broad range of activities. There are a number of different technologies and approaches available to combat counterfeit activities. All stakeholders should have the freedom to address counterfeit activities, as well as a range of security challenges, as they see fit. It is not the ITU’s role to impose a single technology or approach on a global scale. This, too, should be strongly opposed by the U.S. Government.

\(^3\) Study Group 20 – Contribution 294 Rev. 1, Proposal to start a new work item ITU-T Q.IoT-DOA_counterfeit, “IoT-DOA-base systems to be used for combating counterfeiting.”
Conclusion

USCIB looks forward to supporting the efforts of the U.S. Government and other stakeholders at the WTSA-16. We urge that these efforts focus on clarifying and underscoring the value of the ITU-T as an entity focused on developing important technical and voluntary telecommunications standards. Expanding its work program beyond its current remit would compromise the Sector's ability to meet its current goals. Moreover, such an expansion would negatively impact industry's ability to address Internet governance-related issues and explore standards and best practices for emerging technologies that are more effectively addressed in existing multistakeholder policy-making and standards-setting bodies.