

**REGIONAL MEASURES TO COMBAT THE THEFT OF MOBILE TERMINAL DEVICES**

The XIX Meeting of the Permanent Consultative Committee I: Telecommunications/ Information and Communication Technologies (PCC.I),

**CONSIDERING:**

- a) That the telecommunications and Information and Communication Technologies (ICTs) environment is undergoing substantial changes owing to rapid technological progress, market globalization, and the growing demand by users for integrated services adapted to their needs;
- b) That CITEI's mission is to facilitate and promote the integral and sustainable development of telecommunications/ICTs in the Americas, based on the principles of universality, solidarity, transparency, equity, reciprocity, non discrimination, technological neutrality, and resource optimization, taking into account of the environment and sustainable human development to benefit society in every country of the region;
- c) That within the mandates of the Permanent Consultative Committee I of CITEI we have one to work in coordination with the different CITEI Committees and Working Groups in those areas which, by their nature, lend themselves to joint action, and to promote the preparation and implementation of inter-American agreements in different areas;
- d) That one of the mandates of the Working Group on Policy and Regulations is to study aspects related to the prevention, detection, policies and action as regards fraud and regulatory non-compliance practices in the telecommunication/ICT service provisioning, by recommending the best practices that allow minimizing the impact for Member States, users and operators;
- e) That PCC.II, at its XVII meeting, adopted Resolution PCC.II/RES.73 (XVII-11), "Establishment of a Regional Partnership to Combat the Theft of Mobile Terminal Equipment," in which it is resolved to forward document CCP.II-RADIO/doc.2675/11 rev.1 to be considered by PCC.I with a view to the promotion of the establishment of joint measures by the Member States of the region to restrict the activation of mobile terminal equipment and for it to adopt specific recommendations for operators so that they use the resources afforded by technology and do not permit the connection to their networks of equipment whose origin has not been fully identified or that has been reported stolen or lost;
- f) That in view of efforts and progress made in combating the theft of mobile terminal devices achieved by Member States, the black market of mobile terminal devices has found a way around them by sending them to other countries, so that it is necessary to expand to the regional level actions successfully established locally by Member States;
- g) That the exchange, among operators of the different Member States, of information on mobile terminal equipment reported stolen and/or lost is essential to mitigate this problem;
- h) That national, regional, and international initiatives exist aimed at implementing this information exchange by means of various models, some at the design and discussion stage and others already in

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<sup>1</sup> CCP.I-TIC/doc. 2311/11 rev.5

operation and that, in any event, consideration must be given to the different access technologies (CDMA, GSM, others);

i) That the system for international exchange of black-listing service databases (GSMA IMEI DB) has now been implemented and is being operated by the GSM Association (GSMA), and is available to operators of this technology, while not failing to recognize the need to consider other technological media to implement this exchange among operators utilizing access technologies other than GSM, such as CDMA and others that exist;

j) That, in view of the growing penetration of intelligent mobile terminal devices, their cost, and facilities for worldwide access to web applications the steep increase in theft of these devices has been observed, leading to severe personal assaults, motivated by the opportunity to take these terminal devices to other markets for resale, bearing in mind that, although they are black-listed, they remain activated for these services in any country of the world;

k) That the trade in falsified, smuggled, and stolen mobile terminal devices constitutes a risk to the user, loss of revenue to the industry, and/or tax evasion,

**RECOGNIZING:**

a) That the problem of stolen mobile terminal devices has become a regional problem that could have severe social repercussions;

b) Both national and international efforts and progress that the Member States have made with regulatory and technological aspects aimed at preventing the theft of mobile terminal devices in the region;

c) That CITEL enjoys important participation by different associate members, including mobile service operators,

**BEARING IN MIND:**

That in Resolution PCC.I/RES. 185 (XVIII-11), "Protecting the Telecommunications Infrastructure," it is resolved to request that the Member States and associate members take measures to protect telecommunications infrastructure and to adopt specific communication policies within their societies,

**RESOLVES:**

1. To invite the Member States and associate members to adopt, strengthen, or complement the measures needed, each within its sphere of competence, to minimize as much as possible the theft of mobile terminal devices and their activation and marketing at the regional level.

2. To invite the Member States to encourage their national mobile service operators that do not yet have them to consider implementing negative lists (black-lists) database that have a registry of the IMEIs or manufacturer's electronic serial numbers of mobile terminal devices reported stolen or lost nationally.

3. To invite the Member States to use, among other existing alternatives, platforms such as the GSMA IMEI DB, in view of the benefits it can afford to the countries, their regulatory entities, and operators in terms of cost, operating infrastructure, and experience in the exchange of IMEIs of devices reported stolen or lost.

4. For CITEI/PCC.I to invite the CDMA Development Group (CDG) to present to CITEI, insofar as possible, options for the exchange of blacklists for CDMA terminal devices similar to those presented by GSMA for GSM terminal devices.
5. To invite the Member States to take relevant actions in accordance with their regulatory framework to exchange at the international level blacklists of stolen or lost mobile terminal devices through the signature of bilateral or multilateral agreements.
6. To urge Member States to consider including in their regulatory frameworks the prohibition of the activation and use of the IMEIs or manufacturer's electronic serial number of devices reported stolen, lost, or of unlawful origin in regional or international databases.
7. To invite the Member States to collaborate, in coordination with the industry, in defining and implementing technical-operational solution options facilitating the suspension of all services and applications of mobile terminal devices that have been reported stolen and/or lost in national or international databases.
8. To invite the Member States to consider the implementation of, among others, the complementary measures included in the Annex hereto.
9. To invite the Member States to conduct campaigns to raise public awareness of the importance of reporting the theft and loss of their mobile terminal devices.
10. To invite the Member States to present to PCC.I at its next meeting information documents containing the results of actions carried out and steps taken with the aim of evaluating and discussing the complementary actions implemented in this area.
11. To invite the Member States to conduct information and awareness campaigns against the acquisition of mobile terminal devices of unlawful origin.
12. To instruct the Executive Secretary to forward this Resolution to the Permanent Executive Committee of CITEI (COM/CITEI) for its information.

#### **ANNEX TO RESOLUTION PCC.I/RES. 189 (XIX-11)**

##### Complementary measures:

- a. For operators and importers of mobile terminal devices of the Member States to promote the purchase of terminal devices complying with the security recommendations against reprogramming or duplication of the IMEI or manufacturer's electronic serial identification number, such as those defined by the GSMA.
- b. For mobile operators of the Member States utilizing GSM technology to report incidents of tampering with mobile terminal devices to the GSMA so that the manufacturer can remedy and enhance the security of terminal devices based on existing agreements between manufacturers and that Association.
- c. To invite mobile operators to explore alternatives to make available to affected users options facilitating the replacement of stolen terminal devices.

- d. To study the feasibility of implementing controls of the local marketing of mobile terminal devices and their connection to networks.
- e. To promote the establishment of regulatory fiscal, and/or customs mechanisms that ensure the import of mobile terminal devices and/or their parts of lawful origin and that are certified as in conformity with each Member State's regulatory framework, as well as customs controls preventing the exit or re-export of stolen mobile terminal devices and/or their parts.
- f. To study the feasibility of imposing penalties for the refurbishing of mobile terminal equipment reported stolen or lost for activation, using, or marketing (tampering with electronic serial numbers, removal from blacklists, etc.).