

PCC.I/RES. 180 (XVII-10)¹

**GENERAL REGULATIONS FOR THE REGISTRATION OF FRAUDULENT
TELECOMMUNICATION PRACTICES**

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

CONSIDERING:

- a) That the mandate of the Rapporteurship on Regulatory non compliance Practices and Fraud Control in Telecommunications/ICT directs the study of strategies and best practices to detect and reduce fraud in the telecommunications area;
- b) That likewise it proposes to define the main regulatory non-compliance behaviors that currently affect the normal carrying out of telecommunications activities , discussing as well which are the best procedural practices to fight this scourge,

TAKING INTO ACCOUNT:

- a) That during the XVI Meeting of PCC.I and in compliance with Recommendation PCC.I/REC. 5 (XV-09), based on document CCP.I-TIC/doc. 1981/10 the draft General Regulation for the Registration of Fraudulent and/or regulatory non-compliance practices was presented,;
- b) That based on decision PCC.I/DEC. 108 (XVI-10), the Secretariat of CITEL was instructed to send the above-mentioned draft to the Member States and to invite them to present suggestions, modifications and/or comments that were reviewed in the XVII Meeting of that Committee,

RECOGNIZING:

- a) That it is important to share experiences for the promotion of regional integration in relation to fraud fighting and non-compliance practices in the telecommunications/ICTs area;
- b) That currently there are no communication channels for the exchanging of information among Member States as regard non-compliance Practices affecting the Region;
- c) That along these lines it arises that the creation of a database containing regulations applicable in the Member States and enforced against non-compliance Practices will provide fundamental tools to those countries where policies in the matter have not been yet defined;
- d) That this document purpose is to develop a database that allows the sharing of updated information on practices recorded in the database in order to provide the Member States with elements to make individual or joint decisions,

RESOLVES:

- 1 To approve within the Permanent Consultative Committee I (PCC.I) the Registration of Fraudulent Telecommunication/ICTs Practices which will be entrusted to the Rapporteurship on

¹ CCP.I-TIC/doc. 2135/10

Regulatory non-compliance Practices and Fraud Control in Telecommunications/ICT in conformity with the terms of the Regulation attached to the this document as Annex .

2 To designate as responsible of the Registration the Co-Rapporteur of the above mentioned Rapporteurship, Mr. Silvio De diego (sdediego@cnc.gov.ar), of the Administration of Argentina.

3 To establish that each Member State must designate a representative in order to manage the information related to the Member State that he or she represents.

TO INSTRUCT THE EXECUTIVE SECRETARY:

1 To search collaborators for the implementation of the database that supports the Registration in a computer server and which will subordinate the applicability of this Resolution.

2 To distribute among the Administrators this Resolution in order to be included for its use at the next PCC.I meeting.

ANNEXES TO RESOLUTION PCC.I/RES. 180 (XVII-10)

ANNEX I

General Regulations for the Registration of Fraudulent Telecommunications Practices

Article 1. A Registry of Fraudulent Telecommunication Practices is hereby established in the framework of Permanent Consultative Committee I (PCC.I). The Rapporteurship on “Regulatory non-compliance practices and fraud Control in telecommunications/ICT” shall have responsibility for developing and maintaining the Registry.

Article 2. The objective is to develop a database containing updated information on the practices registered therein in order to provide the Member States with elements for individual or joint decision-making.

Article 3. Designation: Each Member State shall designate a representative, who shall be assigned a password to access the database for management of all aspects related to the Member State he or she represents. The representative shall also have responsibility for notifying the party responsible for the Registry of developments within his or her State in connection with said practices and shall receive any notifications forwarded regarding the update of existing information in the Registry.

Article 4. The Member States representatives may, through the online administrative channels, register those practices deemed fraudulent in their country. Said registration shall be published through the Rapporteur of the Rapporteurship on “Regulatory non-compliance practices and fraud Control in telecommunications/ICT” of PCC.I.

Article 5. Any representative of a Member State wishing to register a practice shall contribute a brief summary thereof and shall set out the rationale for its inclusion in a technical and economic document, attaching any existing legislation or regulations in that country in this area. Details shall also be provided of actions carried out to combat the fraudulent practice and/or possible steps to be taken.

Article 6. Accompanying documentation shall be uploaded to the database via the online administrative channels for verification by the Rapporteur of PCC.I, who may, prior to its publication, make comments and/or request the representatives of each Member State to provide additional information regarding the documents submitted.

Article 7. Upon publication of a fraudulent practice, the party responsible for the database shall so advise the representatives designated by each Member State for their information and shall provide any available technical and economic, regulatory, and management information through the online channels instituted for that purpose.

Article 8. The Registry shall contain a summary prepared on the basis of the distinctive technical characteristics of the fraudulent practice identified. The documentation contributed by each Member States shall be segregated by country and subsequently classified as: (1) technical and economic documentation; (2) regulations in force; (3) management policy.

Article 9. To cover the widest array of realities, technical, economic, and/or regulatory documents of countries, sector companies, or non-member organizations may be included, and/or those proposed by associate members. The latter shall be identified separately from documents provided by Member States.

Article 10. So as to maintain an updated database, the Member States shall contribute, through the online channels instituted to that end and as promptly as possible, any change and/or development (especially legislative or regulatory) with direct or indirect impact on practices registered.

Article 11. It is hereby placed on record that the inclusion of a practice in the registry shall be solely for declaratory and informational purposes, regardless of whether a practice is considered anti-regulatory in one Member State or lawful – or at least permitted – in another.

Article 12. The database shall contain a search engine so that the information described in the preceding articles can be accessed quickly, easily, and effectively, distinguishing between technical and economic, regulatory, and management information, disaggregated by country.

Article 13. The Registry of fraudulent practices shall be freely accessible to and may be freely consulted by those with a username and password for accessing the Electronic Forum of CITEL.

ANNEX II

Proposed Characteristics for the Design of the Registry of Fraudulent Telecommunication Practices

The aim of this document is to develop a Web-based tool for use by all Member States whose fundamental characteristic will be its use in searching for different documents, such as specific legislation or regulations, information documents, etc.

The only requirement for accessing the proposed database will be to have a username and password for accessing the Electronic Forum of CITEL.

As regards content organization, we propose a three-tier categorization system: category, sub-category, and country, with cross-referencing, e.g., category: cloning mobile equipment; sub-category: technical document; country: Argentina.

Accordingly, users will be able to identify documents by country, or directly, by category.

However, the tool provides a text field so that searches can be made by keyword or tags assigned by the site's content administrator to each specific document.

For receipt of documents, it is proposed that users representing a Member State enter the tool, identifying themselves with their specific username and password, and that they then upload documents directly online for publication by the site administrator.

Each document will be identified by the flag of its originating country and the document's original language.

It is proposed that the tool be implemented in ASP or PHP programming language with a MySQL database driver. However, for better performance, we recommend using an SQL Server database driver and programming language geared to objects such as ASP.NET.