May 6, 2015

Ambassador Daniel A. Sepulveda
United States Coordinator
International Communications & Information Policy
U.S. Department of State
2201 C St NW
Washington, DC 20520

Dear Ambassador Sepulveda:

The undersigned organizations, representing hundreds of global manufacturers, vendors, and suppliers of information and communications technology (ICT), both members and non-members of the International Telecommunication Union (ITU), write to express concern regarding the ITU's Conformity Database created under the ITU's Conformity and Interoperability (C&I) Program. We urge the State Department to ensure that the ITU's newly-created Conformity Database operates as intended – based on voluntary submissions by manufacturers of the ICT featured in the database.

The ITU's C&I Program was organized in accordance with the ITU Plenipotentiary Conference Resolution 177 (Guadalajara, 2010, rev. 2014), specifically in four pillars: conformity assessment; interoperability events; capacity building; and assistance in the establishment of test centres and C&I programmes in developing countries. As part of this program, the ITU-T Conformity Database was created to serve as an "informative, voluntary tool permitting companies (vendors, manufacturers, service providers) to make a public declaration that their products conform to ITU-T Recommendations." The ITU states that companies will directly populate the conformity database by submitting a Supplier's Declaration of Conformity (SDoC)

based on one of four testing "routes".[1] The ITU has further stated that the ITU-T is not participating in any aspects of accreditation, testing or certification processes for the purposes of the Conformity Database.[2]

To date, the ITU has populated its Conformity Database with e-Health devices tested for compliance with the specifications of Recommendation ITU-T H.810 ("Interoperability design guidelines for personal health systems"), a recommendation approved in December of 2013 which contains the Continua 2014 Design Guidelines.[3] Further, even more recently, the ITU has published a 'whitelist' of mobile phones that fulfil the requirements of the 'Chapter 12 tests' of Recommendations ITU-T P.1100 and P.1110 standards for narrowband and wideband communications involving motor vehicles,[4] and has included these results in the Conformity Database.[5]

While the ITU has made clear that entries into its Conformity Database are voluntary and that devices added should be done at the request of their manufacturer, we have found that in practice numerous entries into the Conformity Database have been added without being requested by – and without the knowledge of – their manufacturers. Such a practice is of great concern to these manufacturers as many have not requested that their products be listed. ICT manufacturers take great care to ensure that the public listings of their devices are based on accurate information, particularly in regard to conformity and interoperability.

The listing of the products by a 3rd party without the manufacturer's consent places the manufacturer at great risk as products evolve during their life cycle and new features may be added (or old features removed), making the device no longer comply and thus making the listing void. With no internal paper trail at the manufacturer for the product listed as complying with an ITU standard, manufacturers may be subject to non-compliance in regard to third party accreditations of quality programs under organizations such as the International Organization for Standardization (ISO), which could affect manufacturers' ability to place products in global markets.

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[1] http://www.itu.int/en/ITU-T/C-I/conformity/Pages/cdb.aspx .

[2] http://www.itu.int/en/ITU-T/C-I/conformity/Pages/cdb.aspx .

[3] http://www.itu.int/net/pressoffice/press_releases/2014/78.aspx#.VSwQPJP3iq8.

[4] http://www.itu.int/en/ITU-T/C-I/Pages/HFT-mobile-tests/HFT_testing.aspx.

[5] All current entries to the C&I database can be found at http://www.itu.int/net/itu-t/cdb/ConformityDB.aspx.

In conclusion, we request that the State Department engage with and strongly urge ITU leadership to (1) clarify the manner in which the Conformity Database has been populated to date; and (2) ensure that the Conformity Database operates as the ITU intended, *i.e.* that Conformity Database listings are voluntary, that devices are added at the request of their manufacturer in every case, and that entries in the database not requested by the manufacturer be removed.

Sincerely,

Alliance for Telecommunications Industry Solutions
DIGITALEUROPE
Information Technology Industry Council
Mobile Manufacturers Forum
Telecommunications Industry Association
United States ITU Association