Governance of O-RAN ALLIANCE e.V. in Compliance with WTO Principles

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Mobile network operators (MNOs) rely on highly specialized radio access and networking equipment with tightly integrated software to deliver cellular services through wireless networks. This has led to the creation of open, standards-based, software-centric virtual platforms with the intention to open radio access network markets to third parties.

O-RAN ALLIANCE is a worldwide community of over 300 mobile operators, vendors and research and academic institutions operating in the radio access network (RAN) industry. O-RAN ALLIANCE has been established to develop architectures and specifications and to take other actions to encourage rapid and broad industry promotion and adoption of open standards and interfaces, software-based functions/ microservices (including open source) and white box hardware for radio access networks. The objective of O-RAN ALLIANCE is to advance the commercial success of mobile broadband communications and to ensure a successful cycle of investment, innovation and adoption of services that would benefit end users as well as all other members of the mobile ecosystem. O-RAN ALLIANCE is committed to gathering the views of all interested stakeholders in the global RAN ecosystem in an open and transparent process to realize its ambition to develop and implement these objectives. Participation in O-RAN ALLIANCE is based on two categories of stakeholders: members and participants. Participants are sub-divided into two categories: contributors and academic contributors. [1] Stakeholders which prove to be prejudicial to the good standing of the O-RAN ALLIANCE or to the attainment of its objectives are excluded from participation.

O-RAN ALLIANCE's mission is to encourage the industry towards more intelligent, open, virtualized and fully inter-operable mobile networks. New O-RAN ALLIANCE specifications will enable a more competitive and vibrant RAN supplier eco-system with faster innovation to improve user experience. To achieve this, O-RAN ALLIANCE publishes new RAN specifications, releases open software for the RAN and supports its members in integration and testing of their implementations.

Compliance with WTO principles is a key factor of O-RAN ALLIANCE operations. The key WTO principles are transparency, openness, impartiality and consensus, effectiveness and relevance, coherence and addressing the concerns of developing countries.

1. Transparency

O-RAN ALLIANCE is in compliance with the WTO principle of transparency. All essential information regarding current work programs as well as proposals for specifications, guides and recommendations under consideration, and the final results are easily accessible to all interested parties. Procedures are established to ensure adequate time and opportunity for contributions, comments or objections through all stages of the discussions and dealings. O-RAN ALLIANCE specifications are published on the O-RAN ALLIANCE website and information is easily accessible to all interested parties. No prior adoption of Non Disclosure Agreements or License Agreements are required. All interested parties can freely access the information available and take part at every stage of the discussion.

2. Openness

O-RAN ALLIANCE complies with the WTO principle of openness. To comply with the principle of openness, membership of an international standardizing body has to be open on a non-discriminatory basis to relevant bodies of at least all WTO members. This includes non-discrimination at every stage of specification development. O-RAN ALLIANCE accepts all MNOs without regard to their nationality and only excludes affiliates from existing members to avoid over-representation of a

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[1] Relevant legal documents can be found at: https://www.o-ran.org/membership-info

specific group. While membership in O-RAN ALLIANCE is restricted to Mobile Network Operators, participation in O-RAN ALLIANCE's activities is completely open; allowing any interested party to become a contributor. Affiliates of existing operator members as well as participants in all countries can contribute to O-RAN ALLIANCE without having to apply for individual membership or incur membership fees. Contributors can participate in specification development at every stage of any specification development. They may raise proposals for new activities, amendments to existing activities and volunteer to lead projects. Technical discussions take place within working groups which are open to members and participants alike. Contributors can attend any meetings in person or remotely, submit material or simply monitor working group activities. The schedule of working group meetings is published on O-RAN ALLIANCE's Wiki. All contributors can subscribe to working group e-mails in order to participate directly in discussions. All contributors have 60 days to review draft specifications and to submit comments or objections. All draft specifications are available on the O-RAN ALLIANCE Wiki for all contributors. All approved specifications are available for download to the public without any limitation.

3. Impartiality and Consensus

O-RAN ALLIANCE activities comply with the WTO principle of impartiality and consensus. The principle of impartiality and consensus means that in the specification development process no privilege or favour is given to the interests of particular suppliers, countries, or regions. Consensus procedures are established that seek to take into account the views of all parties concerned and to reconcile any conflicting arguments. As O-RAN ALLIANCE is open for everyone to participate in any working group, O-RAN ALLIANCE does not give privilege to or favour the interests of particular suppliers, countries or regions. The decision-making process in the working groups foresees decision by consensus, but in the event that consensus can not be reached, a vote can be called by the working group's co-chair. The principle of impartiality and consensus does not impose a requirement of unanimity except that before a vote is called each contributor has had the chance to participate in the development of the specification and to express their views. The approval of specifications requires a 2/3 majority. No particular group (neither by country nor by founding member or otherwise) has a blocking majority. No veto rights exist and no representation body (including the Executive Committee) can refuse to forward specifications once they are approved by working groups and the Technical Steering Committee. More details on the O-RAN ALLIANCE governing bodies are attached in the Annex.

4. Effectiveness and Relevance

O-RAN ALLIANCE complies with the WTO principle of effectiveness and relevance. The technical specifications discussed are relevant and effectively respond to regulatory and market needs. O-RAN ALLIANCE has successfully worked with ETSI to adopt the first O-RAN ALLIANCE Specification as an ETSI Standard; other specifications have been submitted to ETSI for acceptance.[2]

5. Coherence

O-RAN ALLIANCE complies with the WTO principle of coherence. To be coherent, cooperation and coordination with other relevant international bodies is essential. The standard development focus group of O-RAN ALLIANCE plays a leading role in setting the standardization strategy of O-RAN ALLIANCE and is the main interface to other standard development organizations (SDOs) that are relevant for O-RAN ALLIANCE work. O-RAN ALLIANCE has established cooperations with ATIS, ETSI, GSMA, IEEE, NGMN, TTA, TSDSI, and 3GPP.

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[2] https://www.etsi.org/deliver/etsi_ts/103800_103899/103859/07.00.02_60/ts_103859v070002p.pdf

6. Development Dimension

O-RAN ALLIANCE complies with the WTO development dimension principle. As pointed out in Section 2, The interests of developing countries are preserved by the open character of O-RAN ALLIANCE, allowing all interested parties from developing countries to contribute without any barriers to entry.

O-RAN ALLIANCE Governing Bodies

O-RAN ALLIANCE Members and Contributors

The O-RAN ALLIANCE has been established to develop architectures and specifications and to take other actions to encourage rapid and broad industry promotion and adoption of open standards and interfaces, embedded intelligence, software-based functions/ microservices (including open source) and white box hardware for Radio Access Networks (RAN).

The O-RAN ALLIANCE is committed to gathering the views of all interested stakeholders in the RAN ecosystem in an open and transparent process to realize its ambition to develop and implement these requirements. Participation in O-RAN ALLIANCE is limited to two categories of stakeholder, Members and Participants. Participants are further sub-divided into two categories: Contributors and Academic Contributors.

While membership in O-RAN ALLIANCE is restricted to Mobile Network Operators, participation in O-RAN ALLIANCE's activities is completely open, allowing any interested party to become a contributor. Contributors can participate in specification development and O-RAN ALLIANCE projects and initiatives at every stage.

Being a German association, the Annual General Members' Meeting (AGM) is the main body for the association's regulatory decisions. O-RAN ALLIANCE Members (i.e., operators) have the right to attend and vote at the AGM. Meetings take place usually once per year to review O-RAN ALLIANCE's performance and budget, and every 2 years elect the Board Directors. From time to time as needed there can be Extraordinary General Meetings (EGM) in addition.

Board of Dierctors

The O-RAN ALLIANCE is managed by the Board of Directors, consisting of the 5 founding Members and a maximum of 10 elected Members. In 2020 and 2022, 10 directors were elected out of all Members (not including the 5 founder Members, which keep their positions in the Board). Elections of the elected Board Members take place every two years by the Annual General Meeting (AGM). Details on Board procedures can be found in the O-RAN Constitution.

Executive Committee of the Board (EC)

The EC supports the Board by proposing agendas, priorities, projects, and releases for the Board to consider and approve. In addition, the EC may be asked to make recommendations to the Board to overcome any ties. The Board can authorize the EC to make certain decisions on behalf of the Board.

All specifications approved by the Technical Steering Committee will be considered for approval by the Board. The EC will provide non-binding recommendations to the Board members. The EC will include an explanation to the Board for any specifications approved by the TSC that the EC does not recommend for approval.

The EC consists of representatives of the 5 O-RAN founding members and two elected representatives from the Board members. Typically, the EC members are the Board alternates. The EC meets each week.

Technical Steering Committee (TSC)

The TSC decides or gives guidance on O-RAN technical topics and approves O-RAN specifications prior to the Board approval and publication.

The TSC consists of Member and Participant delegates, Working Group (WG) and Focus Group (FG) co-chairs; in each WG/FG there are Member (Operator) Co-chairs and Participant (Vendor) Co-chairs. All O-RAN Members and Participants are allowed to attend TSC meetings and have access to the TSC wiki space.

The TSC may create sub-committees for specific purposes, like the Minimum Viable Plan Committee (MVP-C), Ad-hoc Committee on O-RAN Processes (ACOP), or other. Such sub-committees are supporting the TSC, the TSC keeping the decision right on any inputs coming from the sub-committees. TSC and the Board also approved the next Generation Research Group (nGRG). The nGRG focuses on research of open and intelligent RAN principles in 6G and future network standards.

O-RAN ALLIANCE Office

O-RAN ALLIANCE Office supports all O-RAN ALLIANCE operations. In particular, the office facilitates processes for the work of Board, EC, TSC and working and focus groups. The office does not provide any content to the specifications.