Outcome of the 2013 World Telecommunications and Information and Communication Technology Forum

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Introduction

When the International Telecommunications Union (ITU) held its World Telecommunications and Information and Communication Technology Forum (WTPF) in May this year, ITU Secretary-General, Dr Hamadoun Touré made his opening address wearing a UN peacekeeper's helmet.

Dr Touré announced that "UN peacekeepers and their blue helmets are not coming to take over the world's ISPs. The UN peacekeepers are not coming to take over the root servers and the DNS. And my good friend [Fadi Chehade[i]] can continue to do the good work he's doing at ICANN".

As this was the first major ITU meeting post the divisive and difficult negotiations at the December 2012 World Conference on International Telecommunications (WCIT) it proved an effective gesture. First, because it was acknowledging that earlier failure to achieve consensus, while also finding a way to look forward and to build bridges and continue the dialogue on some very divisive issues.

The WCIT was notable for the strongly polarised positions during the negotiations. It also involved resorting to a series of votes in a marked departure from the ITU's usual consensus model of decision-making. Fifty-five member countries, including Australia, did not sign the final treaty document. There were concerns that this division could re-emerge during the WTPF, derailing its chances of a successful outcome. In the end, these fears were unfounded, and the outcomes of the WTPF demonstrated the willingness of participants to engage in frank discussions on difficult issues in what Dr Touré called a "mature conversation" that respected alternative views.

The WTPF resulted in the adoption by consensus of six draft Opinions on international Internet public policy issues. Reflecting back on the week's work and looking forward to future challenges, Dr Touré said, "It is so impressive to see all stakeholders coming together and working in such a positive spirit of collaboration. I am proud that ITU is playing its part to champion multi-stakeholderism and to use its convening power to facilitate constructive

dialogue. We have achieved a lot together this week and we are excited about what this will mean in terms of concrete, positive actions over the coming years."

While the atmosphere was largely constructive and productive it is clear that many countries continue to be concerned about governance of the Internet, in particular the role of governments in the current multi-stakeholder framework and whether there is a need for formalised international rules. The outcomes of the WTPF appear to represent at least some progress towards a greater level of consensus between member countries on these issues.

World Telecommunication Policy Forum

The ITU's 5th WTPF since the initial forum in 1996, was held in Geneva this year with over 900 participants, including ITU Member States, ICANN, the Internet Society, Regional Internet Registries and 3,000 remote participants.

WTPFs are designed to be high-level international events where ITU Members from government, industry and the global regulatory community exchange views on the key policy and regulatory issues and challenges emerging from the rapidly evolving information and communication technology environment.

Unlike many of the ITU's high level conferences, these forums do not have binding outcomes. Rather, they are designed to develop 'Opinions' which are adopted by consensus with the aim of outlining a shared vision to guide ongoing global ICT policies, regulatory and standardization efforts worldwide. Although non-binding, these Opinions can strongly influence the outcome of future ITU meetings and discussions in other international forums.

The 2013 Forum theme was International Internet-related public policy matters. Coming so soon after WCIT, where ITU Member States failed to reach consensus on revisions to the treaty covering international telecommunications, the *International Telecommunications Regulations*, this theme was certain to generate a lot of attention.

One of the most positive elements of the WTPF was the preparatory process instituted by Dr Touré. Building on the greater openness and transparency of the WCIT, which introduced access to documents and webcasting of some sessions without the requirement for a log-in or password, Dr Touré convened an Informal Experts Group (IEG) to assist in the preparatory process for the Forum. At ITU Council in 2012, this group was opened further to all stakeholders on an equal footing and with the ability to propose amendments to draft texts. That shift to greater transparency and openness and facilitation of broad participation was further reflected in the working methods of the Forum through webcast and open access to all documents. These measures were welcomed as reinforcement of the importance of an inclusive and open process in all discussions on Internet policy.

The WTPF considered and unanimously adopted the six Opinions that had been drafted, discussed and agreed by the 180 experts taking part in the IEG over the course of three meetings:

- Opinion 1: Promoting Internet Exchange Points (IXPs) as a long term solution to advance connectivity

- Opinion 2: Fostering an enabling environment for the greater growth and development of broadband connectivity

- Opinion 3: Supporting Capacity Building for the deployment of IPv6

- Opinion 4: In Support of IPv6 Adoption and Transition from IPv4

- Opinion 5: Supporting Multi-stakeholderism in Internet Governance

- Opinion 6: On supporting operationalising the Enhanced Cooperation Process

The IEG process itself played a significant role in achieving this consensus outcome, with many delegates having participated and invested significant time and energy in the negotiations. As a number commented, the draft options were a delicate balance.

A number of countries had made contributions proposing changes to the six draft Opinions but as the Head of the United States Delegation commented, "the perfect cannot be the enemy of the good" and they were adopted with only minor changes.

The Forum also considered a seventh draft Opinion (Opinion 7) contributed by Brazil and initially titled "*On the Role of Governments in the Multi-stakeholder Model*". It was a revised version of a draft that had been considered as part of the IEG preparatory process but on which the group had been unable to reach a consensus.

An initial version of the draft Opinion generated considerable discussion and could not be concluded in time. The role of governments in the multi-stakeholder model and how that role might be 'enhanced' are topics that have been debated over many years in a number of forums, often acrimoniously. Opinion 7 did provide the opportunity for discussion and exchange of views on how best to provide support for developing countries. It was a frank but not rancorous exchange and without the heat and suspicion evident at WCIT.

A number of delegates felt that as the UN Commission on Science and Technology for Development (CSTD) had been tasked by the UN General Assembly to establish a Working Group on Enhanced Cooperation which was about to start work on this issue, it was not a topic for the WTPF. Others noted that there were a range of organisations involved in Internet governance, for example ICANN and the Internet Governance Forum (IGF), and they also had a role to play in enhancing the ability of governments to participate.

Brazil worked with others to revise its draft which was resubmitted, titled "*Operationalizing the Role of Government in the Multi-stakeholder Framework for Internet Governance*". This draft retained its focus on actions that the ITU could take to assist governments. While there was general acknowledgement of the importance of the issue and support for the thrust of the proposals, many participants pointed out that there had been little time to consider the draft properly and to undertake the kind of consultation needed to develop a position.

Brazil accepted that reaching consensus at the Forum would not be possible. It noted that it had believed that the time was right because of the "new quality of the relationship between ITU and ICANN". Many delegations expressed their appreciation for the work done by Brazil and a willingness to continue the discussion post the WTPF. A number suggested that the results of that work should be considered at the ITU's next Plenipotentiary Conference in October-November 2013.

The Forum concluded on a very positive note. It was broadly viewed as having been a constructive and productive event that went a long way in moving forward from the divisions evident at the WCIT. The IEG process itself played a major part in that success by demonstrating the value of an open, participative dialogue where technical experts can work with policy makers and civil society in defining workable solutions. As an example, the Regional Internet Registries did significant work to increase the understanding of ITU Member States about the technical issues underlying a lot of their concerns about IP number allocation and management.

One of the important outcomes from the WTPF is that it moves the ITU itself further along a path to becoming a more open organisation. At the end of the Forum Dr Touré announced that he would bring a proposal that the Council Working Group on international Internet public policy should be open to all stakeholders to the June 2013 meeting of the ITU Council.

While Dr Touré's proposal did not get the required support during the Council meeting the 2014 Plenipotentiary will have the power to change the modalities for the Council Working Group.

Where Next?

There is a series of meetings taking place before next year's Plenipotentiary which will be important in helping to further shape member countries views on the question of ITU's role in Internet governance.

- ICANN meetings, November 2013 - Buenos Aires, March 2014 - Singapore, June 2014 – London, October 2014 – Los Angeles.

- Meetings of the UN Commission on Science and Technology for Development (June 2014) and its Working Group on Enhanced Cooperation (November 2013 and February 2014)

- The Internet Governance Forum (IGF) in Bali, October 22-25, 2013. The IGF Multi-stakeholder Advisory Group (MAG) met a week after the WTPF. As a consequence of the discussion of <u>Brazil's draft "Opinion 7</u>   at the WTPF, there was support amongst MAG members to continue the "building bridges" dialogue and the theme agreed for IGF 2013 is: Building bridges: Enhancing multi-stakeholder collaboration for growth and sustainable development.

- The World Telecommunications Development Conference (WTDC), March/April 2014 and the associated Asia Pacific regional preparatory processes. WTDCs are the peak meeting of the ITU-Development Sector (ITU-D) and will establish global and regional work priorities for the next four years.

- High level World Summit for the Information Society (WSIS) +10 meeting, April 2014, back to back with WTDC. The process for a 10 year review of WSIS is currently under consideration. Decisions on the process will likely be made by the UN General Assembly this year. Activity for WSIS+10 has commenced, with UNESCO hosting the first WSIS review meeting in Paris from 25-27 February 2013. Outcomes from the 2003 and 2005 WSIS phases included establishing the Internet Governance Forum and establishing an Action Agenda.

- The ITU Plenipotentiary Conference in October 2014 (PP-14) and the associated Asia Pacific regional preparatory process will shape ITU policies and strategic and financial direction for the following four year period and elect the senior management team of the organisation, including the Secretary-General, the members of Council and the members of the Radio Regulations Board. The Plenipotentiary Conference has the authority to amend the ITU's Constitution and Convention and make and revise Resolutions which could expand the mandate of the ITU beyond its current scope.

The Opinions

Opinion 1: Promoting Internet Exchange Points (IXPs) as a long term solution to advance connectivity

This Opinion discusses the benefits of IXPs as a way to address connectivity issues, improve quality of service and reduce interconnection costs and it invites Member States and Sector Members to collaborate to promote and foster their establishment and use.

Opinion 2: Fostering an enabling environment for the greater growth and development of broadband connectivity

This Opinion focuses on developing enabling legal and regulatory environments that foster broadband connectivity, including competition, private sector investment and technology neutrality. It also invites members to share information on best practices, and the Secretary-General to effectively implement relevant ITU activities.

Opinion 3: Supporting Capacity Building for the deployment of IPv6

This Opinion invites Member States to promote and support the adoption of IPv6, and Sector Members to offer their services via IPv6 as soon as possible, where appropriate.

Opinion 4: In Support of IPv6 Adoption and Transition from IPv4

This Opinion covers many of the same issues as draft Opinion 3; but also invites Member States to contribute to discussions within the ITU and in multi-stakeholder institutions on Internet issues.

Opinion 5: Supporting Multi-stakeholderism in Internet Governance

This Opinion invites Member States and 'other stakeholders' to explore ways for greater collaboration between all participants in multi-stakeholder Internet governance, and to contribute according to their varied roles and responsibilities.

Opinion 6: On supporting operationalising the Enhanced Cooperation Process

This Opinion reaffirms the need for enhanced cooperation to enable governments to develop international Internet-related public policy in consultation with all stakeholders as outlined in paragraph 69 of the WSIS 2005 Tunis Agenda for the Information Society.

Endnotes

[i] President and CEO of the Internet Corporation of Assigned Names and Numbers (ICANN)