
BEIJING – Internet Governance - The Global Agenda

Monday, April 08, 2013 – 17:00 to 19:00

ICANN – Beijing, People’s Republic of China

NIGEL HICKSON:

Ladies and gentlemen, can we come toward, as they say?

If the doors could be shut, so to speak.

Okay. Can I ask you to come up to the front? Not necessarily right to the front, but it will be good to have a mass of people in the front rows if at all possible for this session.

This is the Internet governance session, if you think you're in the right room. If not, you can stay anyway.

And all I'm going to do -- I'm Nigel Hickson from ICANN and all I have the pleasure of doing is introducing Peter Major or moderator for today. You have Peter's title up there but also in this context he is the deputy chair of the U.N. committee the CSTD which is the Committee for Scientific and Technology Development. And he is also, in this context, importantly, the chair of the CSTD working party on enhanced cooperation, which has been set up to report to the CSTD on this issue of enhanced cooperation, which many of you know is an important subject.

So, Peter, thank you very much for agreeing to moderate this panel today.

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PETER MAJOR:

Thank you, Nigel.

Ladies and gentlemen, it's an honor to be here. It's a real pleasure to have the excellent panel.

Let me introduce our panelists, starting from right -- left to right.

Mr. Xinmin GAO, vice president of the ISOC China; Mr. Markus Kummer in his capacity as interim chair of the IGF; Mr. Tarek Kamel, principal advisor to the CEO of ICANN; Mr. Wolfgang Kleinwachter, professor Wolfgang Kleinwachter of University of Aarhus; Mr. Paul Wilson, director general of APNIC; Mr. Eric Loeb, vice president at AT&T; and last but not least, Bill Graham from the ICANN Board, director of the ICANN Board.

So as Nigel mentioned, I am the vice chair of the Commission of Science and Technology for Development, and more importantly in this context, I am going to be the chair of the Working Group on Enhanced Cooperation.

So this will be -- this will have a bearing on our discussions today which is concentrated on the Internet governance, the global agenda.

Well, it's well-known that Internet is an extremely complex, evolving ecosystem, which is, in my mind, an equilibrium. I am a physicist as a background, so equilibrium means all the forces are trying to influence the state of the system, but they are kind of balanced.

The Internet governance issues may have a bearing on this equilibrium, and I think we have to be extremely careful when handling these governance issues, when we are talking about self-regulations versus

control, principles versus regulations, security versus privacy; when we take into account the economic and social impact or eventually the international telecommunication regulations and the Internet and so on and so forth.

So we can feel that the governance itself is extremely complex.

And this complexity has been reflected in many events last year and will be reflected in many events this year. Just to mention a few, we had the ICANN meetings, we had the Commission of Science and Technology for Development meetings and followed by the ECOSOC meetings. There was a cyberspace conference in Budapest which was a follow-up to the London conference in 2011. Naturally we had the eighth IGF in Baku, there was the World Conference of International Telecommunications.

And the upcoming ones, naturally we have the General Assembly of the U.N., and we have started the WSIS+10 review meetings. We are looking forward to have the World Telecommunication Policy Forum, and so on and so forth.

To my mind, we are on a learning curve which is a very difficult one. We have to understand very complex issues. We have to understand each other, as well.

We have to reconcile different interests.

So at the same time, it's a very exciting activity to deal with the Internet governance.

Without further ado, just let me tell you that how I think we are going to have this session.

We are going to concentrate on two main issues: The WSIS review process, including the WSIS+10 which was conducted at the UNESCO last February in Paris. We shall anticipate the ITU similar event which will take place eventually in Sharm El Sheikh next year.

We shall talk about the IGF in Baku, and we'll have some words about the upcoming year in Bali.

I will brief you about the CSTD working group of enhanced cooperation, the modalities, the mandate, the way I see the meetings will be conducted. And we shall close this session, the part the panelists will talk about on the review of the United Nations General Assembly of the WSIS itself.

Having said that, my intent is that we shall give some introductory remarks, but mainly we would like to hear your opinions, your questions, your comments.

So I would like to have this meeting as interactive as it can be, as it usually is during ICANN meetings.

So after the first part, we shall turn to the ITU-related events. I would start some words about the WRC, that's World Radio Communication conference which was held last year, about some important decisions. We shall talk about the WCIT 12, which is the World Conference on International Telecommunications which was held last year, past December in Baku.

We also deal with the World Telecommunication Policy Forum which will be in May in Geneva. And have a few words about the upcoming events in 2014, that is the telecommunication development conference, the plenipotentiary conference of the ITU, and to close these events by the World Radio Communication conference in 2015.

So once again, after this part I would like to have your questions, your comments, your observations as usual.

And I hope we can manage in two hours. We are obliged to have -- not to have translation after 7:00, so probably we have to stop at 7:00, but before that naturally I would like to have some concluding remarks. Concluding remarks from our panelists, and hopefully our meeting will be a really successful one.

So let's start at the beginning of the WSIS review meeting.

I have one more obligation, that is to introduce remote panelist, Janis Karklins, who is participating remotely. He is assistant director general of UNESCO. I'm not so sure that he -- he is already on line, so probably before giving him the floor, just a reminder about the U.N. General Assembly resolution which was taken in 2012, December, which reaffirms the role of the General Assembly in the overall review of the WSIS, implementation of the outcomes of the WSIS. And this should be had by the end of 2015.

And in the same resolution, it decides to consider the modalities for the review process by the end of 2013.

Now, UNESCO already had one event related to the WSIS+10, Towards Knowledge Society, which was an extremely successful meeting, and I would like you to listen to Janis Karklins to give his comments.

Janis, can you hear me?

Well, apparently he is not on line yet. Doesn't matter. Probably we can come back to this meeting and we can continue with the related meeting which was had also -- which will be had by the ITU, UNESCO, UNCTAD and UNDP which is the WSIS forum.

The WSIS forum will take place in Geneva this May, and it will, as usual, it will have a ministerial roundtable, a high-level dialogue, thematic workshops, action-line facilitator meetings, and so on and so forth, and there will be I think over 80 workshops in this meeting.

The ITU is also planning to have its review meeting in Sharm El Sheikh in 2014 in April, which will be also a follow-up to the Paris meeting. And this will lead to the ultimate evaluation by the General Assembly. The modalities haven't yet been fixed, as I have already mentioned to you.

If Janis is not on line, I would like to turn to my panel. Some of you have participated in this WSIS review meeting.

I can see Wolfgang who was there, and I believe....

Yes, if you have some comments on that. Thank you.

WOLFGANG KLEINWACHTER: Yes, thank you, Peter. Yes, I was in Paris, I organized and chaired one workshop on principles and I was involved in a number of other

workshops, and the workshop I chaired was on principles on Internet governance.

I think it's interesting to see that what have happened the last couple of years is that with the growing Internet, now we have nearly a billion Internet user, more and more bodies, international bodies, are considering that they need a policy or a document or a regulation for Internet governance.

And in the last two or three years, I have counted more than 25 documents, international and national documents, which defined Internet governance principles.

The OECD, the Council of Europe, the OCE, the G8, the IPSA countries, the Shanghai group, a lot of national bodies adopted documents with Internet governance principles.

So what I have observed is a growing confusion about this issue of Internet governance principles which leads to principal shopping. Because while a lot of these documents, you know, refer to similar principles, there are also substantially differences between the various documents.

And we live in one world, we have one Internet, and it is obviously not ideal solution.

If you have a broad range of different principles which are partly contradicting.

So the issue was already discussed in the IGF in Bali, and we had a more keeper discussion in Paris at the WSIS10+, and the outcome from this

WSIS10+ workshop was to recommend to the Multistakeholder Advisory Group of the IGF to deepen the discussion in the forthcoming IGF in Bali and to consider the idea whether it would be possible to create something like a framework of commitment for Internet governance principles which would be universal by nature and supported not only by governments but also supported by also by other stakeholders, nongovernmental stakeholders, business groups, the technical community and the civil society, because all those groups also have adopted documents for Internet governance principles in the recent years.

So I think this is a big challenge. This would be a document which could be probably compared with the Universal Declaration of Human Rights which was adopted in 1948.

I don't know whether this is realistic, but when Eleanor Roosevelt started the process in the United Nations in 1945, a lot of people said it's totally unrealistic and Roosevelt made a very interesting move and said, "As long as we keep the principles on a very high level, no torture, freedom to travel, freedom of expression, very short and clear principles where everybody can agree, then probably we can achieve something. And if they are nonbinding, this makes it even easier for partners to join.

And while the Universal Declaration of Human Rights is a nonbinding document, it had a great influence in the future policies. It did not avoid violations of human rights, but you had a reference document, and you could refer to some principles.

And so the challenge is now in the Internet development. Do we move into such a direction where we think it's a good idea to have on a very high level some nonbinding principles where everybody agree, like the Internet should be governed on the multistakeholder model, it should be open, it should be multilingual, policies should be transparent and bottom-up, and some of these general principles where in particular the ICANN constituencies but also a lot of others can agree.

Whether this is achievable is a question, but the process towards Bali is a good opportunity to test it out.

So the MAG meeting in Paris created a so-called ad hoc working group on principles to prepare such a session for Bali. And one step in this direction would be to produce a compendium which would, you know, give an overview about all the 25-plus documents so that we have a real basis and we can start from a factual analysis, our consideration whether it makes sense to move towards such a framework of commitment of Internet governance principles which would be universal, supported by all stakeholders and nonbinding.

Thank you.

PETER MAJOR:

Thank you, Wolfgang. I understand that Janis is on line.

Janis, if you are on line, can you give your presentation?

JANIS KARKLINS:

Yes, thank you. I can try. Do you hear me?

Do you hear me, Peter?

PETER MAJOR: Yes. Yes, I can.

JANIS KARKLINS: Very good.

Good afternoon to all of you. I am speaking from my office in Paris, and thank you for this opportunity to speak a little bit about the Paris WSIS+10 review meeting.

As you know, it took place at the end of February this year, and the meeting was attended by about 1450 participants from 130 countries. We had more than 800 participants following the meeting remotely at different points in time. And during the Paris meeting we organized, in total, 83 sessions on different subjects.

PETER MAJOR: So the hope, Janis will be back with us. We have already touched upon the meeting just after the Paris meeting with this review meeting and that was the IGF preparatory meeting. So it leads us to the next topic.

We shall come back as soon as Janis shall be online. But let me go to the next topic which is the IGF itself.

We had the IGF eighth meeting in Baku in 2012. Just to give you some statistics, there were about 1600 participants and more than 100 workshops, roundtables, dynamic coalitions, and so on and so forth. And we can qualify it as an extremely interesting meeting, and the

taking stock session I had the pleasure to participate was also interesting. That's where the idea of preparing the compendium Wolfgang has been talking about was first evolved.

Probably there was some hesitations about this compendium itself, but it seems to be moving right.

There was a big hub during the Paris MAG meeting, which was a preparatory meeting for the next IGF, and we are welcome to have Markus Kummer with us who is the interim chair of the MAG.

So, Markus, can I ask you to comment on this preparatory meeting and the upcoming Bali meeting.

MARKUS KUMMER:

Thank you. Yes. And good afternoon. As always, it's a pleasure to be here and to talk to you and share our thoughts and information on the state of Internet governance.

Yes, we had a good meeting in Paris, and also I think the meeting was timely coming -- what was it? Two and a half months after the WCIT. We got to talk about that in the following session but there was a general sense of participants that many issues had been raised at Dubai in a context that maybe was not conducive to producing answers, as WCIT was a treaty-making conference, and discussions in a treaty-making conference are not there to explore an issue but they're there to find a treaty text that doesn't lend itself to open discussions. And many of the issues raised are actually better placed in a free-wheeling discussion such as in the IGF.

One of the issues mentioned was spam. That turned out to be a big issue in Dubai, and in the IGF context had been discussed in 2006 in Athens. And after that, participants felt, yes, we know what it's all about, and it was not felt to be necessary to revisit. And this is why many participants thought it would be a good issue to explore further in Bali. But that is just an example.

On the whole, I think there was a general sense that the IGF needed to revamp itself and reinvent itself. The Baku meeting was very interesting, but at the same time, the main sessions may be had fallen into too much of a routine track. There was less of excitement about them. They explored the same issues as had been explored in previous IGF meetings.

And the energy was much more in the workshops. Many interesting workshops were held, but, then again, it was felt that this were too many of them, and that made it difficult for participants to navigate their way through the meeting.

And so MAG participants had listened to the open consultations and agreed there would be merit in being bold and finding new and innovative ways of framing the issues.

And there was a discussion on what should be maybe new main session issues. And the meeting was not conclusive yet, but among the issues mentioned were enhanced cooperation. This is also something we're going to discuss more in depth, but there were very strong support for human rights, freedom of expression on the Internet, Internet governance principles, as Wolfgang had already mentioned, but also legal frameworks and cybercrime. That would include spam, cyber

security. And then also the very principles of multistakeholder cooperation were seen to be of interest. And last but not least, also economic and social aspects, the Internet as an engine for growth and advancement.

And in practical terms, the MAG decided to experiment a little bit in terms of how to move forward with workshops. In the past it had issued proposals for workshops, and once the call was issued, the proposals came in and we were confronted with every-increasing number of proposals. So this time around, the MAG decided to issue a call for preliminary proposals, very short proposals that would more outline a concept, an idea of what should be dealt with. And based on that, then the MAG would decide on how to move forward.

And now we have had this call issued and the interest is increasingly -- is increasing very high. We had more than 200 preliminary proposals. The challenge now is to reduce them to a manageable program. But the -- what we received is also an indication where the community feels the priorities should be, and they reflect to a large extent what we had felt after Paris. Many proposals on cybersecurity, on human rights, and freedom of expression, on local content, multilingualism, on Internet resources, on growth and connectivity.

There was a lot on capacity building, on youth participation, intellectual property, and digital content, and also workshops on multistakeholder cooperation, and reasonable cooperation.

This is, after all, one of the big success stories of the IGF that it has stimulated, triggered off national and regional IGF-type initiatives. So

we have multistakeholder meetings on Internet governance in all regions of the world.

This is more or less where we are. The big challenge now is to convince that into a coherent program. We are right in the process of it.

We meet again in May in Geneva in open consultations back to back with the MAG meeting, and of course we hope on community participation. And those who have submitted the preliminary workshop proposals will hear shortly on how we will move forward with the workshops.

I think that more or less sums up the situation as of now. Thanks.

PETER MAJOR:

Markus, that's a very nice summary what has been done.

Just one short question concerning the upcoming event in Bali. Everything seems to be in place. Is that a correct understanding?

MARKUS KUMMER:

I wonder whether Chengetai from the secretariat might comment briefly, if he can either go to the -- well, he is close to a room microphone.

Can you maybe -- as you have visited the site, can you give us a quick briefing on where we are with our host country and the preparations for the meeting?

It might be quicker to go to the microphone.

CHENGETAI MASANGO: Okay. Thank you very much, Markus.

Yes, we did do a site visit, and they offered us two sites. One was the Hyatt Convention Center and the other was a brand-new site which the government had built.

I think the government is leaning towards the brand-new site, so it's large, it's roomy, very thick walls, lots of areas to get refreshments, and I think it will suit our needs very well depending on the number of workshops that we finally get.

The host country agreement is proceeding very well. We've had no major issues. Just the standard issues that we've had.

We've talked to the Ministry of Foreign Affairs. Also, we've talked to the Transport Ministry. We've also checked the site out for a hospital. There's going to be a doctor there on stand by who can prescribe medicine. We've checked the site for people with disabilities, and it's fully capable of handling that.

So I think the -- I mean, everything has not been finalized yet, but it is progressing very well compared to the last seven IGFs. It's fine, yeah. I've got no worries at the moment.

PETER MAJOR: Thank you, Chengetai. I'm glad to hear that and it's very reassuring.

I wonder if -- Yes, Eric, you would like to comment.

ERIC LOEB:

Yeah. Hi, I thought I would take a step back for a moment. We've jumped into a lot of details about facets of WSIS and the WSIS process, and perhaps making an assumption that everybody understands the alphabet soup of all the acronyms, all the aspects of WSIS that we are talking about.

So I'm going to just make a brief point, but perhaps helpful clarification to understand the structure and how the different pieces of this puzzle fit together.

And also, just to also mention, I'm here not just on behalf of AT&T but also the International Chamber of Commerce, where I support the work as the chair of the Internet and Telecomms Task Force there, so representing the ICC national committees and business communities across the many countries where the ICC operates.

So just important to highlight, under the WSIS umbrella, we're talking right now about three distinct components, each of which has its own purpose, all of which are intended to point towards the goal of creating an inclusive and stable and secure Internet.

We have the WSIS action lines, WSIS+10, and these are action oriented, fairly specific, sharing best practices, sharing success stories, meeting every May and coming together in one manner, and the process that's been described is going on. We have the IGF, as Markus has just described; can be a very free-flowing exchange of ideas. And we have also, as Peter is chairing, the Working Group on Enhanced Cooperation.

So just to help people to understand, these three different things running so you have a feel for it.

I'll say one thing from an ICC perspective, looking at the working group that's happening right now on enhanced cooperation. The priority that we're looking at in this is to ensure that the concepts of enhanced cooperation remain fully multistakeholder.

PETER MAJOR: For the enhanced cooperation, just so you understand, a little bit later I will give introductory remarks.

ERIC LOEB: That's fine. I wanted to set out a framework to make sure everyone in the room has a sense of the different pieces that we're talking about up here.

PETER MAJOR: Okay.

I'm told that Janis is back on line, so let's try again.

Janis, if you are with us, for a couple of minutes, you have the floor.

Okay. Eric made a nice introduction to enhanced cooperation, and my task is facilitated by that. So, yes, probably I should have dwelled a bit more on the WSIS issues but I assume everybody is familiar with that. Everybody has the small booklet and knows the inside of every page and they can interpret it.

Just let me quote two paragraphs from the Tunis agenda. The -- Well, background. We had the Geneva meeting in 2003, which was followed by the 2005 meeting in Tunis. And in Tunis, the high-level meeting

agreed on a so-called Tunis agenda. So I am going to quote two paragraphs from that concerning enhanced cooperation.

"We further recognize the need for enhanced cooperation in the future to enable governments on an equal footing to carry out their roles and responsibilities in the international public-policy issues pertaining to the Internet but not in the day-to-day technical and operational matters that do not impact on international public-policy issues."

That is the first paragraph I wanted to quote.

And the second one is "the process towards enhanced cooperation to be started by the U.N. Secretary-General evolving all relevant organizations by the end of the first quarter of 2006, will involve all stakeholders in their respective roles, will proceed as quickly as possible consistent with the legal process, and will be responsive to innovation."

Okay. I stop here with the quote. And further to that, I would like to give you some additional information about the actions which have been taken.

So in 2006, Nitin Desai who at that time was the special advisor to the Secretary-General on IGF and WSIS-related issues, conducted an informal consultation. And to put it very bluntly, in his report he wrote that there was no agreement.

As a follow-up to that, there was in 2008 the Secretary-General of the U.N. invited ten international organizations to report on the enhanced cooperation progress. In 2010 the U.N. Undersecretary-General, Mr. Sha, convened a multistakeholder consultation. And last year, the chair

of the CSTD conducted also a multistakeholder consultation. And for some, this consultation was a successful one; for others, it was not.

This consultation, I talk about the last year consultation, was followed by the CSTD session and the drafting resolution about the WSIS follow-up. And we have already raised the question of creating a multistakeholder working group; however, at that time this proposal didn't fly.

We had to wait until the end of the year when the U.N. General Assembly took the decision of setting up a multistakeholder working group on enhanced cooperation. And on the next slide you can see the resolution which invites the chair of the CSTD to establish this working group regarding the enhanced cooperation through seeking, compiling, and reviewing inputs from member states and all other stakeholders and to make recommendations on how to fully implement this mandate.

And it should report, I'm the chair of the CSTD, should report on the 2014 CSTD and will go directly through ECOSOC to the U.N. General Assembly.

I think it was last week I was nominated as chair of this working group, and I am honored to chair it. However, I know it will be an enormous task.

In the following slide, I will show you the composition of the working group. You have 22 member states. 20 are from the CSTD members, two states are the WSIS organizing countries, that is Switzerland and

Tunisia, and you have five representatives from each stakeholder. That is civil society, business, academia, and international organizations.

Let me take the opportunity of just briefing you. I think it may be of some interest, how I think the working group is going to work. What will be the modalities.

Well, first of all, as I always do, I think we should stick strictly to the mandate of the working group. We should respect that it is a multistakeholder approach. And to me, the most important part in this type of working group is the mutual trust. We have learned lessons. We know that this is the beginning and the end, eventually, of the successful work of a working group.

If you don't have this trust, we cannot adopt this trust, then we cannot have any result.

And results we want. I believe and I am convinced that all the members who apply to be members of the multistakeholder working group come to the meeting with the determination of achieving some results.

I know there was a very, very long process of selecting the members of the working group. It was done in a bottom-up way, and I am glad the working group has been set up in this way. And I am confident, as I told you, that we are going to achieve results.

There is a considerable interest in the work of the working group. ECOSOC rules allow observers to the work of the working group. Having said that, I have to also mention that we have constraints, and these constraints are time, resources, venue, and so on.

But most importantly, what I told you, for me the constraint is building up the trust. It's an extremely difficult task.

So in case we can't build up this trust, it is my thought that we should do it first, to build up within the group itself. Probably it wouldn't be helpful to have many observers, especially at the first meeting.

The first meeting is just a getting together. I will talk about that a bit later, but probably this is the beginning of building up the trust.

I think we shall start the preliminary consultations probably online, but I'm lucky to be here and to have many members of the working group here at the ICANN meeting so we can have the physical face-to-face consultations right here. And based on these preliminary consultations, I would like to have the physical meeting in Geneva, the first one starting on the 30th of May. It will be a one-and-a-half, two-day meeting.

I plan to have three, eventually four more meetings this year. These meetings will be longer meetings, and probably that will be the point where observers can participate.

We anticipate, as well, to have streaming. We have done always the way that the results of the sessions are made available on the Web site of the UNCTAD. So in this way we are quite open.

In addition to the three, eventually four meetings this year, I plan to have an additional meeting next year by the end of February, beginning of March because we are obliged to produce a report, the chair's report, and hopefully recommendations by the end of February, beginning of March. UNCTAD has the obligation of having this material translated

into five languages and to submit it to the ECOSOC and to the General Assembly of the United Nations.

As for the preliminary consultations, my aim is to define objectives which are based on the WSIS Tunis agenda.

-- oops -- and the relevant U.N. resolutions.

In this space I'd like to identify topics which are related to the enhanced cooperation, cybersecurity principles, examples of enhanced cooperation, capacity building and so on.

I would like to have the members to agree on these topics we are going to discuss, and I'd like to have a result-oriented approach. And naturally we have to agree on the schedule itself.

And as I told you, I planned the first meeting -- how do I go back -- on the 31st of May. Unfortunately, this coincides with the ITU WSIS Council Working Group meeting. There will be an overlap.

In this meeting, we try to come up with a questionnaire as we are instructed by U.N. resolution. And we hope to have responses from the stakeholders by the middle of July.

The secretariat will compile the responses, and we'll prepare a summary of the responses. And this will be the basis of the further discussions.

So I envisage to have a rolling document during the meetings. And at the end of our meetings, I will come up with a report.

So basically, that's the information about the enhanced cooperation. We will have time to take your questions, but for right now, I am informed again that Mr. Karklins is online.

Janis, you have the floor.

JANIS KARKLINS: Yes, thank you. Maybe the third time will be the lucky one. Did you hear me? Did you hear me?

PETER MAJOR: Yes.

JANIS KARKLINS: Thank you Peter. Third slide. The next slide (garbled audio) --

PETER MAJOR: Janis, I'm afraid we can't hear you. The only thing we do is make your slides available on the ICANN Web site. I'm sure there will be many people interested. And they can download it and have a look at it. I'm really sorry, but I think the quality of the audio is not the best.

So I think we can just close this part of the session and take your questions concerning WSIS-related issues, enhanced cooperation, and so on. So don't be shy. Just cue up to the microphone. Identify yourself.

JAOA CARLOS CARIBE:

Okay. My name is Jaoa Carlos Caribe. I'm from Brazil. I'm a member of the cyber activists. That's for freedom for keeping the net neutrality and other valid issues clear.

I'm a newcomer on ICANN, but I'm not newcomer on this kind of international forum discussions. And there are three words that have -- two key words that have great value for us. Multistakeholder, bottom up, and universalization. One world, one Internet is new one (indiscernible)

My question is not exactly a question but is a provocation. When we say about the bottom-up, which bottom we are talking about? Really. Our Parliament for our countries are prepared to join us in this kind of discussion. Our academic are prepared to join us in this kind of discussion. I can't imagine our grassroots civil society join this.

How can we break up this working inside the cluster of debates? Is it important. You do a great work on this forum. You make a great resolutions. But the world needs to hear us. That's my provocation. Si. Yes. Just remind I'm very proud to hear this morning the CEO of ICANN saying our Internet registry community is an example of multistakeholder model. Thank you.

PETER MAJOR:

Thank you for your question. I have to admit that I am not a specialist in bottom questions. And I believe my fellow panelists who feel qualified to answer that.

As for the president model, I fully concur with the CEO of ICANN. It is really a model for all of us. And, in my mind, I have extremely good

relationship with the representative of the GAC. And they are extremely helpful in conveying these messages.

So any one of you who feels comfortable commenting on bottom questions, please feel free. I'm afraid I cannot find many specialists.

But, more seriously, the question was about how to adopt, if I got it right, the Brazilian model in the broadest sense. Anyone? Wolfgang or Tarek, if you feel like -- as your CEO was in Brazil, probably he talked a lot about his impressions.

TAREK KAMEL:

Thank you. And, concerning the question that has been posed, yes, indeed, if we look to try to bring the discussion back on track, we have started from a WSIS document that has been issued in Tunis in 2005. This gentleman to my right has been one of the pioneers writing this document. We have within this document very great values that we are very proud of as a community. Enhanced cooperation, as Peter has mentioned, is part of it.

But we also have in paragraph 55 the recognition of the multistakeholder model working and the functioning of the multistakeholder model for the first time probably in the U.N. history. So this gives us recognition. And, if we need to start really developing, this is the reference. This is the reference that we should be starting from. And we should be building on that.

And then, as a community looking backwards, what did we achieve within the last 8 years or the last 9 years from the day of the recognition of the multistakeholder model as a functional model and as a successful

model when it comes to innovation, when it comes to private sector contribution and that.

So, if you ask what is the bottom, this is the bottom, from my point of view, that we have started from. And we need to build on it as a community.

During that process, it's a long journey. And it's not an easy journey. And it's a bumpy journey as such. And we might as a community have succeeded in some issues and maybe not achieved the same level of success on other issues when it comes to Internet governance and the definition of Internet governance, again, according to what is there that was in the Tunis session.

So we need to review what we have been doing together. And I think, as a community, we need to ask ourselves from the different mind storms that Peter has mentioned at the beginning concerning the enhanced cooperation and Eric has then complemented the enhanced cooperation, the WSIS reviews, and the IGF, the U.N. general assembly review in 2015. We should be able as a community to define what do we want out of each of these events or what do we want to avoid from each of these events as such. And this question is not an easy question to be answered. And it's not easy to get consensus. But at least, if we start the right dialogue on an international level, for this question I think this will help us a lot as contributors to go there focused and to go there with very specific targets and with very specific plans on the mid level.

While we are doing that, as you have mentioned, we need to be inclusive. We need to be getting the rest of the world with us. We need to make it international as much as best we can. And we need to

include the civil society in addition to the private sector and the government.

So, in my opinion, this is the path. And we have homework. And we have responsibility as a multistakeholder community to look backwards. What is the reference? What is the bottom, as you have said? Where are we starting from? And to build on that and to put also a plan for the next two years, what do we want to achieve or what do we want to avoid?

I'll give a simple example. In WCIT, for example, the community had a very clear objective. It wanted to avoid the inclusion of Internet issues within the international treaty. Not saying we have achieved that 100%, but there is a clear objective while we were there and working on and towards it as a community. So we need together to make this definition and to revise this definition and to update these definitions while we are moving over the roadmap until 2015. Thank you.

PETER MAJOR:

Thank you. The next question is from Stefano, please.

STEFANO TRUMPY:

Okay. Thank you. So my culture is coming with the Internet. And I was among those that in the creation of the Internet society. And then I joined ICANN, and I'm the GAC member with the major seniority in the GAC.

So this is important. Because, of course, I always spend all the time and the effort with the Internet community. But we have to recognize that

there are a number of states that, especially when going to U.N. or to ITU and so on, talking a different language. But what needs to be noted is that, especially in ICANN, for example, we have a good cooperation in the GAC and not only with the countries that in ITU speak a different language. And so even some of the Europeans, including my colleagues in Italy, when they go to ITU, speak a different language. Because there is these contentious issues regarding the evolution of the telcos about the economic interests and things like that.

So the sense of my message is that from those that are more connected to the evolution of the Internet, we need to have unlimited passions. Unlimited. Because we have to bring the two opinions as close as possible. And that, for example, we had that post WCIT event in Rome recently. And Nigel Hickson was there to talk for ICANN. And we had a presentation of the secretary general of ITU that said that WCIT was a success, complete success. And then maybe we simply waited that the countries that did not sign will sign.

And that -- so -- but little by little there was also the presentation on Terry Kramer, the leader of the U.S. delegation in Dubai. And they started not to stress the different views and that.

So we have to -- we see all this enormous list of new events that would take place from now until 2015. And so we need the patience. We need to go there. We need to interact with those that have different views. And, in my opinion, it's not only a question of bottom up. But it's a question of try to build up the confidence, as Peter said, and the trust. Thank you.

PETER MAJOR:

Thank you, Stefano. Just to comment on what you said, that is why I mentioned at the very beginning of the presentation that I think we are on a learning curve. And there is much to learn from each other.

Yes. The following gentleman, please identify yourself.

>>

I'm Poncelet from NPOC. I'll first make a comment and then a question. I want to go back to paragraph 55, which Tarek rightly mentioned about the multistakeholder model is a functional model. But how well is it functional in the sense of really taking it down from the bottom-top approach? Because it looks as if from the bottom it's working. Because I was lucky enough to be part of civil society to be with the government of Gambia at the WCITs.

And Wolfgang mentioned something earlier on when he talked about spam, some governments wanting to bring spam during the WCIT, which was very funny, especially when it was discussed in some documents. But why were these governments bringing up? You discover that a lot of them, they are not involved in their national processes at the International Governance Forum. And the question I want to bring to the panel is how do we engage our governments better at the International Governance Forum and later on at the regional forum. Because, when they're engaged properly within all the sectorial areas, they won't have problems that arise during the WCIT. Because a lot of the things that arise during the WCIT need to be dealt with at national self-regulation matters. And that has been the main problem. So you have different players in the GAC from governments, different players in the ITU from governments and stuff like that. But all these

people, if we can get them all to sit together at a national and their regional IGF forums, then it would be better. And that's where the problem is. And, lastly, I would like to encourage my colleagues who most of them here are involved in their national Internet Governance Forums, we have to engage our governments. That will make things easier for everyone and all of us. Thank you.

PETER MAJOR: Thank you for this comment. It's very valuable. Just to react on that, you may know that there was a CSTD working group on improvements up to the IGF. And in its recommendations, I believe we had a recommendation of greater government involvement in IGF issues. I'm always optimistic, since the U.N. general assembly took note of this report and invited the Secretary General to report on implementation of these recommendations, so probably there will be some effect on that. But it's also different than us. Thank you again. Franklin, the floor is yours.

>> Peter, may we invite the panel.

PETER MAJOR: I'm sorry. Before I give you the floor -- Bill, you want to take?

BILL GRAHAM: Well, in terms of getting governments involved, it's really a matter, I think, of reaching out to governments whenever there's a national forum and speaking to them about the importance.

Many of the country code organizations have good relations with governments. And, using that as a mechanism to make contact, I think, is always valuable.

But a really fundamental problem, I think, is with the funding at the IGF. Many other U.N. organizations have established budgets, and they have programs to bring governments in to participate. And that's not the case with the IGF. Markus, of course, is very aware of this, as is Chengetai.

So far the IGF is largely funded by voluntary contributions. Some donors have been extremely generous with their contributions, and yet it's very expensive to run an operation like that that revolves around the world. And this is an issue that I understand was talked about at some length in Paris. I'm hearing of increasing donations being made by various organizations, including ICANN, which has decided to increase its contribution to the IGF considerably this year.

If parties, governments, private sector, the civil society step up and help in this issue or if the United Nations were to recognize the full value of the IGF and give it a regular budget, that would help tremendously in involving governments because, particularly from the developing world, it's a real challenge to follow a complex process like this. Thank you.

PETER MAJOR:

Thank you. Anyone from the panel on this? If not, Franklin, please.

FRANKLIN NETTO:

Thank you, Peter. Good afternoon. Good evening, everybody. I'm Franklin Netto. I'd like to commend ICANN for organizing this event within the regular ICANN meeting. Certainly, it's very positive to have a space to discuss Internet governance on a wider perspective with a wider approach. And this is certainly something that adds to the perspective that multistakeholder is an important issue also in this -- in this institution as well.

I would like to make a comment on the question of principles. But first let me thank ICANN and the leadership and Mr. Fadi for mentioning the Brazilian steering committee this morning. It was -- we thank him for that. And I would like to say that we see -- we saw his words this morning in the presentation that he made on the many mechanisms that he's bringing into the institution to enhance even more its mechanisms to improve its responsiveness to the various stakeholders. And then we also commend him for that.

But regarding the principles that Professor Kleinwachter mentioned, Brazil had an opportunity to take part in this workshop there in the WSIS event in Paris. I just would like to mention one aspect that could be of interest to the audience here as well. Brazil is a country that's fully and deeply committed to the multistakeholder system of governance and the Internet. And this commitment is what enabled the creation of a body, which is the CGI that was mentioned here in the morning. In this body is where the discussion on the -- on the crafting of the principles for the use of Internet of Brazil -- this body is the place where the discussion took place on an open manner listening to the various stakeholders. But it was the legitimacy of the principles as we have it today in Brazil. They come very much from the legitimacy of the

body that's crafted these principles. So it's a body where the constituencies themselves choose representatives in the bottom-up manner. And this is what leads to principles with legitimacy.

I think this is something important that could be of interest when we discuss -- when we are creating more momentum on the discussion of principles of universal reach. And I think, since this is the moment where multistakeholder is more and more and more and more being adopted and being more accepted and being more entering into the core values of the institutions that deal with Internet governance, then we think the moment is ripe for having, since we have more stakeholders with legitimacy, then the moment is ripe for discussion of principles. This is the reason why Brazil is one of the countries that is also supporting this discussion of principles that could be of universal values on Internet governance. Thank you very much.

PETER MAJOR:

Thank you, Franklin. I believe the Brazilian principles constitute the core of this compendium we are talking about. So you are -- we are happy to be building on that. But I would like to have the comments, eventually, from the panelists. And, in a broader aspect, the participation in the IGF, the financing of the IGF or any question related to IGF. For instance, let me turn to Mr. GAO. How do you see the IGF itself and the future, and how can we improve it?

XINMIN GAO:

Thank you, Peter. Personally, I have taken part in IGF meeting several times. My personal feeling is it is very valuable for us to learn from each

other, particularly to appreciate the principle or the multistakeholder model and to seek dependence between the complicated aspect in Internet, for example, security of WSIS for privacy control and server regulation and, et cetera.

And also we appreciated the principle of the bottom to up principle to more focus on the desire and opinions from net citizens. I take an example to you. In China my organization is Internet Society of China. We are civil regulations. Also we have done a lot for collecting of the opinions from different companies in -- they're involved in the Internet industries. And collect all the opinions. And we seek some (indiscernible) and compromise approach to make some developing of the Internet industry particular to protect the net citizen interest, the end user interest.

So I think -- and I think the Internet Governance Forum is valuable for us. We will continue very active participating in this event.

Concerning of the how to improve the IGF, in my personal opinion, maybe we have to seek some principles more focused on the development for ICT for development aspect. Because it is a very interest for everyone, for every nations, every countries. Even the Internet can contribute to promote development every country. Then it's benefited for all.

I -- my feeling in China, I think we have made a lot of progress in the Internet applications. I think, for example, the e-commerce in China. Every year the transaction volume increased more than 50%. And now is a lot of young people, they already -- they buy something only online, not shopping physically.

So I think if we make such progress further, then the Internet can promote the economic development and promote the restructure of the economic development.

So my opinion is more focused on the ICT for development and also this proposal for WSIS action plan. Second point of my opinion is I think the IGF forum should be focused more -- focused on the cyber security issues. It's also is a very, very important issues. And also in this area is indeed the international cooperation.

Now, my society already did some efforts to make cooperation with other countries in aspect of the anti-spam field. We signed the agreement with Korea, with other countries, with Japan. And they make a lot of results for us and beneficial for all countries. So I think in this area we have to do more in this aspect. So I think IGF should be continued and also IGF should be improved. Thank you very much.

PETER MAJOR:

Thank you, Mr. GAO. That was very helpful. Paul, you wanted to take the floor.

PAUL WILSON:

Thank you, Peter. I'm Paul Wilson. I'm a member of the MAG, the multistakeholder advisory group, at this moment. I thought I should also take this chance to say a few words about IGF. It was the WSIS that gave us not only the recognition by the U.N. of the multistakeholder process, but it also gave us the definition of Internet governance. And it gave us the IGF as the place by its mandate for Internet governance to be discussed. And I think that's a very powerful thing. It's a very big

responsibility. And it's an opportunity that we need to continue to dwell on and make sure that we take up and we fulfill our responsibilities to it.

The -- there is no alternative to the IGF. And, while there are Internet governance challenges to be met, we really have no other place to talk about them following the definition of Internet governance itself and the multistakeholder model. I think, while there are Internet governance challenges, the IGF will need to continue. And, when the Internet -- when you consider that the Internet today is a small fraction of the size that it will be in another 10 or 20 years' time, we shouldn't just be thinking of the IGF as something that needs to last until the end of the current 5-year cycle but something that should be here in 10 years' time and in 20 years' time in some form or other. Because, until we know what replaces it, we can't afford to lose it.

So I do think I'm just really repeating the call for the serious consideration to be given to the continuance of the IGF.

I think the role of governance is actually critical there in a circular manner. Because, unless the IGF continues to demonstrate its use to governments, then they won't be there. And without governments, the IGF as a multistakeholder institution, if you like. And without any particular stakeholder being there in some force, its legitimacy or its effectiveness is, obviously, under question. So the presence of governance is needed for the IGF to be effective.

So I think the fourth thing that the WSIS gave us -- and probably the fourth element -- the one that has been less successful, less explored is enhanced cooperation. So I know there's now the CSTD working group

that's going to take on the consideration of enhanced cooperation. And I'm sure that will be a useful and productive thing. But I think, personally, I'd like to see -- and many have called for this, I think -- we'd like to see enhanced cooperation being brought together within the IGF so that there's no longer sort of a set of competing concepts or particularly when one at the moment is as vague and unexplored as it is. We'll see the result after the working group starts work. To bring those together in future may well be part of the solution to an IGF that actually does attract governments that where governments see that the enhanced cooperation of some of them are called for within governmental -- within and between governments actually can be carried out within the IGF as well. And perhaps in a future incarnation, a future revision of the IGF, we might start to look at the concept of Internet cooperation as the -- as a new version of enhanced cooperation and Internet governance together. And I can imagine a future Internet cooperation forum, which actually was a properly, dare I say it, institutionalized body that carried on in the spirit of cooperation. And that's a well-tested and well-understood governmental idea as well but in that spirit carried the responsibility for the Internet governance going forward. Thanks.

PETER MAJOR:

Thank you, Paul. It's very interesting. I concur with what you said, especially in the first part as well as the second part. Probably I would be a bit more cautious to get on board with the two processes and merge them.

Definitely there may be a time when we are after the enhanced cooperation in the way you mentioned. But, for the time being, I still feel that we have to build up the confidence in these negotiations.

I give back the floor to --

>>

Poncelet again from NPOC. I just wanted to speak that earlier spoke on funding in terms of U.N. organizations. I wanted the national processes. You have the United Nations development program which usually engage with mostly with governments. And in the Gambia, what we did, we engaged the UNDP which engaged with the government directly. So the government were able to be involved and the UNDP were involved. And in the last national IGF, the UNDP put in the money through the alignment of ministry of information and infrastructure to help have a national forum. So that can be a model to through UNDPs in different countries to be able to get governments and multi partnership, because the governments always work with the UNDPs in local countries. I just wanted to say that. Thank you.

PETER MAJOR: Thank you for this comment. Yes.

JOY LIDDICOAT: Sorry, Peter.

PETER MAJOR: I'm sorry. I haven't seen you. Yes, go ahead.

JOY LIDDICOAT:

Thank you. Joy Liddicoat from the non-commercial users constituency, also GNSO council, GNSO councillor aide. I should probably disclose recently had the privilege of being appointed to the working group as a civil society register.

I wanted to thank you for this panel and the quality of the contributions from our panelists and the questions from the floor.

One thing I'm sort of sitting with, having been involved in the IGF and in ICANN in other forums, often, as if IGF is the answer, what's the question?

And for me and many of the civil society groups I work with and their stakeholders in their respective roles need a platform where they can come together equally to talk about the present public policy issues that concern them. And there isn't any other forum that has yet been created that provides that space.

So I'm delighted that there's an opportunity to reflect on enhanced cooperation and what that means in light of the Tunis agenda.

I think for ICANN and those constituencies here a key challenge for us is what is the ICANN contribution to that discussion? Not just as an institution, but as a community? Because the Internet, by definition, is a community. So what are our respective contributions?

And, to that extent, I suppose a question really for panelists is, while we might spend a lot of time debating the definition of enhanced cooperation, perhaps we could look more for indicators or we know it

when we see it. And, frequently, and in an ICANN context or a multistakeholder bottom-up process, we can feel good and know when we feel a process has respected the values imbued in that.

So I'm just wondering if the panelists have got any particular thoughts about some of those indicators or, you know, of enhanced cooperation that they might be looking for or wanting to explore or wanting more inputs from, particularly from ICANN and its communities about and its work.

PETER MAJOR:

Thank you, I think it's very useful. Personally for me, I think it's very useful.

I will turn to the panelists.

TAREK KAMEL:

Thank you for the question and when it comes to the question of enhanced cooperation, it's not easy to define enhanced cooperation. Is it enhanced cooperation within the existing organizations or among the existing organization or new organizations? But you have asked specifically what is ICANN's contribution and therefore I am trying to step in within this debate.

Very specifically, in addition to having Baher Esmat as a representative representing us within the Enhanced Cooperation Working Group of the CSTD, we tried to demonstrate what has concerning enhanced cooperation from our point of view within the last eight or nine years. For example, within ICANN there has been the Affirmation of

Commitments. This was a step forward compared to the GPA before. And there was a revision, ATRT version 1. Now ATRT version 2 is starting, too, its process and should end toward the end of the year.

The accountability is now not necessarily towards one government but more toward the GAC. We are trying to empower the GAC as well as we can in order to include as many governments as we can to let their voices heard within the GAC when it comes to public-policy issues very specifically, and I think the new gTLD program, for example, has triggered immense interest from various governments all over the world to participate or to re-participate. Some of them were there in the past and now they are reactivating their participation again on the GAC.

So we see there are different definitions of enhanced cooperation. We try to contribute as much as we can.

We're not necessarily claiming that the model is perfect yet, but at least we are moving forward with the various revision of the ATRTs; as I have mentioned, version 1 and now version 2.

But in addition to that, I have to say that the whole community, not only ICANN, ICANN staff or ICANN community but the whole multistakeholder Internet community, and here I'm coming back to what Stefano has mentioned about Internet community, I was talking about the Internet multistakeholder community.

The Internet multistakeholder community should be coming up with a clear roadmap and definition what do we want to achieve within the next two and a half years, in my opinion, from each of these events, or what do we want to avoid as such?

When it comes to enhanced cooperation, for example, I just might give some very few ideas crossing my mind to trigger discussion.

I want multistakeholder enhanced cooperation. When it comes to the IGF, as my dear friend Paul Wilson has said, we want the IGF to continue, because it has been, to a great extent, successful and we don't have another umbrella of multistakeholderism within the U.N. until now.

And the beauty about it that it is not only becoming a global IGF, but it's becoming regional and national. And there was very little funding. So there is a real need that creates really this dynamism out of the IGF.

So these are a couple of examples that we need to define as a community, when it comes -- when we are going together to these forums, what do we want out of them.

So this is probably some of the contribution that ICANN can contribute a bit in this direction.

Thank you.

PETER MAJOR:

Thank you, Tarek. It's very interesting and very useful.

Yes, Eric.

ERIC LOEB:

So in discussions about this with other colleagues active in ICC, one of the starting points that we've come to is that for those that are calling for enhanced cooperation, and there are many, the question that would

be very helpful for the process is what specifically must be enhanced? And if that sort of specific target or critique could be articulated, it would greatly help with the constructive discussion to follow, rather than what often is placed is just the general statement that we must have enhanced cooperation.

PETER MAJOR: Thank you.

Yes, Wolfgang. Shortly.

WOLFGANG KLEINWACHTER: I think it's a very good point to say, you know, what has to be enhanced. I think that's a good question. So I come back to an academic meeting we had in 2007 or 2008 where we tried, from an academic point of view, to define what it is. And we ended up with a formula which is probably helpful for the working group.

We said the first thing which has to be enhanced is communication among our parties, because some parties do not talk to each other. And they do not know, really, what the others are doing. So that means enhanced cooperation starts with enhanced communication.

And if the communication leads to the discovery that two parties are doing similar things, then there is probably a need for coordination. So that means, then, the coordination among various bodies has to be enhanced.

And then if it comes to overlapping issues, then probably collaboration is also needed to clear who does what, which would help. And the

formula which emerged from these three enhancements was EC3. So that means an enhanced communication, coordination, and collaboration was our understanding from what enhanced cooperation is.

But we should not forget that the history from enhanced cooperation, as we know it from the Tunis agenda, goes back to the WGIG and was linked to a hot debate about the oversight function of ICANN. And there were four models, and the WGIG could not agree on the four models. And also the Tunis Summit could not agree on the four models, and the outcome was a process on enhanced cooperation.

But I think it would be a big mistake to go back to the WGIG times to turn the clock back because a lot of things have changed since 2005. The whole environment has changed. We have now more than 4 billion Internet users. We have a lot of new challenges and consequences, and we have also -- ICANN has changed dramatically. Tarek mentioned the AOC. Tarek mentioned a lot of new developments which have more or less the questions from since 2003 and 2004 not totally obsolete. But, you know, not as a first priority. There are new challenges, and the working group should look forward and not backwards if it goes to the definition of working on recommendations for enhanced cooperation.

Thank you.

PETER MAJOR:

Thank you, Wolfgang. I certainly do not want to go back to WGIG and us and for your words for enhanced cooperation, probably we should take note of that in view of what has happened today.

Let me give the floor to --

>>

My name is (saying name), and I am from the board of NIC.cr.

I think it's so clear what you have mentioned about general principles. And that's the way to proceed.

We really need a bill of rights, like the U.S. Constitution, or the citizens rights that we learn from the French Constitution.

We're hearing new space and new principles, certainly. Principles. Universal principles, of course, that should be accepted universally.

Now if you have some patience with me, let me tell you that I helped organize in the ICANN meeting in Costa Rica, meeting 43, and I see that many of you were here, and I think this was a great meeting.

Now, but I think what was, for me pivotal was the address of our First Lady president. This is considered, like, people like Steve and many people as pivotal speech. Because many of the issues we are discussing now that then went to Toronto, to Prague and, of course, to Dubai were touched upon there. And it's very important that head of state could convince other governments and really send this to the United Nations. And I think this is our goal. Otherwise, we will have 1,005 meetings from this one that will be turning around so we need a set of principles.

Now, let me just tell you the ending sentences of that speech because this was really said before Dubai. So it's the ending speech of our lady president was the following.

The legitimate concerns of the field of privacy, security, and protection of intellectual property should not become an excuse to justify trends seeking to exercise highly restrictive controls on cyberspace. The design of Internet governance should be based on multistakeholder approach regardless of our political, corporate, and financial power.

And this one, I like it very much. Internet is the greatest opportunity we have in history, so as not to repeat our past errors that led to the creation of international governments, institutions that are vertical, closed, and bureaucratic.

So I think she really went to the core of where we are.

So I really commend you to go to that speech and try to build consensus at the government level. And if we can help on that, we would of course be delighted.

PETER MAJOR: I promise I will try to do that.

Marilyn, you are the last speaker on this issue.

MARILYN CADE: Thank you, Peter. My name is Marilyn Cade. It was difficult for me to arrange to be the last speaker but I feel fortunate to have done that.

PETER MAJOR: You are the most important.

MARILYN CADE:

In the interest of disclosure, as Joy, would I like to state that I will be one of the five business representatives on the working group. And the reason I came to the microphone is I wanted to make two points.

One is a comment about the importance of a panel that focuses on this topic within and scheduled during the ICANN meeting, and the importance of doing it early, such as on Monday before the governments have to leave on Thursday, and we miss the great opportunity to ensure we have all stakeholders in the room to participate and dialogue.

So that was point number one.

Point number two is I notice the timing on the agenda for the responses from stakeholders. I think one of the things that I'm very cognizant of is while it's good to talk to ourselves as ICANN, it's incredibly important and will be very important for the working group to be very creative and innovative in how we talk to others and how we reach others to ensure that there's a very broad and easy way to take comments very broadly and responses from stakeholders.

The timing of the closing date is right in the middle of the Durban meeting, I believe; right?

So I just note that because undoubtedly we will want to have some kind of a -- perhaps status report or rumination or consideration of the status while we're in Durban together as well of what progress has been made on this.

CSTD has perhaps -- the commission on science and technology has perhaps not been as visible to all of us in the important role that it can

play. The countries that are members of CSTD bring together the ministers of science and technology. And one thing that I would like forward to is really being able to reflect on the important role that that commission can also play in -- obviously in the role it place in follow-up to the WSIS, but the important role that that commission can also play in reaching a whole new set of ministers that perhaps can help to broaden the awareness and participation of the involvement of governments along with, of course, the other work that we all need to do with other stakeholders.

Thank you.

PETER MAJOR:

Thank you, Marilyn.

Well, with that, I think we close the first part of the session and we go to the second one, and we try to talk about some ITU-related forums or fora.

First of all, we have already mentioned the WCIT, and probably don't really want to go into depth what was -- what is the -- what was the main objective of the WCIT.

Basically it was an update to the existing ITRs, which are still valid, which were compiled in 1988 in Melbourne.

And there was a wish to have an update to this International Telecommunication Regulations.

There was also some member states which would have liked to include Internet into the scope of the ITRs; however, I think most member

states wanted to stick to the existing ones, but having some updates on them.

Basically, as you may know, there was a vote during the WCIT, which is extremely unusual in ITU. In ITU, most conferences, except for the plenipotentiary conference, always go by consensus. Even the more controversial political issues are decided by consensus and it works.

However, this is the first time I experience there was a vote on some issue and it was in the case of the preamble, when we had a vote, the preamble is not mandatory. The ITRs are.

So basically, that was one of the reasons that many of the member states did not sign the treaty itself.

In the following slide, I just give you a quick picture. The greens have signed, and the whites have not.

So there are about 55 member states who didn't sign it. Well, here, I think what we may consider what are the effects of this conference. So what are the cleavages? Are there any positive effects?

Well, personally, there was at least one positive effect of the Dubai conference, which was in some way a follow-up of cooperation between ICANN and the ITU. Fadi Chehade came to the IGF and then met Hamadoun Toure. And as a follow-up during the WCIT, there was a Declaration of Cooperation or complementarity, rather, of ICANN and ITU, and I found it extremely a positive sign.

The other issues coming up directly or indirectly from this conference and that is the multistakeholder model, the states control, or something

in between. So I would like to turn to the panel about some assessment of the outcomes of this conference, but before doing that, Nigel, you would like to comment on that some?

NIGEL HICKSON:

Well, thank you, Peter. Really all I wanted to do, and I'm conscious of the time and I'm conscious of the panel wanting to be making a contribution, so all I wanted to say was about the world telecommunications policy forum and no doubt the panel might have comments on this. The world telecommunications policy forum is all on Internet governance whereas the Dubai event was on international telecommunications and we discussed the Internet. This time the world telecommunications policy forum coming up in Geneva in May is on Internet governance, so we'll probably discuss Internet governance or something else. But the importance of this policy forum -- and that's just why I wanted to mention it because I know some of the community will be going or some of your colleagues in the community will be going -- is that it's going to touch on the sort of issues that we're discussing this week. It's going to touch -- it's going to touch on the multistakeholder approach, it's going to touch on enhanced cooperation, it's going to touch on access to services and the cost of services. And I think it's very relevant to a lot of people. It's not a treaty. It's going to come out with opinions. But these opinions are important because these opinions will be looked at by the wider world and these opinions will be looked at by the process that was described earlier, going forward into the WSIS review conference and the WSIS forum that's taking place in parallel to the WTPF in May but also more importantly, the WSIS review conference that the ITU are holding in

May 2014 and then the U.N. General Assembly in 2015. So if you're around in Geneva in May, please come to the WTPF.

PETER MAJOR: Thank you, Nigel. Just getting back to the WCIT, any comments on the outcomes or assessment of the possible impact on Internet governance? Yes, Eric.

ERIC LOEB: I'll just draw a line a little bit between the discussions on WCIT and through WTPF and then up through to the next ITU conference which would be plenipot 14. And briefly, just picking up on something positive from WCIT, is it did bring to the forefront and very much in the open a global conversation, a dialogue about various views on how the Internet's IP based networks and content and traffic exchange will best thrive. I think that there are shared goals among countries about the goals of development, how to achieve. What came out is there are some different views about how best to achieve them. And so in some very narrow areas there was strong disagreement. But there were many areas at WCIT where consensus was formed and some things were modernized. So there were some important things there.

Now, an important point to take from the WCIT is those discussions that came into the forefront there, they don't stop. They did not stop in December. They continue. And of course, they continue at WTPF this May. And what I think is helpful to draw out and have an understanding about and why what happens in May is important is those -- these opinions that will come out, and there are six draft opinions right now,

they aren't binding but they are opinions, the text of which will go on to inform how items are brought up at plenipot 14 which is a treaty conference. So in that context I think what everyone must do, and in particular when you're looking at things at a -- from the point of view of preserving a multistakeholder model, is to look very carefully at the context of everything written and ensure that each of these opinions is reflective of the roles of all the current participants and are they in there or are they not. And there are a few places where I think it's important to look quite carefully. I think in the draft opinions that concern IPv4 and IPv6, for example, I mean, if you look at it, the ICANN is not mentioned, which is I think rather an interesting omission and something that merits being addressed in the discussions in May. So I just -- I point that out. I think that the -- that there is a lot of good work going on, that the discussions are really important. They are not themselves binding, but they are very informative and lead to next steps. So it is important to pay attention at this time because what's written here will have influence later.

PETER MAJOR:

Okay. I can see that many of the panelists would like to take the floor first. It is Marcus, then Wolfgang, Bill, and Eric.

MARCUS KUMMER:

Yes, thank you. I would like to pick up on something that was said in a comment from the floor. These problems that were brought up, they are, of course, real but I think one of the problems quite often is that the governments who bring them up don't even know that they are already addressed in the country because they don't necessarily talk to

the community. And I would like to echo the importance the national and regional IGFs can fulfill in actually answering these questions. But it forces to bring governments together and talk to the community. And I've seen that in some examples where I was told this is actually the first time the government talked to us. So this is really, I think, an important part of the solution, that we help inform opinions and help having informed discussions on real issues.

WOLFGANG KLEINWACHTER: Thank you. I think these days it's difficult or risky to speak about the ITU. There are ITU member states and among ITU member states there are different opinions. And what I also observed, I was a member of civil society representative in the German government delegation, that some governments speak in different bodies with a different language. So it means they did not do their own homework and to coordinate for a unified governmental position, you know. In the GAC they have one position. In the ITUs they have another position. It just does not work together. So that's why it's not so easy to get a full picture. And I can only echo what already two speakers have said. We have to put this into a process. And what I see looking towards the October plenipotentiary conference in October 2014 is that the Constitution and the convention is renegotiated. So the ITU has this three-layered regulator system. On the lowest level is the regulation, the telecommunication regulation which was negotiated in Dubai, and on the higher level is the convention and the Constitution. And the risk is that we will see in 2014 a similar constellation like in Dubai so that there are some member states want to have an extension of the mandate of the ITU and other member states want to prevent this. What Tarek has

said, we should be very clear what we want to achieve and what we want to avoid.

So it means if some member states go to an extension of the mandate via the Constitution at the convention, then the risk is high that the ITU will be split because so far we have unified Constitution and convention for the ITU, so there's a high risk that this could end in a very complicated situation. The wisest solution would be if ITU itself could find its place in the multistakeholder intergovernance ecosystem and not try to delve a lot into alternative system. Because such an alternative system would fail. But the ITU is certainly welcome, as partner of a global multistakeholder ecosystem where each different organization plays its special role according to the existing mandate and not an extended mandate.

PETER MAJOR:

Bill?

BILL GRAHAM:

Thank you, Peter. I'd like to take a slightly different tack. One of the things that I noticed about the WCIT was that it had a very positive contribution -- positive effect on the Internet organizations and the Internet community, in my opinion. The -- it was very clear for some years in advance during the preparations for the WCIT that there was going to be a threat of an intrusion into Internet space. And the friends of the Internet from the business community, from civil society, and most particularly the Internet organizations themselves really rose to the challenge and started working together in a very positive way. A

good example is the excellent analytic work and awareness raising that the Internet Society I would say led on but they worked with their friends in the IETF bringing governments in raising awareness. ICANN contributed through its Fellowship Program. The RIRs were very active in their regions and working collaboratively in the ITU context to reach out to governments, friends, and not so friendly to try to explain to them how the Internet works and the importance of supporting the multistakeholder model and the native Internet institutions, as I would call them. Many of the ccTLDs worked very closely with their own governments, again often appearing in the national delegations to the WCIT.

So I think there was a really galvanizing effect there that was demonstrated in the outreach to government and governments. On the ground at the WCIT there was a very large presence of Internet organizations and probably less so in civil society but they worked very effectively in the background and I think had a significant impact in controlling the dangers that possibly would have arisen had they not been there.

So I think while the vote was polarizing and that was generally a negative, there were very positive community outputs from this. This continue -- these efforts continue leading up to the policy forum. There's a very good mobilization there and most of these organizations will appear. The ITU seems to understand this, to a certain degree, because they are more open than usual to having participation from non-member organizations and even individuals in academics at some level.

So I would say that we have seen a new interest in the multistakeholder system arise out of the WCIT and we saw that and we're seeing that in fact here at this meeting where there are new government people from states that have not previously taken part in the GAC attending to find out what this thing is all about, and they're being very positively impressed. So within the ITU, I think the impact probably is overall negative. On the larger context of supporters of the Internet, I'd say it was quite the opposite. Thank you.

PETER MAJOR: Tarek Kamel.

TAREK KAMEL: Thank you, Peter. I want to build on what Wolfgang has mentioned saying some governments go to ITU forums and vote in a direction and when they attend the GAC, they speak differently. I would call them, in this case, they are undecided governments, governments in the middle that they don't know exactly or haven't yet decided exactly what they want to belong. Sometimes it's an internal debate between different ministers. For example, some technology, for foreign affairs, and telecommunication.

Our work and our -- in my opinion, our mission as a community to focus on this middle countries, on this undecided countries and to try to explain the benefits of the multistakeholder model and to try to include them within -- within the process. The polarization, as Bill has mentioned, has started at the WCIT during the preparatory process and it was clear that there is going to be a polarization. Maybe not that

severe. Nobody has expected it that severe, but it was clear that there will be a polarization when it comes to Internet governance issue. But this is only one station in the journey. Similar polarization will continue within the WTPF and it has been mentioned as well in the plenipotentiary. And we need to do our duty and our homework as a multistakeholder community when working together including this GAC and convincing the undecided, the middle countries and the middle governments, if we want to call them.

PETER MAJOR: Tarek. Paul, did you want to take the floor?

PAUL WILSON: Thanks, Peter. I guess I should. The issues that -- there are a couple of issues, stepping back a bit, but ongoing issues that I see with the ITU meetings that we're looking at here. And I agree with the speaker who said before this is something that's going to go on and we need to be looking forward quite a few years to all of these events that are coming up because I think the -- one of the issues is the ongoing confusion about the mandate of the -- of the ITU and the role of the Internet and the place of the Internet in these meetings. It's worth bearing in mind that the WTPF is called the WTPF in its acronym obviously, but you look at the expansion of that in the 2013 meeting, it is known at the world telecommunications/ITC policy forum. Previously it was just telecommunications and that's quite a significant change, which I think is also going to be reflected in the possible proposals for mandate to be extended in future.

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But the topics are exclusively on Internet, nothing else.

PAUL WILSON:

Exactly. So I think we need to obviously be very -- very aware of that. But also to be aware of the -- and questioning of the meaning of the term "multistakeholder" in this context because, I mean, I think we should recognize that there's been steps towards openness in very ITU processes. But those steps really can't compensate, to be very frank, for the fact that this -- this is an intergovernmental unistakeholder political decision-making body and that is to try and reconcile that with multistakeholderism as I think we understand it here is difficult or impossible. The preparation for the WTPF has involved this informal expert group in which the NRO participated. And although we were on the group and we gave substantial contributions, I think we were sorry that through three rounds of edits our contributions are not visible in any sense in the outcome of the report. And the -- what we see in the report is really the same series of allegations of problems and issues with the Internet which somehow can be addressed. It's assumed by taking a different approach. We'll have to see what actually comes out of the -- of the -- of the meeting, but it's quite interesting to us that there are two out of the six opinions have got Internet addressing implications and IPv6 implications in particular and that those opinions continue to retain the same old sort of confused suggestions about different issues and different aspects of the IPv6 situation that simply need to be clarified. And we've made some efforts and we'll continue

to make some efforts towards that and hopefully find a positive outcome by the end.

PETER MAJOR:

Thank you, Paul. And I would like to thank you all. I think we have run out of time. Just as a conclusion, to me Internet governance is a reconciliation of different interests. I think it has been enhanced during this meeting to maintain the multistakeholder model. It was also mentioned that we should have cooperation rather than confrontation and this should think beyond the WSIS (indiscernible) -- that is, we should be proactive. Mentioned the principles, the enhanced cooperation, the improvements of the IGF, and this should be sustainable goals. So in a nutshell, I think we should work towards an enhanced Internet governance.

I wish to thank you all, and I would like to ask you to give a round of applause to the panelists.

[Applause]

Thank you and I hope to see you in Geneva and the WTPF.