PRAGUE – ICANN and the Internet Governance Landscape
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CHRIS DISSPAIN:
Good afternoon, ladies and gentlemen. My name is Chris Disspain. I am a member of the ICANN Board.

I'm also a member of the Internet Governance Forum Multistakeholder Advisory Group. I think that's the correct name.

We have about three things under the heading of overarching governance. One of them is a brief explanation of what's happening at the coming IGF, and we're going to talk about enhanced cooperation, and we're going to talk about the WCIT, which is coming up in December.

So I have a distinguished group of people to take the strain of all of this, and all I have to do is stand here and take questions.

We want this to be interactive at the end of each one of the sessions, the sections. We'll open up the floor for questions, for comments. Please feel free to come to the microphone.

Just before we start with a brief overview of the IGF, I'm just going to ask everyone to briefly just say who they are, and I'll start with you, Eric.

ERIC LOEB:
Good afternoon, my name is Eric Loeb, and I am with AT&T as the vice president of International External Affairs and also with the

International Chamber of Commerce where I chair the task force on Internet and telecommunications.

MARKUS KUMMER: Hello, I am Markus Kummer, Internet society.

CATHY HANDLEY: Cathy Handley. I am the Executive Director of government affairs and public policy for ARIN.

Two microphones.

THERESA SWINEHART: I am Theresa Swinehart, Executive Director global Internet policy with Verizon Communications. I also serve on the MAG and, full disclosure, I'm also on the ISOC board.

CHENGETAI MASANGO: I'm Chengetai Masango. I'm with the IGF secretariat.

BILL DRAKE: I am Bill Drake. I'm from the University of Zurich, and I'm also on the GNSO Council, the board of EURALO in At-Large, and that MAG in the IGF.

LUIS MAGALHAES:	I'm Luis Magalhaes. I am the GAC representative for Portugal and also the Portuguese delegate to the Commission on Science and Technology for Development of the United Nations.
TIJANI BEN JEMAA:	My name Tijani Ben Jemaa. I am vice chair of AFRALO and a member of ALAC.
CHRIS DISSPAIN:	Thank you very much. So we are going to start with Chengetai who is going to give us a brief overview of what's happening in the coming of IGF.
CHENGETAI MASANGO:	Thank you, Chris. Just a brief rundown of what the arrangements are concerning the IGF meeting in Baku.

So as you all know, this year's IGF meeting is going to be in Baku, Azerbaijan, from 6th to 9th November. There's going to be a ministerial on the 5th of November, the day before.

During the February Multistakeholder Advisory Group meeting, the main theme of the meeting was decided upon and it was Internet Governance for Sustainable Human, Economic and Social Development.

They also agreed to organize the meeting around the six main subthemes that were done last year and these six main themes are Internet governance for development, emerging issues, managing

critical Internet resources, security openness and privacy, access and diversity, and the final one being Taking Stock and the Way Forward.

We had 128 workshop proposals which were received, and they were evaluated by the Multistakeholder Advisory Group, MAG, and they made comments for their improvements, and the secretariat sent comments out to the workshop proponents.

For the deadlines. The deadline of 30th June was given for these improvements, so -- which is coming up. And the deadline of 31st of July was given for the workshop proponents to confirm the speakers, develop the workshop agenda, register panelists in the panelist registration form. They have to upload their biographies and a picture as well of the panelists by the 31st of July. We do intend to produce a booklet of the panelists.

Now, the other deadlines concerning the meeting is that for 30th June there is the deadline for the open forums, and the deadline for dynamic coalitions has passed.

The IGF registration for IGF Village Booths is 30th of July. Registration for -- to book a room for bilateral meetings during the IGF -- as we say, the IGF is not just about workshop. It's about meeting and the values at the edges. So the deadline for this is 30th July or until space is filled up.

The deadline for registration for pre-events, if people want to hold pre-events, that is the day before the IGF, can you please contact the secretariat before the 30th July. And if there are anybody with special needs, we ask if they would please inform the secretariat as well by 30th July so we can make arrangements for them.

The IGF we also plan to hold an interregional dialogue session, and somebody from the secretariat will be contacting all the regional IGFs to organize the session.

We do plan to start registration on the 30th July, so online registration is going to be on the 30th July and on-site registration is going to open three days before the event.

For those of you who cannot come to the IGF meeting physically, we do have our remote participation initiatives, which are much like ICANN's, and we also do have remote hubs and we encourage people to register for remote hubs.

You can find all this information on the IGF Web site.

And we do offer training on our Cisco Webex platform for those people who are dealing with remote hubs and who also -- if you cannot come there and you want to be a panelist, you can also be a remote panelist.

Other news for the IGF. We are revamping our Web site and we do encourage the whole community to please come and comment, what changes do you want to see on our Web site. Just go visit our Web site and there's a bulletin board there where you can write down your comments and we do encourage all much you to please do that.

Thank you very much. I'll take questions, if there's any questions concerning the --

CHRIS DISSPAIN: Are there any questions about Chengetai's deadlines?

About getting to Azerbaijan or...

Thank you, Chengetai, for this report. As you know, for people who are from developing countries, it's not easy to go to Baku because of financial constraints, so the remote participation is of great importance for them. I know that the network there, they have a very good broadband and but we need to test it before the event.

The issue we have to solve it before the forum.

Thank you.

CHRIS DISSPAIN: Chengetai.

CHENGETAI MASANGO: Yes, we have taken that into consideration but it is heavily reliant on Internet as well and they are going to take that experience he to the give he.

And we do have low bandwidth as well he have.

And we do not have a high bandwidth connection. They can still follow using the text stream, the live transcribing.

CHRIS DISSPAIN: Yeah, that's true. (Indiscernible) contest in the IGF. From the ridiculous to the sublime.

[Laughter]

Any other questions for Chengetai?

So we are going to move on to enhanced cooperation. Theresa, you are going to take the lead on that and start the ball rolling.

THERESA SWINEHART: So I'll take a step back first. Out of the World Summit on the Information Society process came what was referred to as the Tunis Agenda. And as many will recall, there were two elements that were in that document aside from a copious amount of principles that are quite useful for all of us to re-read occasionally.

One of them is the Internet Governance Forum which Chengetai described and we are now moving into our sixth year of that forum and I think it has been quite successful including the national and regional IGFs.

The other line that came out of the Tunis Agenda is something that was referred to as enhanced cooperation. Different governments and different stakeholders interpret enhanced cooperation to mean different things. And this has been a fundamental dialogue that's been occurring since 2005.

Some view it as a governmental control U.N. mechanism as a form of cooperation, others view it as actual improved cooperation and collaboration.

With that historical overview, though, the -- there's been several consultations that have occurred since 2005. One was the U.N. Secretary-General received input from different organizations

describing what they're actually doing around cooperation. I know that OECD, ICANN, ISOC, other organizations provided input into that process.

It was a few years later, U.N. Undersecretary Sha led another consultation in December 2010, and this was followed most recently in May by a consultation by the Committee on Science, Technology and Development this past May.

In this consultation was a -- several hour or one-day workshop, whichever way you want to look at it, which had the opportunity of government and stakeholder input on what they see around enhanced cooperation, what the dialogues are going, and then was eventually to evolve into potentially a resolution from the CSTD on how to move forward.

But there was range of views that were expressed during these consultations. And there are several themes that arose. Essentially, it's not clear what different parties mean around enhanced cooperation. There's different interpretations. And that before we try to go forward and define a locked-in process of what it actually is defined as we actually need to do an assessment and a mapping.

We need to understand what the real issues are, what are the real issues that governments are concerned about, what are the real issues that governments that have a view of a different kind of model around Internet governance mean.

What are the problem areas, and where is cooperation needed or improved, and how does one solve that. What's actually occurring. What are the evolutions, what are the gaps and the challenges.

And from that standpoint, what would be the next steps in the international arena.

But what really came out of the dialogue is that there's already quite a few areas of enhanced cooperation or collaboration that exist, and let me just touch on these. And what's really striking is that it's an evolution. As the information Society has evolved, different forms of cooperation have evolved.

For example, the Organization on Economic Cooperation Development, so OECD, after their ministerial meeting and engagement with the technical community, recognized the formation of ITAC along with the business community and civil society community as part of their operational structure in leading the policy development processes with the OECD.

UNESCO, following a workshop in 2006, hosted at the first IGF in coordination with the Egyptian government at the time, ICANN, UNESCO and the ITU, was followed by another workshop which eventually led to an MOU between UNESCO ask ICANN around improving multilingual content globally in light of the introduction of IDNs.

The Council of Europe itself has given a range of projects, including Internet governance principles and their work involves all stakeholders.

If one goes to this organization to ICANN itself, the Affirmation of Commitments is the absolute demonstration of forms of improved cooperation and collaboration on the global level in light of public interest. It is one of the only documents and organizations that has built into it a multistakeholder review process on global level.

This is unprecedented, and an excellent model to look at for other organizations.

If one looks at the evolution of the formation of the ccNSO and the engagement of the ccTLD community from the inception of ICANN, today the ccNSO houses over 130 ccTLDs. That's remarkable. That's another form of cooperation and collaboration.

The evolution of the IDN ccTLDs was a process that involved governments, the technical community, civil society, ccTLD managers, and was a dialogue over a several-year process which resulted in the introduction of what is now over 30 IDN ccTLDs.

The Governmental Advisory Committee itself, another example. The Regional Internet Registries themselves formed during the WSIS process, and we learned this morning the ten-year anniversary of LACNIC.

We also have partnership MOUs, including ICANN's own MOU with UNESCO, a range of other organizations. There's other organizations such as the Pacific Island telecommunications Association, a small entity in the Pacific that itself has partnership only use with the commonwealth telecommunications organization, the ITU, Asia-Pacific tele-community or something as arcane as the -- not arcane, with undue

respect. The secretariat of the civic community applied geoscience and technology division. And the reason I highlight this is it shows the kinds of cooperations and partnerships that exist among different entities involved in the ICT space that are important.

The Internet Governance Forum, bringing it back to that, is also a catalyst for dialogue. We have, in 2011, 17 national IGFs and 11 regional IGFs. We have yet to conclude the counting for 2012.

So in conclusion, on enhanced cooperation, it's a very specialized topic. It's one where there's not agreement, and there's the importance of continued conversation. But we have seen a lot of developments in this process since the Tunis Agenda was concluded, and it's time we look at how to continue this dialogue in the most constructive way forward.

So thank you.

CHRIS DISSPAIN: Thank you, Theresa.

Luis is going to speak about enhanced cooperation and then we will take questions, and Markus had something to say as well. Everyone is going to speak about enhanced cooperation. A demonstration, if ever there was one.

LUIS MAGALHAES: Okay. Well, thank you very much.

Well, I'm very happy that Theresa Swinehart made this introduction based on concrete references to a few cases, very specific frameworks.

We know that it has been proposed by several states to move enhanced cooperation on Internet governance to strictly intergovernmental, non-multistakeholder body within United Nations. And this is respective of the fact that one of the Tunis Agenda outcomes expressly calls for a multistakeholder involvement in this sort of process.

And this kind of position, actually, is very present, even nowadays, because in the meeting we have of the Commission on Science and Technology for Development at United Nations precisely on writing a report on development of the WSIS process, again, the same position was very much defended by a few of the member states present in such a way that it was not possible to take consensus on any sort of progress regarding this idea.

We also sometimes hear about proposals to create a working group to define what enhanced cooperation is and how it should be tackled before handling it, and you are starting to handle it anyway.

Well, it is true that enhanced cooperation and also critical Internet infrastructure resources have been regularly discussed at the Internet Governance Forum meetings, but one can claim that the records or outcomes of those meetings are not sufficiently organized to claim progress on this sort of discussion, and can also claim that people are shying away to actually discuss in an open fashion the difficult issues on these matters.

It happens that in the full range of -^- have stated regarding enhanced cooperation there are some that think enhanced cooperation is strictly how to make ICANN become an enter governmental organization instead of having its present multistakeholder, very open environment.

So in this setting, what I think would be important, and I'd like actually to trigger some more conversation about, is that we should enter a completely different regime, and actually discuss these issues at face value, and that requires identifying concrete examples of the all processes that have to do with Internet governance. And can or have enhanced cooperation mechanisms, mapping them and actually measuring progress against that background.

This is passing to an evidence-based sort of approach of discussing enhanced cooperation instead of discussing it just politically as it has been called.

So I believe this -- this meeting we have here can be a very good situation where this sort perspective could be handled and this could be pursued later on. In fact, what I think we should do is centered on three things. One is to use all relevant multistakeholder settings to discuss enhanced cooperation from now on, on an evidence-based approach, and with particular emphasis with the Internet Governance Forum but not only those.

The second one is to ask relevant stakeholder organizations to map instances of enhanced cooperation and possible gaps and also Internet governance processes that might still require the beginning of enhanced cooperation, including, of course, the discussion that is on regarding ICANN which I think sudden be confronted and discussed openly.

And third, to establish systematic ways of recording the contributions and the debates on this multistakeholder setting so that they can feed further discussions on enhanced cooperation inclusively on United Nations instances where sometimes these contributions are ignored.

We know that in multistakeholder processes, it is very difficult to arrive at good synthesis of the procedures of the debates. But it is fairly easy to establish a quite rigorous and systematic way of taking good account of inputs, of formal written inputs to the debate, and of the inputs in the debate during the discussions themselves.

So somehow, what I think also could help a lot is to set up these sort of processes because these would lead to a situation that probably would be much better grounds to discuss this issue as if it were an abstract threat to certain regions of the world, and as a matter of fact, it's very concrete and can be handled in very concrete fashion.

Thank you.

MARKUS KUMMER: Thank you, Luis. First a commercial and then comments. There are many business veterans in the room. For those who are not business veterans, it may be worthwhile recalling that the World Summit on the Information Society actually gave the Internet institutions very good marks. It did recognize that the Internet works well. There was a slight part in the approved text. There is room for improvement. And one of these parts is enhanced cooperation. Now, the language agreed on was carefully crafted. It was a diplomatic compromise, and it allowed everybody to claim victory after the event. That's, basically, the problem we're facing. There's no shared understanding of what we mean by enhanced cooperation. And both Theresa and Luis have explained this very, very well and looked at ways forward.

But the Internet society was asked to be on the panel these consultations in May at the CSTD. And I made it clear that for us it is enhancing cooperation within organizations but also between organizations. And there's clearly no need for setting up any new type of organization or process.

And in simple terms, to me at least, it means what does it mean enhanced cooperation? I would say the application of the WSIS principles with regard to internet governance. The WSIS principles are open, inclusive, and involve all stakeholders. If you look at what happens in this field, then we can maybe see whether enhanced cooperation has taken place or whether there are gaps. And I'm grateful for these suggestions Luis put forward and actually Theresa pointing out that, really, much has happened in the years since WSIS is clear sense of progress. Now a commercial. As this debate will not go away, there will be other deadlines across the horizon. Next year we have the World Telecom Policy Forum. Then there will be the ITU and WSIS+ 10. So there will be a continued pressure. And we thought it would be good to take this dialogue forward a bit. And we -- that is, the Internet Society partnered with the Association for Progressive Communication on the ICC basis. So we have a true multistakeholder organizing committee to organize a pre-event at the Baku IGF. There will be a one-day event on enhanced cooperation. And we have also reached out to former host governments of the Internet Governance Forum, those from developing countries. And I'm happy to say that Brazil, Egypt, and Kenya are on board to work with us to organize this event. And we will call for contributions. It will be a very open process. Everybody will be welcome to submit the contribution. We will create a

special Web site for this event. I think APC is already in the process of doing so.

And I think one of the key questions is what are the questions that need to be addressed whether enhanced cooperation has taken place or is taking place or in order to find out the gaps. So that was the commercial, and I hope to see many of you involved in this process. Thank you.

CHRIS DISSPAIN: Just one minute. I'm going to get you in a second. I just want to ask a question. So, just so I'm clear, what's the goal? Is there some big exam that comes up at WSIS+10 when enhanced cooperation has stood up on stage and given marks to see whether it's worked or not?

MARKUS KUMMER: Well, there would be a preparatory process for WSIS+10. There will be questions asked has anything happened? Also, have you taken it seriously?

And I think one very basic objective is to engage -- to encourage the dialogue on this. There was, as both speakers said, there was a -- there were proposals on the table to create a working group to come up with something on enhanced cooperation. We thought it will be premature to jump to the conclusion that we do need a working group, that we are ready to engage in a dialogue.

At the meeting of the Commission on Science and Technology for Development, we were actually fairly close to reaching agreement on

launching a process, a kind of mapping exercise. Leaving it open whether or not, at the end of this exercise, there would be need for setting up a working group.

Not excluding it. But we thought it would be -- would make more sense to find out before, actually, what are we talking about. Then a few countries completely blocked that. They said we would like a working group but not a multistakeholder government only working group. That led to the breakdown that we thought, by having the event, we would show as Internet community, as business community, civil society organizations, that we are interested in having this dialogue. And I think the mapping exercise can also be very useful. And, frankly, we don't have to blush. A lot has happened. And I think we maybe can also be a little bit more aggressive and ask what happened in order to implement and to apply the WSIS principles.

CHRIS DISSPAIN: Thanks, Markus.

>>   First of all, there is interpretation, so let's make use of it for diversity. So I will speak French. Please put your head --

Well, so I'm going to be very clear, so everybody understands me. You remember that in November 2005, the governments and head of states had recognized in the article, in these articles 69-71 the need to reinforce cooperation to allow governments to work in the same way and apply the role and responsibilities regarding the public policies of Internet. This cooperation had to include the elaboration of principles

applying to the world for public policies and coordination. This is very important. The coordination and management of critical resources of Internet.

The agenda also says that the United Nations secretary has to begin a process to reinforce cooperation before the end of the first -- of the first quarter of 2006 working with all stakeholders. So this is for information. It is very important to know what was decided.

Afterward, the agenda speaks about the article 72-78, the IGF, in all details including the creation, convocation, mission, and deliverable, et cetera.

So cooperation -- enhanced cooperation and forum on Internet governance are two different things as it appears in Tunis agenda.

Furthermore, those who were there in Tunis in 2005 remember that the article on enhanced cooperation was a way to calm the feeling of different governments regarding Internet control for only one country and to convince them of the interest of a forum on Internet governance without any resolution and recommendation. So it was -- the idea was an equilibrium. This question of cooperation was aimed to -- for everybody who accept the agenda. The forum is maybe this forum on government -- on governance, Internet governance is not what governments who didn't agree was expecting, because then Tunis agenda was so lack of precisions that those who accepted, didn't want to accept it totally. I'm not finished.

CHRIS DISSPAIN: I apologize. My fault.

>> For the civil society, we are -- we come from different places, so we have different kind of position. And enhanced cooperation doesn't disturb, but the summit on information shows that we can -- we can come to a consensus. Civil society doesn't want a controlled Internet by an intergovernmental structure and wants a multistakeholder governance.

Some are concerned about the control by only one nation of Internet, and discussions on governance of Internet are still taking place.

Another issue on which we agree is the constitution of a working group multistakeholder to reach a consensus, precise consensus on what we are expecting on this enhanced cooperation. Thank you very much.

CHRIS DISSPAIN: So, if there are any -- I'm going go to Bill in a second. But, if people want to ask any questions or make any comments on enhanced cooperation, we're coming to the close of discussion on that. And we're going to move on to WCIT relatively soon. So, please, form an orderly queue.

BILL DRAKE: I simply want to point out that, as we know, civil society is very diverse in its views globally and that the various coalitions that work on these kinds of issues have a variety of perspectives. I'm not sure I would characterize it as a situation where everyone thinks that the Internet is controlled by one country. And I'm not sure that there's broad consensus in civil society that we want a working group to do what was

PRAGUE

suggested. There have been riotous debates on these points for a long time. And I can't identify any consensus in any of the relevant coalitions on those points that I would -- I want to add that to Tijani's conversation.

CHRIS DISSPAIN: Thank you. Enhanced cooperation doesn't mean agreeing with each other. It just means talking to each.

BILL SMITH: Bill Smith with Paypal. I just would like to comment that significant resources are being spent on enhanced cooperation. Certainly from the Internet community. I personally participate. Many of the people on the panel do and many people in the audience and elsewhere. Issues have been raised by ITU member states have been repeatedly addressed, most recently with the IPv4 discussions. That was a multi-year effort where questions came in the form or came from member states with specific liaison to a variety of Internet organizations who responded repeatedly.

I personally attended some of those meetings. And the questions just would be asked again and again and again where we were told the answers were not acceptable. Where answers were things like what is the technical answer to this? How does this work? I find that very frustrating as a member of the Internet community and one who knows how these things work and to see time and resource wasted on such an effort.

Going forward, we have WSIS, WITSA, the WCIT preparation, the WCIT Congress itself, and including any resulting regulation. And these all will require additional significant resources. Some of these resources, if regulation comes in in the WCIT, will actually go out for decades, if not a century.

So I submit our time will be better spent improving the Internet governance institutions that we currently have rather than trying to replace them. I stress plural. ICANN is not the only one. There are others. The current Internet governance works. It is not perfect, but it works.

I agree with the evidence-based approach that was suggested here. I would ask that we have verifiable evidence of issues with the current model, processes, results, et cetera, not mere speculation that there is a problem. Given that, we could establish a dialogue to address those issues rather than start with a solution to a problem that many of us believe does not exist.

As evidence, I suggest that we look at the Internet today. In excess of 2.5 billion users, it is thriving. It has brought social and economic benefit to many participants in the world. It works. The Internet community is ready and willing to participate. We have participated. We will continue to participate. For us, enhanced cooperation means seeing someone on the other side that is willing to participate on a level equal to us, not over us. Thank you.

CHRIS DISSPAIN: Thank you. Anyone want to comment before Wolfgang takes the microphone? No? Okay. Wolfgang?

WOLFGANG KLEINWACHTER: Thanks. My name is Wolfgang Kleinwachter. I'm with the University of Arhaus. And I was with Bill under the leadership of Markus, a member of the working group in Internet governance that produced, more or less, the Tunis agenda. Because the language from the final report from the WCIT made its way more or less directly into the Tunis agenda. And insofar you cannot dislink enhanced cooperation into IGF on the definition Internet governance, I think the definition is really of great importance. And it was accepted by the heads of state of 180+ member states of the United Nations. And the definition has not only the element that all stakeholders has to be involved in their respective roles. The second part is even more of importance because it speaks about shared norms, principles, and decision-making procedures.

And I think this is really, you know, more or less wonderful legal basis. Of course, it was adopted by the states, you know, for further development of the multistakeholder model. With Bill, I do not see any political will to agree on enhanced cooperation among the 190 member states of the United Nations. So it's not a theoretical question that you have to clear this. There is no political will among the governments to agree. We remember we had two functions in the report -- the form function and the oversight function. And for the oversight, which was the starting point for enhanced cooperation, there were four different models -- status quo, status quo minus, status quo plus, status quo plus plus to have an intergovernmental treaty. No consensus. And we have

the same situation today. Nothing has changed. We have the four groups who want to have different things. So what is the way forward? I fully support Marcus' approach with mapping.

And then let's remember what Bill Clinton said in San Francisco with regard to ICANN. Internet governance is stumbling forward. As far as it goes forward, it's okay. So I do not see a need, you know, to push for a quick result. Let's move forward step-by-step and let's see what the outcome is.

But one point is important. And this is a message for ICANN. It's extremely difficult and it gets more difficult to defend ICANN as the multistakeholder model in an unfriendly environment if the homework is not done by this organization. That means we have to impress others by excellent work and by demonstrating that the multistakeholder model works. If this fails, then we will see a very, very negative outcome. And this will deliver a mission to the status quo plus plus people who really want to change it. Thank you.

CHRIS DISSPAIN: Thank you very much. Bertrand.

BERTRAND DE LA CHAPELLE: Good afternoon. My name is Bertrand De La Chapelle, I'm a member of the ICANN board, but I'm not speaking in that capacity here.

I lead a program on Internet and jurisdiction at the International Diplomatic Academy.

PRAGUE

On enhanced cooperation it's funny, because the word that comes to mind is actually not shared agreement but shared disagreement. It's an agreement on a formulation that everybody disagrees upon.

The second point is, to complement what has been said, the debate about formation and non-formation of the working group on enhanced cooperation is not over. We know that there are the ECOSOC meetings, and then the United Nations general assembly at the end of the year. And one might fear there might be the possibility of an establishment of the working group by the U.N. general assembly and by a shared authority that might be purely intergovernmental. It is extremely important that all governments who believe in the multistakeholder model or at least believe that it is -- that those issues need to be addressed in the multistakeholder fashion make sure that whatever discussion takes place in New York ensures that whatever group is formed is formed in a multistakeholder manner. Wolfgang mentioned the working group on Internet governance. It is essential that any group is multistakeholder.

Finally, there's the WSIS+10 discussion. Nobody knows what the format of the WSIS+10 is likely to be. Everybody hopes it is not going to be a new summit. But what I would like to recall is that every year now we have at least three meets -- not even mentioning the ICANN meetings or any other preparatory meetings. We have an IGF; we have a WSIS forum in May; and we have a Commission on Science and Technology for Development. I don't see any reason that would prevent making the WSIS+10 just a joint meeting of those these three things, because otherwise it would be completely a nightmare.

And the final element, to slightly disagree maybe or make a distinction regarding what Markus said, the definition of Internet governance, without using those exact words, makes a very important distinction between governance of the Internet, the infrastructure, and governance on the Internet of the usage.

I fully agree and support that the ecosystem -- the institutional ecosystem for the governance of the infrastructure to which ICANN belongs works well, shouldn't be the focus.

However, we must recognize that, as far as the governance of usage, there are no multistakeholder institutions and processes. And, if we don't think about establishing them, the only alternative will be either Internet governmental treaties or a proliferation of national laws that will be incompatible.

CHRIS DISSPAIN: Thank you, Bertrand. Anybody want to comment on Bertrand's comments? That will be a no. Martin.

MARTIN BOYLE: Martin Boyle from Nominet. I actually think there is a really good story to tell about enhanced cooperation. It's just that we're not really good at telling it. And, therefore, I really, really do welcome the idea of doing some mapping of identifying, actually, what is going on and presenting and preparing that as evidence.

And I particularly take up the point that we need to be quite focused in that mapping. Because, as was identified, enhanced cooperation is all

about helping governments get engaged in the process. And that is something where this particular house has got a spectacularly good reputation. It has got lots of governments involved, and the governments are taking a more active role. And I think we do need to make that very clear.

What is worrying me about the collection of that evidence is the speed with which we might do it. If we're talking about doing a workshop pre-IGF, I think we're already too late. At the moment we have got the preparation for the Secretary General's report that will go to the World Telecom Policy Forum in May. That document will be under discussion between now and February, by which time it will be too late. We need to have common shared language that we can make sure is included in that text.

And the other area where I think this information is going to be very useful is what's going on at the moment, making sure that we're feeding that information in in a usable form to those people who are doing the negotiations for WCIT in December. Because, again, that is going to require a lot of those decisions to be made by sometime in October. Thank you.

CHRIS DISSPAIN: Thanks, Martin. Zahid.

ZAHID JAMIL: Hi. Zahid Jamil. I'm a councillor on the GNSO, a member of the MAG. But I speak in my personal capacity. Forgive me. I will speak without attribution of certain terms I may use for various reasons.

I just want to share an anecdote which may help in understanding what kind of lobbying is being done to certain developing countries with respect to what they think enhanced cooperation is and how it may impact what is about to take place in the coming months.

I was at a workshop a few weeks ago. It was a 6-day long workshop. Just to give you an idea of the people who were in that, certain middle eastern countries who have recently had major changes in political dynamics had new folks -- okay, slow down.

Certain middle eastern countries who -- there's been a lot of change in the political dynamics recently were attending there. So, basically, it was starting from scratch, getting to know about many things either from spectrum to Internet governance to anything else.

And there was another international organization there, which I will not name, with a delegation of three, which was there for six days and sat through the entire program despite the fact that they could have simply just made their presentation and left. So that's the devotion they gave to that.

And the sort of things that were said was -- say, with respect to IPv6 saying, "It is said by this California-based private organization controlled by the U.S. government Department of Commerce anything you need to do" -- pointing toward different individuals who may need a ccTLD redelegation saying that this is a California-based organization says that IPv6 addresses are sufficient. But hahahaha, if you look at the curtains on the right, if every one of them had an IPv6 address, do you really think that would be enough?

And then, moving quickly to a slide which showed the current allocation of IPv6 addresses showing Europe as having the majority, U.S. being second, maybe 30%, and the rest of the countries, especially Middle East and African countries having a sliver.

So the impression given was that that's the allocation of the entire IPv6 numbers.

So the question was asked by, for instance, this Middle Eastern country, why is that the case? Why do we get less?

The answer, was well, that's what's going to happen if you leave this to a California-based organization. I want to leave you with that thought. We need greater outreach from people who are involved in ICANN. We need greater outreach from ICANN in itself, not that they don't try hard enough and they try to be everywhere they can. But we need greater. And I think, in terms of resource, having ex-board members, having other people who have been involved with ICANN as a resource, as ambassadors going out there, as senior people speaking to these governments would help. I leave you with that thought. Thank you.

CHRIS DISSPAIN: Zahid, could you give us a clue who that might have been, that organization?

ZAHID JAMIL: I can't hear you, Chris. What was that?

PRAGUE

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CHRIS DISSPAIN: Nothing. I was just playing. Don't worry about it. I'm going to close the queue, and we're going to go to WCIT. But Ayesha.

AYESHA HASSAN: Thank you. Ayesha Hassan, International Chamber of Commerce and its basis initiative.

I just wanted to underscore a few things that have been brought out in this discussion and highlight that, being a part of the discussions on enhanced cooperation since the WCIT myself, we've been stuck in trying to define and agree on a definition. And I think one of the things that helped in May in Geneva was coming to terms -- many more stakeholders coming to terms with the fact that continued focus on just a definition was not going to actually move things forward on concrete problems and challenges that governments and other stakeholders have identified. So, as we're talking about this mapping or assessment exercise, I would look at it also as an opportunity to build common understanding of what are those real concerns.

And, from a global business perspective, we've been really encouraging that kind of dialogue to really focus on capturing all of the many cooperative efforts that we have seen but also drilling down into the gaps which is where people's concerns really are. And we hope that, for instance, this preevent, but also other events and opportunities between now and November will give an opportunity for those concerns to be highlighted in a concrete manner so that we can all start really talking about how to try to address them.

PRAGUE

The last point I would just like to make is that I think it's critical for all stakeholders to be raising awareness with their governments about what is at stake in the ECOSOC and U.N. general assembly discussions.

We are, in the business community, trying to make sure that communication is raised with capitals. But also please make sure that those -- that information is translated to New York missions, who may or may not have the same information that Geneva missions or capitals do. Thank you.

CHRIS DISSPAIN: Thank you.

Marilyn, I hesitate to say this to you of all people. But I did say that I closed the queue. That's okay, as long as it's short. Pablo.

PABLO HINOJOSA: Hello. My name is Pablo. I work for APNIC, the regional Internet registry for Asia Pacific.

I don't know what version of this Internet governance session IDs, but there have been quite a few. And I find this space very useful, informative, and usually describes well this type of the discussions and the processes. And I think ICANN is a really good space for these informative discussions to happen.

In APNIC we have been following most of these processes -- IGF, the WCIT, ITU, and many others, and mostly with the regional focus. And we have sort of gathered a lot of views from our community. And we always try to find a place where to vet all of these views and aggregate

them globally. We are a regional organization. We cannot cover the world, but we always want to work with others.

I think what Theresa said mainly are very good examples of enhanced cooperation. And there are also a good story to share.

As Wolfgang said, I think there are not very different views on this panel. Actually, I see many common views. Or also, as Bertrand said, there are common views on this agreement or consents.

However, I have not seen yet agreements on collective action and organized views. I think that is the potential where we should head on.

Another small observation is that, while I can see many organizations gathered in this panel -- industry, private sector, governmental -- I don't see what the role of ICANN only to provide the space or there is also another voice from ICANN in this place.

So that's about it. And I would like to continue kind of finding that way for a collective action on a global level.

CHRIS DISSPAIN: Thanks, Pablo. Marilyn.

MARILYN CADE: Thank you, Chris. My name is Marilyn Cade. I came to the microphone because, like many here, you heard the panelists say that there are many people in the audience that have been actively engaged in these issues over time. We're beginning to find each other at the ICANN meetings because of forums like this. But I think we've used a couple of

phrases that I thought it might be helpful, if you haven't wandered this road for a long time.

So the business constituency, which I chair, for this meeting has published a newsletter. And we have a roadmap of the meetings that the panelists have been referring to and speakers have been referring to. It's on our Web site. And we will have a one-page version of it that you'll be able to download and use when you go back and try to explain to your bosses and to your peers why all these meetings in the Internet ecosystem are important to ICANN but also important to the Internet. So our Web site is www.bizconst.org.

CHRIS DISSPAIN: Thank you, Marilyn. Do you have a laminated single sheet that you can hand out to people?

MARILYN CADE: Give me until tomorrow.

CHRIS DISSPAIN: Okay. I'm going to -- we're going to move on to a related topic, which is the WCIT. And we're going to hear from Cathy, and we're going to hear from Eric, and we're going to hear from Bill. And we're going to have comments from you. Cathy?

CATHY HANDLEY: Thank you, Chris. I've got an opportunity to talk about a function that will be coming up this year that there's absolutely no agreement on

both by those participating in the meeting and those on the fringes of the meeting. That's just a little disclaimer before we start.

For those of you that don't -- you keep hearing the term "WCIT" and you're not sure what it stands for, it's World Conference on International Telecommunications sponsored by the ITU. It is a full-on treaty that will need to be ratified by various countries that participate in the conference.

The WCIT that we have today, which I will point out is roughly a 19-page treaty at a very, very high level, was agreed to in 1988 at the World Administration Telegraph and Telephone Conference in Melbourne, Australia. Fortunately, I was not around for that. But I've seen the outcome of it. It came into force in 1990 after it was ratified by 170 countries.

The ITU -- I'm going to play it very safe and quote the ITU on some things so that there's no question as to whether or not what's being said is the correct statement.

"The ITU has summarized the proposed changes to the ITRs under the following headings: Human right of access to communications, security in the use of ICTs, protection of critical national resources, international frameworks, charging and accounting including taxation, interconnection and interoperability, quality of service and convergence."

As you can imagine, it covers everything out there from soup to nuts. It's about mobile usage. It's about taxation on mobile usage. Critical Internet resources get included in there in the discussions.

But we finally had the last preparatory meeting last week. I was in Geneva for a week, and it was the 8th working group on WCIT. When we started this process roughly two years ago, it -- there was a handful of people in the room. 30, 40 people at the most. There was in excess of 200 people at the last meeting. Mostly governments. And I emphasize that it is a membership organization that is -- ruled is a little strong, but it covers it -- of member states. The final say is the consensus reached by remember states, not by sector members.

The member positions really crystallized at this last meeting. And, again, I want to emphasize, there is no agreement. I told you earlier that the ITRs today are 19 pages long. After eight strong heartfelt meetings and arguing, we're up to a document that, when I checked yesterday, was 279 pages long with everyone's ideas of what they want, how they want changed.

What we had out of 1988 was a very high-level, 10-article document that talked about, you know, ensuring things that, you know -- you'd think I'd remember this. That communications were available.

That communications were available. If there was an emergency, you have maritime rules, so if you are offshore, you don't have agreement with the closest country, that they'll take your call and process everything.

We are beyond that now. We are very much down into the weeds of how networks are run, how security works. And again, there is no agreement.

There will be three scheduled regional meetings yet to take place this year. APT, the Asia-Pacific group, will meet 6 to 8 August in Bangkok. CITEL which is the organization for the Americas will meet 11 to 14 September in El Salvador. ATU, the African telecommunications group, will meet 25 to 26 September and that will be in Accra, Ghana.

Not yet scheduled but possibly to be held would be CEPT sometime in the fall. It's the European organization. The Arab states are talking of having another regional group. And the Regional Commonwealth in the field of Communications, the RRC, which is Russian, is also talking about having a meeting in the fall.

Now for the part that everyone has heard about, talked about. That was just a little background.

Documentation.

Documentation in the ITU is most normally restricted to members. And depending on whether or not you are a sector member of the telecommunications standardization for the development, you are restricted to documents out of that sector. You can't go across all.

Well, there has been an outstanding effort by folks in this audience, through social media and such, to get the ITU to release documents. And I'm going to quote Hamadoun Toure, the Secretary-General of the ITU, and this came during a speech he gave last week at the meeting while discussing public access to proposals under discussion.

Quote: I would, therefore, be grateful if you could consider this matter carefully as I intend to make a recommendation to the forthcoming

session of Council regarding open access to these documents and in particular, future versions of temporary document 64.

That is the draft proposal for the new ITRs.

The ITU Council meeting starts July 4th and will run for two weeks. That is the body that has to make the approval in order to release these documents.

And I also want you to hear what I'm saying, that he is talking about one document, T.D.64.

CHRIS DISSPAIN: Temporary document.

CATHY HANDLEY: Yes, yes.

CHRIS DISSPAIN: Not even a real document.

CATHY HANDLEY: Well, it's close. It's just temporary right now.

He then went on to make a statement that I'm not sure that there are as many people in the room aware of this as there was the release of documents. Again, I quote: I would also be grateful if you would consider the opportunity of conducting an open consultation regarding the ITRs. I also intend to make a recommendation to Council in this regard as well.

I don't know what that means. I don't know when it would happen. But it's kind of step two, so I encourage everyone that's participated in the social media to bring it out, to keep it coming, because it's obviously had an effect.

Before I finish, I'll just give you the titles in case anyone has nothing to do and wants to go look these documents up.

[Laughter]

The first one is Council working group on WCIT, temporary document 62, revised Version 2. It is the draft compilation of proposals with options for revisions to the ITRs. That is the little baby that's 270 pages long. They are difficult to read, at best. Hopefully, if you try and go through them, you will need a lot of time. And if you can have a copy of the current ITRs which are available for free on the Web site, you'll match them up and they are proposals from every member state that has been suggested in the last two years bounced against a specific paragraph of the ITRs.

The other document, Council working group WCIT, temporary document 64, revised Version Number 2, is the anticipated final draft of the ITRs. That's 83 pages, in case you finish the other one first.

On that note, there is a possibility of a meeting in October that will be decided next -- over the next two weeks sometime, one or two days, to continue these discussions.

Other than that, the next stop is Dubai, starting 3 December, and hopefully -- well, it will end December 14th because it is a treaty and they have to get it signed before we can close the meeting.

And that's it.

CHRIS DISSPAIN: Thank you, Cathy. I am going to ask Eric and then Bill, but I am going to ask you, if you don't mind, to make it five minutes each because I do want to take questions from the audience before we close and we need to close in time for the next session.

Eric.

ERIC LOEB: I will share some business community views on some of the other desirable or undesirable potential outcomes at WCIT. And for your reference, for something perhaps more approachable than the entirety of all the documents that Cathy mentioned, the International Chamber of Commerce did prepare at the beginning of this year a summary of what -- to anticipate what the WCIT event considers some of the primary issues likely to arise. And of course an ICC set of positions on that. And you can locate that on the ICC Web site. If you find me later, I can also provide you with a copy. But it's a useful document, I believe.

What I'll talk about today is largely consistent with the areas mapped out at that time.

And as Cathy highlighted, there is a tremendous amount of discussion on the WCIT, and for those active in multilateral activities, it's unusual that six months out from conference, you are seeing articles in vanity fair and major newspapers and the like.

You know, at a level, I'd say this is a good thing. People are interested. It's a very important process. And it concerns a very important part of our lives and of our economy.

So that we are all here, that there is great attention to it, that there is great debate about important issues is an important and a good thing.

Amidst the speculation and rhetoric on potential outcomes, it's also important to step back to a higher degree of abstraction and to consider some of the first principles of WCIT where perhaps there is some wide agreement. Because when you step back far enough for something appropriate to a treaty-level document, then you can find some ground. And some of these, we want global cooperation and global prosperity. Reducing the digital divide with developing countries in particular.

We want sustainable networks and investments across the ecosystem.

We want cross-border flows of information and innovative ideas. We want economic growth and job creation, and we recognize that the ITU is a very important organization to us, all in several critical and enduring ways, such as spectrum policy, standards development, and as a convener of experts from developing and developing countries, to share best practices on telecommunications policy.

And so for the vast majority of member states at the ITU, there is broad agreement that these are the core pragmatic roles at WCIT.

So where is the debate?

There are differences of opinion on how to achieve those goals, and therein lies the vigorous exchange of proposals.

On the spectrum of proposals, some views lean towards reliance on market mechanisms and ongoing liberalization of the competitive markets, whereas other views lean towards new regulatory intervention to guide mark results.

AT&T and the ICC are of the view that to maximize the market mechanisms that have had really strong track record of results and have private sector leadership within a multistakeholder process. We also believe that the ITR needs to remain a treaty that contains high-level policy and strategic themes and not a treaty of detailed and technical matters.

In 1988, it was just a handful of pages long, and in 1988, international telecommunication services in most countries were provided by monopoly, government-owned carrier and services were predominantly voice. Since then, the global telecommunications industry has been transformed in most countries by privatization and market liberalization, huge increases in traffic volume, rapid expansion of new services and technologies, spectacular growth of the Internet and the emergence of nontraditional service providers.

We all know and we talk about here that this transformation brings new challenges, and we absolutely agree that further progress and improvements are needed to resolve those challenges. But the model of liberalization is delivering unprecedented benefits compared to rates of progress in the past.

So 34 years later, in 2012, it is reasonable to argue that where there is more competition, it's appropriate to modernize the ITRs by minimizing them. It's not a shocking concept to reduce regulation where

competition is achieving consumer benefit. And given the rapid pace of technology and business model change in today's liberalized markets, it's even more important than in 1988 to have an instrument that sets out high-level principles for international cooperation rather than mandating or encouraging detailed new regulations or addressing the technical issues that are just issues of today. Detailed technology-specific points are likely to be inappropriate for an international treaty and could be harmful in their distortion of competitive markets or quickly outdated in this highly dynamic industry.

I have another few points that I can make specifically on the Internet policy issues. What I'll do is save that, for a balance of time --

CHRIS DISSPAIN: Yeah.

ERIC LOEB: -- to make sure Bill has an opportunity, but I can come back and, with time, address the specific provisions issues arising in the area of Internet policy.

CHRIS DISSPAIN: Fantastic.

Anything to say at all, Bill?

[Laughter]

BILL DRAKE:	Thank you.

What's really important to keep in mind here is that we're talking about the renegotiation of a treaty that goes back to 1865, and that the fundamental principles that guide that treaty really haven't changed in that time.

And that's kind of a remarkable thing in and of itself.

The treaty is predicated on the notion that you've got sovereign states that are reaching control of their mutually exclusive sovereign domains who then engage in a treaty-grounded relationship where their corresponding national administrations will interconnect their networks and figure out a mechanism to share revenue between them so that nobody competes against each other or takes advantage of each other. Everything is done through the cooperation and support of the parties.

And, of course, that worked very well in a very kind of regulatory restrictive way for over a hundred years.

In 1988, the negotiations led to a substantial liberalization of this agreement that opened up markets by expanding the range of special arrangements which are arrangements outside of that framework that could provide services to other players, specialized value-added services for corporations, computer-based services and so on.

But in the years since, many countries, their national carriers have lost revenue or have not achieved the revenue gains that they would like, and governments have also, in many cases, felt that their control, their sovereign control was being eroded by new types of service delivery

that might go around their traditional abilities to surveil and control their border.

And so what you've got, then, is a process that started 12 years ago. There's been multiple expert groups and council working groups and so on, this is not a new thing, that reflected this dissatisfaction on the part of many parties that the world has changed in ways that has not been good for them and they want their money back, and they want their money back through a multilateral treaty that will give them greater market shares, greater bargaining power, and, in the case many some telecom carriers, regulatory relief from conditions they face in their home market that limit their revenues in their minds.

So what's being proposed, just very briefly, just to give you some quick ideas.

Who is to be covered? The traditional arrangements covered essentially the administrations, the national PTTs or parallel companies that were recognized, given a special status, in other countries with private carriers, and then you had recognized private operating agencies which were special companies that had particular obligations under the treaty, private sector companies.   And then there was these special arrangements for everybody else.

What they're proposing now is language that essentially takes -- gets rid of the recognized, the private operated agencies so essentially all entities engaging in telecommunications could potentially be subject to the treaty.

Now, it gets more complicated when you ask the question, well, what is covered by the treaty? They are consistently building into the text, wherever they can, ICTs. Suddenly, the ITU's mandate is telecom and ICT. Didn't used to be. Used to be just public telephony connecting public switched telephone networks. Suddenly they are in charge of ICT.

There are proposals to change the definition of "telecommunications" to include the word "and processing," which means, in effect, any kind of info- -- computerized processing of signals and so forth, including the Internet. There are terms that are really quite mysterious like Internet traffic termination services. This is, I guess, when a YouTube call is terminated. I don't know what it is, but they want to have it in there.

They want to add in a whole variety of other areas that have never been subject to multilateral regulatory treaty. Define and regulate spam, fraud, routing security. Make technical standards mandatory, and they must be built into national regulatory policies. Position the ITU as a dispute resolution body. In some proposals, the ITU would become a global Internet registry to hand out IPv6 addresses.

There are proposals on security that are quite sweeping. My favorite is from China. It says essentially that states have responsibility to supervise enterprises using ICTs in their territory to ensure their effective functioning in secure and trustworthy conditions. They forgot harmony, but I'm sure that's in there, too.

But the most important part which really gets to the guts of what this is all about has been the proposal that just came in from the European Telecommunication Network Operators, ETNO, which basically calls for,

very helpfully, a shift in the ways in which peering and transit are done in the Internet and wants to establish a mechanism for fair revenue sharing so that they can recover their costs. They, in their own language, strike the term administrations and apply these rules to operating agencies.

So anybody who is an operating agency; okay? And they have to endeavor to ensure that there's sufficient telecommunications facilities and adequate rate of return on investments. And so everybody else can negotiate commercial agreements based on fair compensation, respecting the principle of sending party pays.

Now this proposal has been taken up, not surprisingly, by the Arab governments, by a number of African governments, by the Russians, and so on.

So going into the negotiations, then, we have a situation where the traditional kind of money involved in governing global telecommunications is at stake, but what's also at stake is the possibility of expanding the concept of telecom to include Internet and then apply all those frameworks into the Internet space.

So that's pretty substantial.

Now, it is true that governments -- and I will conclude. It is true that governments can take reservations. That's a tradition with these agreements. The existing agreement we have right now, if you look in the back of it, there is, like, long section of reservations where you see, like, the U.S. government refuses to recognize any interpretation of this document that suggests that so-and-so. Everybody has these huge, long

recommendations. And I'm sure that if there's a lot of very expansive stuff that there will be reservations from many of the OECD countries and others saying "we do not accept that this language applies to the Internet."

But there are other governments that say we interpret this as applying to the Internet.

So that means they will, in their own operations and in their bilateral relationships with corresponding countries, insist on having negotiations and policy frameworks that reflect what was agreed in the international treaty. And that will mean that you will get a level of balkanization in different types of issue spaces with highly variable conditions applying across the net.

So it is a potential risk and something people will need to pay attention on and engage on. We will be talking it about it more in Baku. I am running a workshop. There will be a discussion on this in the main CIR session and hopefully we can get people mobilized around these issues more because it is important.

CHRIS DISSPAIN: Thanks, Bill. Thank you very much.

I am on. Good.

Comments? Microphone, queue, please.

Thank you.

Kieren, as I live and breathe. What can I do for you today?

KIEREN McCARTHY: Kieren McCarthy here from dot NXT.

                        This is great but I am sort of hearing the same things I heard three months ago. I thought we were just moaning.

CHRIS DISSPAIN: Leave the room, then.

KIEREN McCARTHY: Well, I was going to and then I thought you know what? I will make a comment and then leave.

                        So, yes, the ETNO thing is no good, but then it's not getting anywhere, and we know that, and there's no support for it and it's not going to get anywhere. A big chunk of these things are not going to get anywhere. This is the way the ITU works. Anyone can put in any paper, and most of them don't get anywhere.

                        So rather than moaning about it, because this is so important, I would like our discussion to be what can we do to make sure nothing dramatically bad happens? What can we do in a pragmatic sense.

                        So you have got a whole room of people here that if you can rile them up and say you should do this or we should do this, then we might actually make a difference.

                        So that would be my -- I would urge you to say this is what you can do to make sure we don't end up in a terrible situation.

CHRIS DISSPAIN: Thank you very much. Stefano.

STEFANO TRUMPY: Stefano Trumpy, and GAC representative for Italy, but also, as chair of the Italian chapter of ISOC, I interpret the opinion of the Internet community, let's say, in Italy, at least.

So first of all, we are trying to follow this preparation of the Dubai meeting, and concerning whatever has been explained, we are confused because we are talking of ITU claims to be a multistakeholder organization, but this is not true, the fact, because civil society is not practically represented and then the companies that are in the industry side are mostly telcos that have to protect their role. And I like to say that the Internet has been a miracle because it escaped the planned economy of the telcos. And now the telcos try to restore, possibly, a control of the communications, including the Internet and -- through alliance with ITU. So I'm brutal about that, but....

Then we are grateful of the Internet society that started a process of explaining, letting to understand, letting to verify which are the real problems. And so in this way, we should focus single critical points and try it make alliance with those that will participate in the discussion and preparation of Baku.

Thank you.

CHRIS DISSPAIN: Thanks, Stefano.

Bertrand.

BERTRAND DE LA CHAPELLE: Bertrand De La Chapelle, again not as a member of the Board.

I have a tradition of trying to bridge a relationship between actors who love not to talk to one another and to stay in their silos. I have been lambasted enough by the secretariat of the ITU for supporting and defending ICANN when I was at the plenipotentiary as a French representative to be able here to try to insert one modicum of defense of, obviously, the ITU not taking the floor to explain what they are doing and why they are doing it.

I think we are in a multiple danger. One is not paying attention enough to this process which is extremely important and can very wrong. The other one is to frame it in such a black-and-white manner that we are potentially harming the debate that we want to trigger. And it's not something that people on this panel have made. That's not the point I'm making here.

What I say is if the environment and articles in Vanity Fair and so on begin to paint the debate for the coming years in terms of a latent new cold war, we will get a self-fulfilling prophecy, and we will end up having one side with a bunch of countries that will be running their connected Internets through a U.N. organization while, on the other side, a number of countries will run their unified Roman Internet under the OECD, Council of Europe and so on.

It is not absolutely stupid or unacceptable that the ITU that has already changed from telegraph to telephony needs to remain relevant by

adapting to the next generation. The question is where is the scope of the mandate the most appropriate and the most benefit?

There are tremendous things that have to be done and that ITU has actually done in many cases regarding enhancing connectivity, addressing the question of why Internet exchange points are not connected in Africa sometimes, because the operators are not activating them.

This is a tremendous field of activity where they have done good work.

I want just to make sure that when we debate this space, in order to avoid the kind of situation that Zahid was mentioning where wrong arguments are being made, that people are, on all sides -- and if there's anybody from ITU here, as there was somebody yesterday, I would encourage them to speak up as we should speak up in their space and be allowed to speak up, and in this case I welcome the fact that the documents may become a little bit more open.

CHRIS DISSPAIN: Thank you, Bertrand.

Can I ask you, the queue is now closed with Nigel, who is actually sitting down behind Nick.

We are going to finish this on time, so, please, very brief, if you wouldn't mind.

Thank you, Bill.

BILL SMITH: Bill Smith, PayPal. I want to follow Bertrand's comments.

I agree the ITU is a very useful organization. I respect them. I participate there. And we need to continue to engage and reach out with them and find their, let's say, proper place in this ecosystem.

I will say, however, that a split Internet, so a bifurcated Internet, may, in fact, not be the worst alternative of what comes out of WCIT. A balkanized, a truly Balkanized Internet would be.

And I suggest and submit that the Internet community and like-minded member states may need to consider that this is, in fact, what we will end up with. And that if that is the alternative that we are forced to take, we should be prepared. Okay?

That is not my preferred outcome by any stretch of the imagination.

I should point out that there is a couple -- there is a new definition or a couple new definitions were proposed this past week in Geneva, and that is instead of just having the definition of telecommunications, it was proposed that there be a new definition, and that new definition would be telecommunications slash ICT. You might think this is sleight of hand because the new definition, telecommunications slash ICT, contains just one new word, processing.   But it allows this new definition, new term and definition, to be slid in without redefining the term telecommunications in the constitution, which would not be allowed.

Let's see. If people don't know it, there is an -- or not an organization. There is a Web site, WCITleaks.org that you can go to and get documents. That's all I will say. And as the ITU informed us last week, I

PRAGUE

can neither confirm nor deny the authenticity or accuracy of said documents.

CHRIS DISSPAIN: Or the existence of the Web site.

BILL SMITH: Or the existence of the Web site, but I commend your attention to it. The ITU is paying attention. That was evidenced by Hamadoun Toure's speech to the working group chastising us for basically the creation of WCIT leaks, though to my knowledge no one in the room had anything to do with it

The other thing I would suggest is that ICANN carry a fairly -- or maintain a fairly low profile with regard to the ITU as it has done for some time now. I think that is very good, and I can assure you that others will carry the water for ICANN in this process.

CHRIS DISSPAIN: Thanks, Bill. Thank you very much.

Tarek

TAREK KAMEL: Thank you, Chris. Tarek Kamel from Egypt. Following up on the discussion that is going on these days about the ICT very briefly, I think we have homework to do as an international ISTAR community, if I may call it, ISOC, ICANN and IGF and others.

Definitely we need to be more in leadership within the process that happens as far as we could. And we should do three things in my opinion. First of all, awareness and education for the regulators and governments, specifically in the developing countries, that the existing model of ITRs and telecommunication will not work with the Internet. Why? Because there have been 20 years now of investment already in infrastructure deployment all over the year that we cannot just take backwards or set backwards. So this old model, whether good or bad, will not work. We need to think about another model while we are working within the ITRs.

The second thing, we need to promote what we are doing. The multistakeholderism that exists within the ISTAR organization. This message is still not getting through to the various administrations and governments worldwide, whether they are regulators or representatives from technology ministries or representatives from foreign affairs ministries. In many cases, not technology ministries but foreign affairs ministries.

And the third message that needs to go through and we need to think about, we cannot just ignore the discussion that happens at the time being at the ITR and tell them just stay passive, do nothing. This will not work.

We need to help them, really, in issues that are also of interest to the rest of the world and the developing countries. Just an example, broadband penetration needs to be enhanced. How can this be included within the scope of the ITR and the WCIT and how can, again, the ISTAR organizations help in that? Awareness about multilingual

content and multilingual issues when it comes to local content and multilingual content and what's the definition of local content, whether it's geographical proximity or what types of proximity. Definitely there are challenges of security issues. Not security management of the infrastructure but when it comes to utilization, that we cannot ignore and needs legal discussions worldwide.

So we need definitely to lead them and help them bring the right issues and challenging issues that needs global attention to be working together. And again, ICANN and the ISTAR organization can play a wonderful role in that awareness and education.

Thank you.

CHRIS DISSPAIN: Thank you, Tarek.

Baher.

BAHER ESMAT: Two questions from remote participants. One by George Amodio, and it's for Cathy. He was asking about the URL for the Web site you were referring to.   I presume this is related to when you listed the documents, so he is asking about the Web site.

The other question is from Faisal Hasan from ISOC Bangladesh. The question reads: Politicians and governments and government officials in many developing countries like Bangladesh are not aware of the implications of WCIT.   Traditionally, the governments have good

communication with ITU and are not that much aware of ICANN. What is the role of ICANN in addressing this gap?

CHRIS DISSPAIN: So we don't have time to answer the question properly, but it's a really good question, so we'll take that -- ICANN will take that, since I appear to be representing ICANN on the stage at the moment, ICANN will take that question and we'll -- Baher, can you copy -- can you e-mail me that and I'll respond? Thank you.

Nick.

NICK THORNE: Nick Thorne, one of the many in this room who has long experience of Internet governance issues in the U.N. going back to WSIS.

I'd like to start by making one comment. I agree with Kieren, it doesn't happen very often, that I think there is a problem that while we are making progress in getting the message out among ourselves that we are facing a problem at WCIT, I'm not sure that we're actually getting the message much beyond our own community.

So I've got three, I think, concrete suggestions. One, all of you in this room, all of us in this room, needs to remember that the WCIT, unlike WSIS, will be governments only. Representatives of governments will be sitting in a room in Dubai for two weeks dealing with each other.

And so my suggestion -- indeed, let me urge all of those in this room, is to ensure that your government representative is fully aware of your interests as they go into that room. And I'm sorry, but many

representatives who traditionally go to ITU meetings are not aware of the interests of the Internet community.

CHRIS DISSPAIN: Yes.

NICK THORNE: Final thought and a purely practical one is of course one way of doing that influencing would be to get yourselves attached to your government delegation, because there will be a problem, and this became clear at one of the earlier meetings earlier in May when a (indiscernible) member of the ITU was conducting worthwhile and open consultations, and I salute them for that, but it did become very clear that the likelihood of new ideas, probably in the form of amendments to some existing piece of paper, could come forward during the two weeks of the conference, and that is something which we need to guard against.

Thank you.

CHRIS DISSPAIN: Thank you, Nick.

And finally.

Nigel.

NIGEL HICKSON:	Thank you. Nigel Hickson, ICANN staff, and I am a member of the global partnerships teams. I am coming around the front because I am not very good at standing backwards.

First of all, a commercial. For those of you that enjoyed this session -- Did you enjoy this session? Jolly good. I like the enthusiasm.

For those of you that enjoyed this session and actually want to look at some of the detail in T.D. 64, yes, we are going to go through 297 page of T.D. 64 on Thursday morning. So come along Thursday morning. We've got a session on the WCIT and the ITRs. We're not really going to go through the full documents but we are going to have experts, including some of those on the stage, to go through the WCIT in more detail. So if you have been tantalized by some of the information, particularly on the WCIT, please come along Thursday morning 9:00.

Secondly, let me just reassure you that ICANN is involved in the debate. We might not be a member of the ITU. We're certainly not a government. But we are involved in the debate. We're involved in the IGF. We're having a forum at the IGF and a workshop on gTLDs. We're involved in enhanced cooperation. And as someone mentioned earlier, there's a very critical discussion happening in New York in July when the ECOSOC committee is looking at report from the CSTD on enhanced cooperation, and we'll be involved in that process. And of course we're involved in the regional preparation phases for the WCIT. The regional preparation phases, as someone said, is very important for the WCIT, as I think -- yeah, as was said. There's lots of regional meetings going ahead before December. So please, the ICANN community, be involved in those.

Thank you very much, Chris.

CHRIS DISSPAIN: Thank you.

Are you ending with a song?

NIGEL HICKSON: No.

CHRIS DISSPAIN: Thank you, Nigel. Would you please -- We are going to close the session now. There is an ASO session following and then a new gTLD session following that. Can you please thank me in joining the panel.

 [Applause]