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WTPF-IEG/2/17

14 November 2012

**REPORT OF THE CHAIRMAN ON**

**THE SECOND MEETING OF THE INFORMAL EXPERT GROUP (IEG)**

**10-12 October 2012**

The second meeting of the Informal Expert Group (IEG) for the World Telecommunication/ICT Policy Forum (WTPF) took place at ITU Headquarters in Geneva on 10-12 October 2012.

1. **Welcoming remarks**
   1. The ITU Secretary-General, Dr. Hamadoun Touré opened the meeting by welcoming the participants. In his introductory remarks, he acknowledged that:
   * WTPF is one of ITU’s more open and free-thinking meetings, as its outcome “opinions” are non-binding;
   * The information and knowledge made available by the Internet are ***global public goods*** of value to us all. The Internet is now used by 2.5 billion people around the world;
   * The 2011 Session of ITU Council decided by Decision 562 that WTPF-2013 would discuss all the issues raised in: Resolution 101 (Rev. Guadalajara, 2010); Resolution 102 (Rev. Guadalajara, 2010); and Resolution 133 (Rev. Guadalajara, 2010).
   * ITU has a strong track record of resolving complex technical and public policy issues.
   1. Dr. Touré noted the relevance of multi-stakeholderism as a key outcome of the World Summit on the Information Society (WSIS) and as a principle guiding the discussions at WTPF-13. Dr. Touré urged participants to avoid contradicting ITU’s existing mandate and activities, as determined by the Plenipotentiary and other ITU Conferences and Assemblies. Dr. Touré designated Mr. Houlin Zhao, the Deputy Secretary-General, to speak on behalf of all ITU elected officials at this IEG, and presented apologies from Mr. Malcolm Johnson, Director of ITU-T, who was regrettably absent due to a Patent Round Table. Both Dr. Touré and Mr. Zhao thanked the IEG and Chair for their excellent work debating key issues.
   2. In his welcoming remarks, Mr. Petko Kantchev, Chairman of the IEG, noted considerable progress in the IEG’s work and a good spirit of cooperation, with further room for improvement in the Secretary-General’s Report. He asked the Group to consider carefully where the Internet is now and how the Internet can best be deployed and managed to make it successful and useful for all humankind, taking into account the challenges of rapid development, decent use and misuse. The Internet is becoming a new basic commodity of life, but the IEG could examine Internet issues with fresh ideas.
   3. Mr. Houlin Zhao, the Deputy Secretary-General, welcomed participants warmly and noted the importance of Internet-related public policy issues for all stakeholders. He pledged the support of ITU and its elected officials for the work of the IEG.

**2. Adoption of the Agenda and other organizational matters**

* 1. The revised [Agenda](http://www.itu.int/md/S12-WTPF13IEG2-C-0001/en) ([Doc. WTPF-IEG/2/1](http://www.itu.int/md/S12-WTPF13IEG2-C-0001/en)) was adopted by the consensus of the group. The Chair outlined the structure of the meeting and thanked the delegations for their time, level of authority, and knowledge. Delegates sought clarification on the group’s working methods and schedule. The Chair emphasized that the IEG should analyze key issues, but not prejudge the outcome of the WTPF itself.

**3. Presentation of the Third Draft of the Report of the Secretary-General**

* 1. The ITU Secretariat presented the Third Draft of the Secretary-General’s Report, [WTPF-IEG/2/2](http://www.itu.int/md/S12-WTPF13PREP-R-0004/en). Comments on the Third Draft had been received from: the [United Kingdom](http://www.itu.int/md/S12-WTPF13PREP-C-0023/en); [Nominet](http://www.itu.int/md/S12-WTPF13PREP-C-0024/en); [ISOC, ICANN and NRO](http://www.itu.int/md/S12-WTPF13PREP-C-0025/en); [Saudi Arabia](http://www.itu.int/md/S12-WTPF13PREP-C-0026/en); [Cisco](http://www.itu.int/md/S12-WTPF13PREP-C-0031/en); the [Russian Federation](http://www.itu.int/md/S12-WTPF13PREP-C-0032/en); and [USA](http://www.itu.int/md/S12-WTPF13PREP-C-0033/en).
  2. The Secretariat outlined the procedure followed in developing the Third Draft Report, which takes into account all comments received on the second draft, and remains similar in structure and outline to the second draft. It was prepared by an inter-sectoral ITU team drawing on expertise from all three Bureaus and the General Secretariat. The Third Draft of the Report is intended to provide a basis for discussions focusing on key issues on which it may be desirable to reach an opinion. All contributions have been clearly referenced; most key data and facts are incorporated and attributed. This third draft clearly reflects the divergence in opinion expressed during the IEG meetings.
  3. The Chair explained his vision of the report as a living document subject to further improvements and noted how the structure of the report has evolved over time. He expressed his support for the report, thanked the Secretariat for its work, and noted that sources have been noted in the draft Report, so contributions are now accredited.

**4. Presentation of Written Contributions**

1. The UK presented its comments on the Third Draft in [WTPF-IEG/2/3](http://www.itu.int/md/S12-WTPF13PREP-C-0023/en). The openness of the Internet to innovation and investment has led to advances in infrastructure. The UK has prepared three outline draft opinions, and stated that freedom of expression and access to information are the cornerstones of inclusive societies.
2. Nominet presented its comments in [WTPF-IEG/2/4](http://www.itu.int/md/S12-WTPF13PREP-C-0024/en), which are in line with the UK position. A number of statements may need to be supported from a range of references, rather than a single reference/source. He identified some proposed modifications in a few sections with regards to how the Internet works. The wording in references to security and illegal activities could be made less emotive. He also expressed concerns over the text’s length and suggested the need to avoid the style of a WTPF ‘handbook to the Internet’.
3. The delegates from ICANN, ISOC and NRO presented their joint contribution [WTPF-IEG/2/5](http://www.itu.int/md/S12-WTPF13PREP-C-0025/en). ICANN stated that ITU has made great strides in openness and transparency, and noted the need for global Internet connectivity and an overriding theme of WTPF as developing Internet connectivity for all, a theme seconded by ISOC. ICANN called for WTPF to raise issues and understand people’s concerns to achieve further progress in policy-making.
4. The ITU Deputy Secretary-General, Mr. Zhao, noted that ITU is promoting maximum transparency and openness, with free access policies for many documents and remote participation at many ITU meetings. However, there are some constraints, as instructions may be needed from the Council in some cases. If the group can identify the need for access to any specific documents, ITU will do its best to ensure maximum transparency and openness. In this regard, the ITU Secretariat will prepare a list of references in the report that are TIES-protected.
5. The Kingdom of Saudi Arabia presented its contribution [WTPF-IEG/2/6](http://www.itu.int/md/S12-WTPF13PREP-C-0026/en), which supports the need for the responsible exercise of freedom of expression. Under Article 19 of the Universal Declaration of Human Rights and also in relation to Article 34 of the ITU Constitution, freedom of expression is a human right, subject to national security, or public order, or public health or morals. Bearing in mind that countries cannot apply their own laws to other countries, there is a fundamental need to address this issue in relation to content on the Internet, while identity theft and child abuse must also be addressed in an intergovernmental and collaborative environment. We encourage studies into innovation and innovative networks in the Internet, as well as other networks. For example, major research and development activities are underway in the EU, the USA, Korea, Japan and elsewhere on new architectures and protocols for the future internet which aim to improve capacity, performance and stability, address recognized weaknesses in security, and provide native support for multilingualization, *inter alia*. There is also a need to start a dialogue about issues relating to public order. In the ensuing discussion, the delegate from the U.S. referred the group to the recent public statement of U.S. President Obama to the U.N. General Assembly as the U.S. position on this issue [made available to the meeting as [WTPF-IEG/2/Info-Doc1​](http://www.itu.int/md/S12-WTPF13IEG2-INF-0001/en)], while the Chair noted the competence of UNESCO in the areas of content and freedom of expression.
6. Cisco presented its contribution [WTPF-IEG/2/7](http://www.itu.int/md/S12-WTPF13PREP-C-0031/en), including editing points, a potentially misleading reference to a joint contribution, and comments on different aspects of QoS (where Cisco will propose some text for clarification).
7. The Russian Federation presented its proposals in [WTPF-IEG/2/8](http://www.itu.int/md/S12-WTPF13PREP-C-0032/en), and considers that the report covers current regional and national trends in Internet governance. Russia’s first observation is the need to improve the multistakeholder model of Internet governance through IGOs. Second, is the need for research on the global management principles and use of the Internet. Third, is a favourable environment for the development of the Internet for national markets. Fourth, interconnection and key role of operators and traffic exchange points is vital. The Russian Federation would like to see the role of Over The Top (OTT) services included in this report, as well as cyber-terrorism, the use of Internet resources for purposes that are inconsistent with national peace and security and mention of the concept for a Russian initiative, a Convention on International Information Security.
8. The US presented its comments on the third draft in [WTPF-IEG/2/9](http://www.itu.int/md/S12-WTPF13PREP-C-0033/en), which they observed as showing marked improvement. The U.S. recommends the development and diffusion of ICTs globally as a theme, and will develop a draft opinion on that subject. The U.S. questioned the use of the word “global” in describing global infrastructure, as there are over 100,000 networks that make up the Internet, including private or commercial networks which are excludable, rather than a discrete global infrastructure that we enjoy as a global resource. The U.S. noted international developments in a variety of fora which are increasing the security of the network. The U.S. also pointed out that Figure 2 and the corresponding text convey an incomplete depiction of the market for Internet traffic. The Figure notes trends in pricing, growth in traffic and revenues, but omits cost factors. A complete figure of the market would also show growth in consumer surplus and in local competition over recent years, which should be noted as positive developments towards achieving universal access.
9. The Chair noted a late submission to the Secretariat from the Internet Society, Bulgaria, in [WTPF-IEG/2/16](http://www.itu.int/md/S12-WTPF13PREP-C-0037/en). The authors were not present and ISOC declined to present this contribution. It was agreed that it will be considered in the formulation of the Fourth Draft of the Secretary-General’s Report.

**5. Discussion on the Third Draft and Received Contributions**

* 1. There was considerable discussion surrounding the six broad themes for WTPF (Section 2), which were viewed by some delegations as stable. In particular, discussion focused on how best to reflect the proposed, neutral theme of ‘the role of the ITU in Internet governance’, with a footnote quoting text from the relevant Plenipotentiary Resolutions. Based on discussion, a seventh broad theme for WTPF (Section 2.2) was created on the role of the ITU in Internet governance, which is identical for “resolves 1” of Resolution 101 (Rev. Guadalajara, 2010); Resolution 102 (Rev. Guadalajara, 2010); and Resolution 133 (Rev. Guadalajara, 2010). The meeting invited contributions on this theme for a draft opinion.
  2. In section 2.3.1, one delegation queried the statistic for adult content available over the Internet. In section 2.3.2, delegates debated the origin of wording referring to Internet governance, as opposed to management, from WSIS and Plenipotentiary texts. In section 2.3.3, one delegate suggested adopting the wording “one view” and “another view” to convey contrasting perspectives. Various other delegates raised editorial changes. The Secretariat agreed to verify all the links and update those which are not available, or request documents to be made available.
  3. The following contributions were pledged:
* ICANN shall provide additional clarifying text for paragraph 2.3.4.1. e).
* Cisco and the UK will submit a joint contribution on ENUM for paragraph 2.3.4.1. c).
* Nominet will provide some additional text for paragraph 2.3.4.2.c).
* Cisco will provide text regarding the re-delegation of ccTLDs for paragraph 2.3.4.2.e), and additional inputs on the security of DNS.
* ISOC and ICANN will provide additional text for paragraph 2.3.4.3.
* Paypal will provide extra text on the complexity of multilingual domain names and backwards compatibility.
* The Secretariat will provide inputs from the discussions in ITU-T Study Group 17, regarding Internationalized Domain Names (IDNs).
* ICANN and Paypal will provide updated text on regional root servers for paragraph 2.3.5.2. c).
* ARIN will provide additional text on ccTLDs
* Paypal and Verizon will provide additional text on the role of the GAC for paragraph 2.3.6.

**6. Presentation & Discussion of Draft Opinions Received Through Written Contributions**

1. Saudi Arabia presented its draft opinion [WTPF-IEG/2/10](http://www.itu.int/md/S12-WTPF13PREP-C-0027/en) on Supporting Full Multistakeholderism in Internet Governance, which recognizes that Governments have not been able to develop their multi-stakeholder role to the fullest. Enhanced cooperation is required to allow Governments to perform their role in the multi-stakeholder model. This opinion invites the ITU Secretary-General to collaborate with other organizations in the UN family to develop the mechanisms and processes for enhanced cooperation, including identifying or establishing an intergovernmental organization to be responsible for operationalization and continued operation, in order to fully actualize the role of governments in the multi-stakeholder model of Internet governance. The discussion afterwards sought clarification on the relationship between ITU and other parts of the UN system, as well as gaps in public policy and the relevant spirit of collaboration among stakeholders. Delegates noted a parallel process ongoing in the UN which will result in a decision by the UN General Assembly in November 2012, which should not be pre-anticipated in the IEG. It was therefore suggested that the IEG revisit this draft opinion after the UNGA discussions on this subject.
2. Saudi Arabia presented [WTPF-IEG/2/11](http://www.itu.int/md/S12-WTPF13PREP-C-0029/en) on Operationalizing the Enhanced Cooperation Process, which raises the issue that a process for enhanced cooperation (that should have started in 2006) has to be created to allow governments to develop international public policy in consultation with all stakeholders for the fight against cybercrime and other abuses of the Internet and to support positive processes. The opinion recognizes that an intergovernmental process is the best way forward. Several participants raised questions on how this process would be implemented, and what this process would achieve apart from ongoing activities. It was therefore suggested that the group revisit this draft opinion (along with the previous one) after the UNGA discussions on this topic.
3. Saudi Arabia presented their joint draft opinion with UAE [WTPF-IEG/2/12](http://www.itu.int/md/S12-WTPF13PREP-C-0028/en) on Support of the Adoption of IPv6 and of Careful Management of the Transition from IPv4 recognizing the accelerating adoption of IPv6 and its continuing coexistence with IPv4 for some time yet. A market is rapidly developing in trading IPv4 addresses, and the overwhelming proportion of transferred addresses are from legacy allocations which are not subject to the policies of the RIRs. Allowing this market to develop into a black market could eventually undermine the stability of the Internet. Furthermore, the high cost of transferred addresses may preclude the entry of new ISPs, especially in developing countries. Every effort should be made to support the transition to IPv6, to develop policies to manage and control the transfer of IPv4 addresses including legacy addresses and inter-region transfers, and to put plans and policies in place to allow new entrant ISPs to enter the market via access to a reasonable block of IPv4 addresses at reasonable prices. The renewed and continued stability of the Internet relies on policy-makers ability to encourage, facilitate and support and invite businesses to offer their services through IPv6 as quickly as possible. This draft opinion contains two major elements – firstly, what to do with remaining IPv4 addresses and secondly, encouraging the positive deployment of IPv6. Delegates sought the views of the RIR community as to the current status of migration from IPv4 to IPv6, and the key issues being experienced in this migration. It was agreed to await the outcomes of the World Telecommunication Standardization Assembly (WTSA) on this topic and the revisions to WTSA-08 Res. 64, which the Chairman also considered relevant to this opinion.
4. The UK presented its draft opinion [WTPF-IEG/2/13](http://www.itu.int/md/S12-WTPF13PREP-C-0034/en) on SupportingCapacity Building for the deployment of IPv6, which recognizes the role of IANA, invites ITU-T and ITU-D to be active and encourages the take-up of IPv6. This draft opinion shall be revised subject to the outcomes of WTSA-12 and after another round of UK coordination and feedback received here today.
5. The UK presented its draft opinion [WTPF-IEG/2/14](http://www.itu.int/md/S12-WTPF13PREP-C-0035/en) on Promoting Internet Exchange Points (IXPs) as a long-term solution to advance connectivity, which recognizes their contribution to reducing costs and broadening networks, and calls for sub-regional IXPs. The regulation of international Internet connectivity costs may not be the way forward to improve international Internet connectivity. It invites Member States to remove barriers and help operators interconnect. One delegate offered to contribute additional text and comments on interconnection.
6. The UK presented its draft opinion [WTPF-IEG/2/15](http://www.itu.int/md/S12-WTPF13PREP-C-0036/en) on Supporting the inclusivity of communications for all, which recalls relevant resolutions from the UN Human Rights Council, paragraph 42 of the Tunis Agenda, Res. 175 (Guadalajara, 2010), and considers Res. 84 (Guadalajara, 2010) on indigenous peoples and non-discriminatory access. It notes the report by the UN Special Rapporteur on human rights, and that Internet services should be open, transparent and accountable, taking into account the specific roles and responsibilities of stakeholders, which should not adversely affect cross-border flows of traffic, to enable people to participate in the information society.

1. **Conclusions from the Chairman, Next IEG Meeting and other matters**
   1. The Chair asked delegates to submit their written comments to the Secretariat by 19 October 2012 for inclusion and attribution in the next version of the Secretary-General’s Report. Some delegates noted that internal approval and coordination processes are needed, before they can provide final versions of inputs. With the assistance of the Secretariat, the Chair outlined next steps and deadlines in the IEG’s programme of work, which was approved by the IEG (see Annex 1).
   2. The Secretariat clarified that the Chairman’s report will be available by 31 October 2012, and the next version of the Secretary-General’s Report will be available by 10 January 2013.
   3. The Deputy Secretary-General, Mr. Houlin Zhao, noted his surprise at the early conclusion of the meeting and thanked delegations for their excellent spirit of cooperation and very efficient work, which was seconded by the Chairman.
   4. The Chairman thanked all delegations for their excellent work, insights, contributions and cooperation. The meeting concluded early.

**Annex 1: Revised planned schedule for the preparatory process of the fifth WTPF**

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| **10-12 (am) October 2012** | Second meeting of the IEG. |
| **19 October 2012** | Submission of text by IEG members on the 3rd Draft based on discussion at the 2nd IEG meeting |
| **31 October 2012** | Posting of document that lists all comments received by October 19.  Posting of the Chairman’s draft report of the 2nd IEG meeting (open for comments) |
| **9 November 2012** | Deadline for comments on the Chair’s report |
| **14 November 2012** | Posting the Chair’s report |
| **10 January  2013** | Online Posting of the Fourth Draft including draft opinions. |
| **31 January** | Deadline for comments on 4th draft of the SG’s report |
| **6(pm), 7, 8 Feb 2013 (During CWG Cluster of Meetings)** | Third meeting of the IEG. |
| **1 March 2013** | Finalization and publication of the Secretary-General’s report. |
| **13 May 2013** | Proposed date for the WTPF Strategic Dialogue |
| **14-16 May 2013 (In parallel with WSIS Forum 2013)** | Proposed dates for 5th WTPF on Internet-related public policy issues. |