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| **Council Working Group on International Internet Related Public Policy issues (CWG‑Internet)** |  |
| **Tenth meeting – Geneva, 20-22 September 2017** |  |
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|  | **Document WG-Internet 10/9** |
| **21 September 2017** |
| **English only** |
| Final REPORT OF THE tenth meeting of the COuncil working group on international Internet-relatedpublic policy issues (cwg-internet) |

1. **Introduction**

**1.1.** On behalf of the ITU Secretary-General BR Deputy Director, Mr. Mario Maniewicz welcomed the participants to the tenth meeting of CWG-Internet. He informed the meeting that CWG-Internet Chairman Mr. Majed Al-Mazyed, was not able to join due to unavoidable commitments and thanked Vice-Chairman, Mr. Charles Semapondo from Rwanda, for accepting to chair the meeting. He further congratulated the five Vice-Chairmen of the Group representing different regions, as these were confirmed at the last session of Council in May 2017. He continued by commending the successful convening of the open consultations meeting preceding the CWG meeting and highlighted the upcoming WTDC-17 meeting as an opportunity to work together in order to bring the benefits of ICTs to the developing parts of the world.

**1.2.** The Chairman thanked the BR Deputy Director for his presence and support of the meeting. The Chairman further presented to the Group the appointed Vice-Chairmen of CWG-Internet, who were at the meeting.

**1.3.** The Group conveyed its deepest condolences for the lives lost in the recent natural disasters in Mexico and the Caribbean, and observed a moment of silence in this regard.

1. **WG-Internet 10/2: Secretariat report on ITU Internet Activities: Resolutions 101, 102, 133, and 180**

**2.1.** This report described ITU’s activities related to PP Resolutions 101, 102, 133, and 180 since Council 2017.

**2.2.** The Report was noted by the Group.

**3. Open Consultations**

**3.1.** The Group appreciated and thanked all stakeholders who responded to the online consultations and those who participated in the [physical open consultations](http://www.itu.int/en/council/cwg-internet/Pages/open-consultations.aspx) on 18 September 2017. The Online Open Consultation was conducted from June to September 2017 on the topic of the "Public Policy considerations for OTTs". During this consultation 71 responses were received from a variety of stakeholders and regions (10 Government and public sector entities, 44 entities from the Private Sector and Industry Associations, 13 Civil Society representatives, 2 from Academia and 2 from IGOs). The responses provided rich inputs, sharing different views with regard to the five specific questions of the consultation.

All responses received are publicly available on the ITU website and a compilation document [OPCWGINT5/2](https://www.itu.int/md/S17-OPCWGINT5-C-0002/en) was published online.

**3.2.** The Group appreciated the discussions at the physical consultation meeting that preceded the meeting of the CWG. Document [OPCWGINT5/2](https://www.itu.int/md/S17-OPCWGINT5-C-0002/en) was presented during the physical consultation meeting and various stakeholders took the floor- both onsite and through the remote participation tool- to present their submitted views. Stakeholders present at the physical open consultation meeting agreed on the Brief Summary of the Online Open Consultation and Physical Open Consultation Meeting, contained in [WG-Internet 10/7](https://www.itu.int/md/S17-RCLINTPOL10-C-0007/en), which was submitted, without edits, for consideration by CWG-Internet. The summary document was noted and will be annexed through hyperlink to the Chairman’s report to Council 2018.

**4 Summary of Contributions**

The contributions, as submitted by the authors of the documents, are summarized as follows:

**4.1. Contribution** [**CWG-Internet 10/3**](https://www.itu.int/md/S17-RCLINTPOL10-C-0003/en) **from the Russian Federation: “Proposals for further work on the OTT International Public Policy”**

Taking in account high interest to OTT topic and regulation aspects of OTT from Member-States, and also existing work done by ITU SGs, Russia Federation proposed to adopt a draft of Council Resolution “International public policy issues related to OTTs” and send it to Consul as common proposal of CWG-Internet. Resolution requests that ITU-T Study Group 3 and 17 and ITU-D Study Group 1, in frame of their current studies related to OTT, prepare considerations related to OTT services that require development of relevant public policies and send it to CWG-Internet. Also in line with this Resolution the CWG-Internet, on the basis of contributions from Member States, ITU-T and ITU-D SGs information, as well as open consultation materials on the OTT, to perform analysis of OTT regulation practices and present/prepare recommendations on aspects of OTT public policies.

**4.2. Contribution** [**CWG-Internet 10/4**](https://www.itu.int/md/S17-RCLINTPOL10-C-0004/en) **from the Russian Federation: “Proposals on revision of ITU Plenipotentiary Conference Resolutions on Internet-related activities”**

In the contribution from the Russian Federation Document 10/4 “Proposals on revision of ITU Plenipotentiary Conference Resolutions on Internet-related activities”, it is proposed that the CWG-Internet should pay special attention to the Resolution 102 "ITU’s role with regard to international public policy issues pertaining to the Internet and the management of Internet resources, including domain names and addresses (Rev. Busan, 2014)", which contains a number of provisions directly related to CWG-Internet activity. Such exchange of opinions on other ITU Resolutions regarding Internet-related activities within the CWG-Internet. Russian Federation is of opinion that CWG-Internet shall prepare proposals on International Internet-related public policy issues and submits results of its work to the ITU Council and to the ITU Plenipotentiary Conference, if necessary. In this regard, Russia Federation proposes that PP-18 instructs ITU Council to update its relevant Resolutions (including Annex to the ITU Council Resolution 1305) in order to amend and update those international Internet-related public policy issues, which CWG-Internet considers, as well as CWG-Internet working methods in order to empower CWG-Internet to develop proposals on international Internet-related public policy issues.

Taking into account ubiquitous introduction of ICTs, development of new services and applications, ITU carries out the corresponding work both within ITU Council and Telecommunications Standardization and Telecommunication Development Sectors. CWG-Internet should liaise closer with relevant Study Groups of ITU-T and ITU-D while performing its studies and developments.

Russian Federation supports continuation of CWG-Internet activity in the same format with participation limited to ITU Member States. With regard to the open consultation process, Plenipotentiary Conference 2014 identified guidelines for open consultations, and ITU Council 2015 revised its Resolution 1344 (Mod. 2015) "The modality of open consultation for the Council Working Group on international Internet-related public policy issues (CWG-Internet)". Concern is expressed that CWG-Internet has no opportunities to carefully discuss these inputs, summarize and apply them for preparation of its output documents. In order to increase CWG-Internet efficiency of use materials of open consultations in its activity, it is proposed that the Secretariat performs fact-based analysis of inputs received during open consultations and submit it as outcome document to the CWG-Internet meeting for further use in preparation of proposals and recommendations on issues of international Internet-related public policies. The draft revision of Resolution 102 is presented in Annex to the contribution.
 **4.3. Contribution** [**CWG-Internet 10/5**](https://www.itu.int/md/S17-RCLINTPOL10-C-0005/en) **from Brazil: “Brazilian contributions to the public consultation on "Public policy considerations on OTTS”**

Brazil presented its multi-stakeholder process to respond to the CWG-Internet public consultation on "Public Policy considerations on OTTs". It involved 77 participants from all sectors and resulted in the presentation of 8 contributions to the public consultation. Brazil presented the legal framework on which any future provisions in Brazil on OTTs will be based, and a list of topics related to OTTs that require further discussions. Finally, Brazil supported the ITU open public consultation process that resulted in 71 contributions from all sectors and regions, and supported work carried out in the ITU on this topic.
 **4.4. Contribution** [**CWG-Internet 10/6**](https://www.itu.int/md/S17-RCLINTPOL10-C-0006/en) **from the United States**

The United States presented its contribution noting highlights from the open consultation:

1. OTT offerings represent innovative platforms and service models resulting in economic growth and social prosperity;
2. OTT offerings flourish in an enabling environment of minimal or no regulations and a competitive marketplace;
3. Public policy deliberations are more appropriately taken on a country-by-country basis; and
4. There are important differences in the delivery, function and range of offerings that should be taken into consideration by domestic regulators.

**5. Discussions**

The CWG examined the various contributions, which were appreciated by the Group.

**5.1.** **Contribution** [**CWG-Internet 10/5**](https://www.itu.int/md/S17-RCLINTPOL10-C-0005/en) **from Brazil: “Brazilian contributions to the public consultation on "Public policy considerations on OTTS”**

* The contribution was noted by the Group who congratulated Brazil on their inclusive multi-stakeholder consultative process.
* Some Member States also noted that the issues faced by Brazil were similar to those in several other countries and these countries could benefit from the Brazilian experience.

**5.2. Contribution** [**CWG-Internet 10/3**](https://www.itu.int/md/S17-RCLINTPOL10-C-0003/en) **from the Russian Federation: “Proposals for further work on the OTT International Public Policy”**

* Some Member States supported the Russian contribution and expressed the need to continue further study by the appropriate ITU-T and ITU-D study groups on the relevant OTT-related issues, indicate questions related to OTT services that require development of public policies and send them to CWG internet. CWG internet should continue analysis of OTT regulation practices and prepare recommendations on international public policy aspects related to OTTs.. Some other Member States did not support the Russian contribution. They noted that work on OTTs was already underway in other parts of the ITU. They welcomed the fruitful multistakeholder discussions at the open consultation.
* Some Member States suggested the possibility that Russia could consider the comments received and bring back a revised contribution to either the next meeting of CWG Internet and/or to Council 2018.
* Some Member States did not support the transmission of a draft resolution by the Group to Council while some other Member States supported the transmission of a draft resolution.
* In conclusion, the chairman invited Russia to note the comments received and if they so wish to bring a draft resolution on this topic directly to Council.

 **5.3. Contribution** [**CWG-Internet 10/6**](https://www.itu.int/md/S17-RCLINTPOL10-C-0006/en) **from the United States: “Contribution from the United States”**

* Some Members States supported the US contribution also noting that work is already underway in various ITU-T Study groups and various organizations outside ITU.

Some Member States noted that internet related discussions should be conducted in and by a fully multistakeholder process while some other Member States expressed the view that the CWG-Internet has a multistakeholder process in discussing and developing public policy issues related to OTTs.

**5.4. Contribution** [**CWG-Internet 10/4**](https://www.itu.int/md/S17-RCLINTPOL10-C-0004/en) **from the Russian Federation: “Proposals on revision of ITU Plenipotentiary Conference Resolutions on Internet-related activities”**

* Russia indicated that their contribution was for information purposes only and that Russia would be interested in collecting comments from Member States, and benefit from it while preparing its contribution to PP18.
* Some Member States noted that they will approach Russia with their comments.
* Some Member States noted that existing mechanisms within regional groups could be utilized for further consultation on matters of common interest.

**6. Any other business**

**6.1. Discussion on the upcoming open consultation on Bridging the Digital Gender Divide.**

* Some Member States asked that a link to the UN System-wide Strategy on Gender Parity be included in the circular letter to be sent to all ITU members concerning the upcoming open consultation on Bridging the Digital Gender Divide.
* Some Member States were of the view that other relevant documents could also be included, giving some examples.
* Canada stated that issues related to gender equality, gender equity and gender parity should be at the core of the discussions that will take place at the next meeting of CWG-Internet including the open consultation. To that effect, Canada made a specific reference to the UN System-wide Strategy on Gender Parity, highlighting the importance of the work that will be undertaken by the ITU in the implementation of the strategy.

**6.2**. Switzerland gave the Group an update on the preparations for the twelfth annual meeting of the Internet Governance Forum (IGF) to be held in Geneva, Switzerland, from 18 to 21 December 2017.

**6.3.** Russia, Saudi Arabia and South Africa proposed to remind the Secretariat:

-       to prepare information to be included in the draft 4-year report of  the CWG-Internet on the implementation of Resolution 102 and other Internet-related Resolutions and the relevant Council Resolutions (1305, 1336 and 1344) to be submitted to Council 2018 and PP-18;
-       to present materials on the latest UN, ECOSOC and CSTD activities as well as the output documents of the WG on Enhanced Cooperation relevant to the CWG-Internet work and to publish them on the CWG-Internet web-site.

Other Member States noted that this proposal was not introduced at the appropriate agenda item during the meeting and there had been no discussion of it and emphasized that in order to be considered, proposals should be made at the appropriate agenda item during the meeting. For this reason the meeting did not approve the proposal.

**7. Actions**

**7.1.** ITU Secretariat will launch the next round of Open Consultations (October 2017 – January 2018) on the following topic, as per the decision of Council 2017:

***"Bridging the Digital Gender Divide***

*CWG-Internet invites all stakeholders to submit contributions on achieving gender equality for Internet users, focusing on the following questions:*

*1. What approaches and examples of good practices are available to increase Internet access and digital literacy of women and girls, including in decision-making processes on Internet public policy?*

*2. What approaches and examples of good practices are available to promote the access and use of ICTs by SMEs in developing and least-developed countries, particularly those owned/managed by women, in order to achieve greater participation in the digital economy?*

*3. Which are the available sources and mechanisms for measuring women's participation in the digital economy with focus on SME's and micro-enterprises?*

*4. What measures/policies could be envisioned in order to foster the role of women as entrepreneurs and managers of SMEs, specifically in developing and least-developed countries?*

*5. What are the gaps in addressing these challenges? How can they be addressed and what is the role of governments?"*

 **8. Summary of the Meeting**

**8.1.** The report of the tenth meeting of the Council Working Group on International Internet-related Public Policy Issues was approved by the CWG and was posted on the CWG website (<http://www.itu.int/en/council/cwg-internet>).

**8.2.** In closing, the Chairman thanked all the ITU Member States who made contributions and participated in the work of the CWG (including those who participated remotely), the Vice-Chairmen, the ITU Elected Officials and the Secretariat for their efficient assistance during the meeting.

**8.3.** The Group thanked the Chairman, Vice-Chairmen and Secretariat for their effective organization and management of the Group. The Group also thanked the remote moderator.

**Chaired by: Mr. Charles SEMAPONDO (Rwanda), Vice Chair, CWG-Internet**

**STATEMENT BY AUSTRALIA**

The delegation of Australia expresses concern that, despite the agenda item “Any other business” being already closed, a new proposal was introduced to the Council Working Group (Internet) during the presentation of the Chair’s report of the meeting. As a result, there was no opportunity for Members of the Group to consider the proposal. We believe it is important that Member States make their contributions according to the agreed agenda so that all Member States have a proper opportunity to consider and discuss them. We ask that in the future, Member States respect the agreed agenda and refrain from introducing new proposals during the presentation of the Chair’s report of the meeting. Australia notes the support of a number of other delegations for this position including Canada, Czech Republic, Japan, Netherlands, Sweden, United Kingdom and United States.