1 February 2013

Mr. Petko Kantchev
Chair of the Informal Expert Group
World Telecommunication Policy Forum 2013

cc. Hamadoun Touré
Secretary-General
International Telecommunication Union

International Telecommunication Union
Place des Nations
CH-1211 Geneva 20
Switzerland

**Re: Comments to the fourth draft report of the ITU
Secretary General on the 2013 World
Telecommunication Policy Forum (WTPF)**

Dear Mr. Petko Kantchev,

The Internet Corporation for Assigned Names and
Numbers (ICANN) and the Number Resource Organization
(NRO) – comprised of the five Regional Internet Registries
(RIRs) – would like to acknowledge your efforts to admit
our participation and engagement in the Informal Experts
Group (IEG).

The purpose of this letter is to provide additional
comments[1] towards progressing the Secretary General's
Report and the work of the IEG.

To reiterate on the points we raised before, which we still
feel are critical to this process:

- Given the focus of the WTPF is the Internet, the
  preparations should mirror the philosophy of the

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[1] Previous comments were provided in a letter from 28 September
2012, available at: http://www.itu.int/md/S12-WTPF13PREP-C-
0025/en

Internet and be open and transparent; they should not be based on any documents that are not publicly accessible.

• The Fourth Draft Report for WTPF continues to miss an opportunity by not considering the recommendations of the IEG to discuss forward-looking themes, such as "strategies for developing Internet connectivity at the global level" which we proposed in our letter of 25 June 2012[2].

• While the fourth version of the draft report makes some progress in bridging, through the addition of accurate and factual information, between the views of "some" and the views of "others", we still think that reopening a debate on previously established Resolutions 101, 102 and 133 will not be productive unless these resolutions are read through the lens of forward-looking themes.

While the comments offered below represent a consensus, however we may come back to you, collectively or individually, with further views on the draft report.

1. **Comments to Section 2.3.1**

We propose changing the title of this section to:

"The Growth of the Internet as a Global Infrastructure".

This section has overlooked one critically important observation:

The Internet has managed to connect more than 2.3 billion people. This was achieved thanks to the open and innovative nature of the multistakeholder institutions, distributed structures and the technology itself.

Additionally on this section:

• In paragraph d), the term "online child pornography"

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[2] Available at: http://www.itu.int/md/dologin_md.asp?lang=en&id=S12-WTPF13PREP-C-0015!!PDF-E

would be better replaced with the more accepted term "Child Abuse Imagery"
* In paragraph n), a reference could be added here to the Universal Declaration of Human Rights (Universal Declaration) by the General Assembly of the United Nations.

2. Comments to Section 2.3.2.2 iv)

We propose replacing "*that the need for development of public policy by governments in consultation with all stakeholders is also recognized*" with "*and public policy should be developed in a collaborative manner between governments and all relevant stakeholders*".

3. Comments to Section 2.3.2.3 c)

In addition to the endorsement of the "multi-stakeholder model", the first phase of WSIS triggered a process to develop a working definition of Internet Governance. The Working Group on Internet Governance debated whether the definition should refer to the management of Internet naming and addressing, or to a broader agenda, including, for example, network security, access to infrastructure, privacy, consumer protection, etc. The second phase of WSIS concluded[3] that the working definition of Internet governance should recognize the broader agenda rather than just Internet naming and addressing.

The divergence of opinion that is suggested in c) fails to recognize the difference between the narrow and the broad agenda of Internet governance. Paragraph i) refers to the successful implementation of the multi-stakeholder model in the remit of Internet addresses and numbers; however flags that in the broader agenda (i.e. exploitation of children, security, cyber-crime and spam), there is additional work to be done to accomplish a multi-stakeholder model. There is in fact no divergence of views, as the proven success in the

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[3] Paragraph 58 of Tunis Agenda

implementation of the multi-stakeholder model in the addressing space should not exclude the possibility of successful implementation in the broader subjects.

Paragraph iii) documents very well the wide-ranging nature of ITU's "*membership*", however, it fails to mention whether the ITU "*processes*" are compatible with the multistakeholder principles which require stakeholder participation to be on an "*equal footing*".

4. **Comments on Section 2.3.3 a)**
We suggest **deleting** the sentence:

"Internet services are today widely used, although challenges regarding quality of service (QoS), uncertainty of origin for some applications, and high costs of international Internet connectivity (IIC) persist for many developing countries."

The reason why costs differ in different parts of the world are related to distance and volume. It costs more to drive longer connections, obviously. This is also an activity that is subject to economies of scale - higher volumes tend to produce lower unit costs in an open market. These are challenges that are not unique to developing countries, but are shared with remote parts of many if not all developed countries.

We also note that "quality of service" and "uncertainty of origin" are issues not related with the argument of this paragraph, which relates to the infrastructure layer only, and these references should therefore be removed.

5. **Comments on Section 2.3.3 b)**
This paragraph acknowledges the importance of innovation, and makes a positive statement about the need to encourage competition. We suggest adding another positive statement about the necessity of maintaining the Internet's innovation-friendly environment, for instance:

"At the same time, maintaining the Internet's open architecture, and neutral end-to-end model of interconnection, are essential to enabling innovation on the Internet, which will continue to produce new applications and services into the future."

6. Comments on Section 2.3.3 e)

This paragraph refers to an industry structure of *"authorized operating agencies and the providers of international services"* that in reality exists only in the context of telephony networks. The architecture of the Internet makes no such distinction.

The core arguments of this section can subsist without paragraph e), and therefore we suggest to delete it from the report.

7. Comments on Section 2.3.3 g) through j)

The differences between the concept of "quality" in circuit-switched and packet-based network architectures have been widely studied, however we find them poorly reflected in the report.

In the first instance, deployment of end-to-end QoS mechanisms across all IP networks would incur enormous costs in global deployment of new protocols throughout the Internet (at a scale comparable with the cost of the current IPv6 transition). To fund such an exercise would require a system of financial settlements that does not exist today, and furthermore require augmenting the current "access-based" pricing regime with a "sending-party-network-pays" model that simply cannot exist on the Internet.

There have certainly been efforts at the IETF to standardize QoS, and successful QoS deployments in enterprise networks and in single provider domains; but the inter-provider domain has not produced a business case for end-to-end QoS deployment that can justify the expense and complexity of the required changes. In

short, we have seen from years of experience that the simplest and cheapest way of addressing Internet service quality issues is through the addition of network capacity and bandwidth; and we expect that this situation will endure indefinitely.

While 2.3.3 j) reflects this view in part, it is important to note that the question of affordability applies not just to LDCs, as suggested by the UK contribution, but in fact to every ISP and network operator, whose costs would increase to unsustainable levels under such a mandate.

8. **Comments on Section 2.3.3.2 Internet Naming and Addressing**
   - Paragraph a) refers to IPv4 as "*current*". This is incorrect. IPv6 is the "*current*" version of IP addresses.
   - Paragraph c), replace "*exhaustion*" with "*full allocation*". In addition, we would like to note that IANA is not a separate legal entity and therefore we suggest referring to it as: "*IANA, the ICANN functions operator*".
   - Paragraph d), replace "*low*" (when describing IPv6 deployment) with "*uneven*".
   - It is our view that concerns about the exhaustion of IPv6 space are not justified. If paragraph f) is to be kept at all, it should state the facts of how many IPv6 addresses there are.
   - Paragraph j). There are several uses for Resource Public Key Infrastructure, and suggest replacing "*would*" (in 5th line) with "*could*", as this is a more appropriate word in this context.

9. **Comments on Section 2.3.4.1 generic Top-Level Domains (gTLDs) under the DNS**
   - In paragraph d) it is more accurate to say "*registering*" rather than "*buying*" a domain. Also we note that the preparation and consultation for the new gTLD program took "*six*" years and not "*three*".

- Paragraph h) should note that such concerns (abuse of trademarks) are currently applicable to ccTLDs as well, so this is not just an issue for generic names.

10. **Comments on Section 2.3.4.2 country code Top Level Domains (ccTLDs) under the DNS**

- In paragraph c), we would like to note that ICANN also provides for domains written in non-Latin scripts such as Arabic and Chinese, which are only based on a country being listed in the ISO 3166-1 standard, but are not predicated on the specific alpha-2 code.

- In paragraph e) "*.fx*" has not been reserved as a ccTLD on request of France. It is conflating reservation by ISO with reservation by ICANN. These are two distinctly different concepts.

- In paragraph g) the sentence containing "*tried to use national legislation to reclaim*" is unclear and is not supported by citations. The more salient point is that national legislation could be used "*to set up an oversight or management framework for the ccTLD*". Legislation is not used to reclaim domains, rather, to set controls or structure on how it may be managed in that country. Also the "*fact*" that some countries have reached out to the UN seems to imply that there was no other alternative at the national level. This is patently not the case.

11. **Comments on Section 2.3.5.1 Internationalized Domain Names (IDNs) under the DNS**

- If required we can supply updated figures for paragraph d).

12. **Comments on Section 2.3.5.2 Regional Root Servers**

- With regards to the title of this Section: as to our knowledge, there is no such thing as "*Regional Root Servers*". Only: "*Root Servers*".
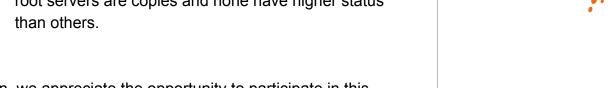
- In paragraph a), Table 2 is out of date and rapidly changing. It should be dated "*as of X*" to make it clear when the data was accurate.
- In paragraph c), the use of the term "*mirror copies of existing root servers*" implies that the "*real*" root servers are in the US, and the "*copies*" are international. This is not true. All instances of the root servers are copies and none have higher status than others.

Again, we appreciate the opportunity to participate in this process. We trust you will be successful in conveying the IEG's views as constructive inputs for the final version of the Secretary-General's Report, and we look forward to participating in a productive meeting on the 6-8 February.

Sincerely,

Cathy Handley
Executive Director Government Affairs and Public Policy
ARIN

Nigel Hickson
Vice President, Europe ICANN

Paul Wilson
Director General APNIC