ITU WSIS Meeting on Countering Spam
Geneva, 7-9 July 2004

Brazilian intervention

First of all I want to thank ITU for inviting me to speak at this event, and particularly for the opportunity to speak after all the others speakers, because I have just few words to say on behalf of the Brazilian government.

If my talk could have a simple message, it would be: SPAM is an Internet governance issue.

As you know, there were difficult negotiations concerning the topic of Internet governance held during the preparatory meetings for the first phase of the World Summit on the Information Society (WSIS) held in Geneva in December 2003. As these differences could not be resolved, the WSIS Declaration of Principles and Plan of Action provide that the "Secretary General of the United Nations to set up a working group on Internet governance". There are three objectives: first; define what Internet Governance is, second: identify what are the public policies issues related to Internet Governance; and third: develop a common understanding of the roles of all stakeholders on this issue.

Since then, in February 2004 at the Workshop on Internet Governance, organized by ITU, and in the UN ICT Task force meeting in New York, many countries and organizations has expressed the need to treat this topic in a broader fashion. In other words, Internet Governance should not be thought of only in the context of the domain names and IP addresses, but within the context of the many other complex ICT policy issues we face with regard to the development of a global information society that were highlighted in the WSIS such as security, interconnection and spam.

In those forums, many countries have pointed out there is a need for urgent treatment of themes that involve international cooperation and coordination including pressing issues such as cybersecurity and spam. It is clear that for many countries that there is the need for the creation of globally developed recommendations or principles on these issues as well as the need for elaboration of more specific international arrangements on cooperation.

These international arrangements would help to build consensus and provide more global convergence of the separate national approaches that we have heard in the last couple of days. It is interesting to speculate on some possible key components of such cooperation. Some of the ideas mentioned include international standards, information sharing, cooperation to halt cyber-attacks in progress, coordinating legal systems and providing assistance to developing nations.

Let me speak particularly to the last point. During the WSIS negotiation process, many countries, including Brazil, argued that there is the need to identify appropriate forums at which States can go to treat specific issues. Developing countries have much difficulty in participating and acting effectively in the enormous "jungle" formed by countless groups

and organizations that approach, in a very uncoordinated fashion, many of the issues that potentially relate to Internet Governance.

The result is that in the complex constellation of actors and agendas, only the most powerful states, typically the ICT "superpowers" are able to exercise a significant degree of policy and regulatory control by pursing national and/or regional interests across a wide range of forums. Powerful private actors are equally able to exercise an equally significant degree of market control by coordinating their activities in these forums or through solely private forums. What is missing here are real opportunities for the less powerful and the less fortunate states to be engaged in the discussion of Internet governance coordination issues, to participate in decision-making processes, to understand the consequences of these decisions, and to adapt their policies, regulations and practices accordingly.

With this in mind, during the Prepcom process of WSIS, many countries ask for the identification of a key international forum where they can, in a coordinated and organized way, participate meaningfully and inclusively international policy coordination.

As expressed in WSIS Declaration of Principles, all countries recognize the role and importance of specialist's technical bodies and all countries recognize the need to assure the continued stability and operation of the Internet. But I think one message is very clear: any organization or entity involved in international governance of any aspect, and particularly the Internet, needs to be clearly independent from any particular government or particular national laws, as well as having to obey three key principles: it must be multilateral, democratic and transparent. As mentioned by Mr. Utsumi in his opening remarks, no country alone will be able to solve the problems for a network that ignores national borders.

In these sense, we would like to present some proposals:

First: This meeting has reinforced the idea that spam is clearly an Internet Governance issue that demonstrates how real international coordination and cooperation between governments is needed.

Second: That the process of coordination of international public policy on this issue or the development of mechanisms to potentially establish a global arrangements such as an MoU should be done in a forum where all countries have an equal and meaningful possibility to participate in its elaboration. We do not want to be handed an existing arrangement. We want to be involved in the actual process of its elaboration as we think we have very important contributions to make. This could be done through a specific Committee or Group under the sponsorship of some existing intergovernmental organization – we have existing multilateral institutions and we see no need to create new organizations. Of course, for many reasons, particularly the global scope of ITU's membership that Dr. Horton highlighted in his opening remarks, we see ITU as a logical sponsor or platform to have these more formal discussions between governments.

This group must also find a mechanism to interact with the many organizations and entities that have participated here at this meeting. This would be a real public-private partnership

and just to show that this can be done, I invite you to know the work that have been done on related to Internet coordination or governance in Brazil.

Since 1995 we have an Internet Steering Committee with full responsibilities over our ccTLD: .br and IP address allocation, which in turn gives full support to security and network engineering groups as well as involvement in the Brazilian legislative process on proposals related to the Internet. Our Committee also coordinates projects related to Internet infrastructure such as building exchange points and network security.

We are proud to announce that last Monday we finish a public election to select members from civil society, private sector and academy to compose the board of members, together with the representatives indicated by the govern. All the election process could be found on www.cg.org.br.

Thank you for your attention and I can send by email more information about these proposals to anyone that wants.

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