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Fifth World Telecommunication/ ICT Policy Forum

INTRODUCTION

Many nations, particularly from the developing world, look to the International Telecommunications Union (ITU) for advice on telecommunications issues and, increasingly, Internet governance issues. The ITU's Fifth World Telecommunication/ICT Policy Forum (WTPF-13), 14-16 May 2013, Geneva, Switzerland, will be the first WTPF to focus exclusively on Internet issues. Positions agreed to by ITU Member States on the management of Internet resources—including ccTLDs—and the roles and responsibilities of stakeholders in Internet governance are of particular importance to ccTLD operators due to the close association of ccTLDs to the territorial boundaries of sovereign nations.

WTPF-13.01

WTPF-13 has been convened to discuss the issues raised in ITU's three key Internet-related resolutions:[1]

- Resolution 101:"Internet Protocol (IP)-based Networks" (Rev. Guadalajara, 2010)[2]
- 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. Guadalajara, 2010)[3]
- Resolution 133: "Roles of administrations of Member States in the management of Internationalized (multilingual) domain names" (Rev. Guadalajara, 2010)[4]

The main policy outcomes of WTPF-13 will be the "Opinion" documents, which are non-binding on ITU's membership. However, the Opinions and final meeting report will be a good indicator of the Internet issues that may become the focus of ITU discussions, and in turn, more formal resolutions and recommendations, in the near future. In particular, WTPF-13 outcomes will inform the discussions at the Council Working Group on International Internet-Related Public Policy Issues (CWG-Internet), the ITU Plenipotentiary 2014 and the WSIS+10 review process.

In preparation for WTPF-13, two meetings of the Informal Experts Group (IEG)[5] have already been held to fine-tune the Secretary-General's report.[6] The report's summary of issues, which includes ccTLD processes, will form the basis of WTPF-13 discussions in May. Draft Opinions have been made available in the fourth, and latest, version of the Secretary-General's report. It is possible that more Draft Opinions will appear in the next and final version of the Secretary General's report, which will be published 1 March 2013.

WTPF-13 Draft Opinions.02

There are six Draft Opinions in the January 2013 version of the Secretary-General's report. The final WTPF-13 Opinions will be based on these drafts and onsite discussion of the contents of the Secretariat-General's report.

Overall model of Internet governance and development

There are three Draft Opinions on this topic. Two of the three drafts, submitted by Saudi Arabia, focus on the need for "immediate operationalization of the enhanced cooperation process" via an existing or new intergovernmental organization, in consultation with other stakeholders. The third draft, submitted by the United Kingdom, focuses on open, transparent and accountable Internet development, freedom of expression, universal access, and invites all stakeholders—not only Member States and Sector Members—to collaborate towards the ongoing expansion of the Internet.

Why these Opinions matter: These three Draft Opinions reflect fundamentally different views on how the Internet should be governed. On one side are States who believe it is important to have a government-only platform to discuss international Internet governance matters (this does not exclude other venues for Internet governance discussions). In many cases, these governments

1 Given the recent WCIT held in Dubai also adopted an Internet-related resolution, it is possible that the issues it raises will also be incorporated in the next version of the Secretary-General's report.

2 http://www.itu.int/osg/csd/intgov/resoultions_2010/PP-10/RESOLUTION_101.pdf

3 http://www.itu.int/osg/csd/intgov/resoultions_2010/PP-10/RESOLUTION_102.pdf

4 http://www.itu.int/osg/csd/intgov/resoultions_2010/PP-10/RESOLUTION_133.pdf

5 http://www.itu.int/en/wtpf-13/Pages/ieg.aspx

6 http://www.itu.int/en/wtpf-13/Pages/report-sg.aspx

focus on the security risks the Internet can pose and seek an intergovernmental venue that can address these risks. On the other side are States who prefer to maintain the current multi-stakeholder environment, believing that governments already have enough opportunities to participate in Internet governance processes. These States often prefer to focus on the opportunities the Internet offers, such as freedom of expression and the development of an information society for all.

IPv6 deployment

Both Draft Opinions on IPv6 encourage Member States to develop policies and incentives for IPv6 deployment within their territories. The Saudi Arabian draft also proposes ITU to develop policies to manage IPv4 address transfers in the wake of the exhaustion of the unallocated IPv4 pool. The United Kingdom's draft emphasizes the need to build human capacity in developing countries to enable IPv6 deployment.

Why these Opinions matter: If ITU Member States recommend the ITU should actively develop policy for IP address space management—an area already served by Regional Internet Registries (RIRs)—it may open the door for ITU to consider policy development in other areas of Internet resource management. In many cases, such policy development already has a home within existing organizations, such as the ICANN.

IXPs as the long-term solution to better and more robust Internet connectivity

The final draft opinion, from the United Kingdom, invites Member States and Sector Members to work collaboratively with developing countries in promoting IXPs.

Why this Opinion matters: In contrast to the other Draft Opinions, where views on the same topic are the result of ideological differences, this Draft Opinion is an example of practical ways to develop Internet capacity in developing countries.
In addition, an improved Internet quality for regions served by new IXPs, will create new useful locations to host anycasted Root DNS Servers and secondary ccTLDs nameservers.

Internet issues contained in the Secretary-General's WTPF-13 report

Any of the topics included in the Secretary-General's report may be included in the final Opinions and meeting report. In particular, the broad scope of the three Draft Opinions on the overall model of Internet governance and development leaves room to add text on a variety of Internet issues summarized in the Secretary-General's report. The issues of most relevance to the ccTLD community in the report are:

1. Roles and responsibilities of stakeholders in Internet management

While the WSIS Tunis Agenda[7] recognized the multi-stakeholder model as the appropriate global model for Internet governance, the Secretary-General's report summarizes debates on whether the model has been fully implemented. One view maintains that the current Internet governance framework is sufficiently multi-stakeholder and that intergovernmental forums that discuss the Internet, such as the ITU, also need to adopt a multi-stakeholder approach. The ITU has itself been keen to change the world's perceptions of its working methods, publicizing that the WTPF IEG process is open to all stakeholders.[8]
The other view is that the role of governments in Internet governance has not been allowed to evolve according to the "enhanced cooperation" text in the Tunis Agenda, which states:
"We further recognize the need for enhanced cooperation in the future, to enable governments, on an equal footing, to carry out their roles and responsibilities, in international public policy issues pertaining to the Internet, but not in the day-to-day technical and operational matters, that do not impact on international public policy issues."
According to this second view, the failure to operationalize an intergovernmental mechanism for enhanced cooperation has contributed to the world's failure to adequately address ongoing Internet challenges, including spam and cybercrime. States holding this view often also question the adequacy of the ICANN Government Advisory Committee (GAC).

2. Management of Internet resources

The Secretary-General's report notes concerns with the current Internet infrastructure's ability to support the Internet's continued growth—in particular, the ability to support security, identity management and multilingualism. Under the topic of Internet resource management are the following topics of interest:

- Internet connectivity - The high cost of international Internet connectivity for Least Developed Countries (LDCs) is seen to be particularly problematic, with IXPs reported as a long-term solution to the problem. Included in the report are descriptions of some of the main challenges LCDs face in closing the digital divide.
- IP addresses - The ITU has a long history discussing IP address management, which is reflected in the Secretary-General's report. The slow rate of IPv6 deployment, in particular, is a concern, with continued debate about whether today's "first come, first

7 http://www.itu.int/wsis/docs2/tunis/off/6rev1.html

8 The recent WCIT Resolution 3 (see http://www.itu.int/en/wcit-12/Documents/final-acts-wcit-12.pdf) also called on Member States to "to engage with all their stakeholders" on "international Internet-related technical, development and public-policy issues within the mandate of ITU" but stopped short of opening ITU meetings to the full participation of all stakeholders.

served" IPv6 allocation policies could penalize late adopters. The ITU has issued a number of IP address-related resolutions[9], so it is a certainty that WTPF 2013 will result in an IP address-related Opinion.

- Resource Public Key Infrastructure (RPKI) - RPKI is still in its infancy but it is hoped it will make the Internet's IP routing system more secure. Given the security implications, RPKI is a topic of interest to ITU Member States and therefore is included in the Secretary-General's report. In particular, the report notes that questions have been raised about whether the operation of the RPKI certificate chain by ICANN and RIRs fundamentally changes their role in Internet governance.

3. gTLDs

The new gTLD process is detailed in the report, with the Secretary-General noting discussions about new gTLDs' impact on gTLD market competition and trademark or rights holders, particularly those in developing countries. The report also notes that concerns have been raised about the potential misuse of acronyms reserved for use by intergovernmental organizations (IGOs), geographic names, and cultural and language descriptors.

4. ccTLDs

The report notes that there is not a one-to-one relationship between a ccTLD string for a "territory" as defined in the ISO-3166 list and the name of a sovereign nation, with some nations having more than one ccTLD string reserved for their use (for example, Finland has both .fi and .ax). The ccTLD re-delegation process is also described in depth, including the need for the US government to evaluate IANA's report on the ccTLD request. The report includes a reference to ITU's role in requesting the re-delegation of .so in 2009 and notes that the Tunis Agenda states that countries should not be involved in decisions regarding another country's ccTLD. It is not clear whether this reference is meant to be compared directly with the earlier reference to the US government's role in overseeing re-delegation. The effect, however, is to highlight the US government's role in the re-delegation process of other nations' ccTLDs.

5. DNS security

The report describes how DNSSEC works and notes concerns about the processes that create the DNSSEC "chain of trust". However, given the sources of such concerns have not attended IEG meetings, the majority of the text reflects the views of those who support the current DNSSEC trust chain.

6. Multilingualism and IDNs

The report states that internationalized domain names (IDNs) are seen as an important step in overcoming linguistic barriers to Internet access, while also highlighting views that there are a number of challenges regarding intellectual property and the IDN deployment. The report notes some countries believe the current Unicode-based IDN implementation is "effectively a patch on an ASCII-based system and that the DNS will properly reflect multilingualism when support is native to the system".

7. Regional distribution of Root DNS Servers

The report notes that there is a disparity between the geographical distribution of Root DNS Servers and the global distribution of Internet users but does bust the myth that there are only 13 Root Servers by explaining the concept of anycasting. However, the report also points out that only three of the Root Server operators have administrative headquarters outside the USA.

WTPF-13 and other Internet-related discussions at the ITU. 03

The ITU has held many Internet-related discussions in its meetings and Study Groups. Discussion at WTPF-13 will both be informed by these previous discussions as well as inform future discussions on the Internet at the ITU. The key interactions are described below.

World Conference on International Telecommunications

Many of the proposals submitted during the two-year preparatory process of WCIT[10] contained explicit Internet-related content, including:

- Adding principles for Internet governance
- Asserting that "Member States have equal rights to manage the Internet, including in regard to the allotment, assignment and reclamation of Internet numbering, naming, addressing and identification resources"

Ultimately, the final set of International Telecommunication Regulations (ITRs)[11] produced in Dubai in 2012 did not include the word "Internet" anywhere. However, there are still many traces of Internet-related issues visible in the ITRs. For example, the ITRs' recognition of States' rights to access to international telecommunication services was added in response to trade blockades that prevent Internet-based services, such as electronic payments, being available in some countries. In addition, a new ITR article on

9 For example: WTSA 2008 Resolution 64, http://www.itu.int/dms_pub/itu-t/opb/res/T-RES-T.64-2008-PDF-E.pdf; WTDC 2010 Resolution 63, http://www.itu.int/osg/csd/intgov/resoultions_2010/resolution63.pdf; Plenipotentiary 2010 Resolution 180 http://www.itu.int/osg/csd/intgov/resoultions_2010/PP-10/RESOLUTION_180.pdf

10 http://www.itu.int/en/wcit-12/Pages/default.aspx

11 http://www.itu.int/en/wcit-12/Pages/itrs.aspx

accessibility to international telecommunication services is most applicable to Internet-based services (such as web services).
There were strong disagreements on Internet-related issues at WCIT, and, following the intergovernmental practice of discarding proposals that cannot reach consensus amongst States, all direct references to the Internet were removed. A number of States, however, chose not to sign the ITRs—amongst them, the US government. Given the US government provides IANA with the authority to global coordinate the DNS Root and IP addressing systems, the refusal of the USA to sign the ITRs may be seen by a number of States as a sign that the USA "continues" to "control" the Internet. Many of the ideas expressed in Internet-related WCIT proposals have previously appeared in submissions to other ITU meetings, reflecting the fact that some Member States continue to feel strongly that current Internet governance arrangements—particularly the relationship between the US government and IANA—are unsatisfactory. Given the "unsatisfactory" Internet governance arrangements were not addressed in the WCIT outcomes, it is highly probable that many of the same issues will be create equally strong discussion at WTPF-13.

Council Working Group on International Internet-Related Public Policy Issues

Since 2010, the Member States-only CWG-Internet[12]—previously known as the Dedicated Group (DG) on International Internet-Related Public Policy Issues—has discussed ccTLDs, gTLDs, IDNs, IP addresses, DNSSEC, and RPKI under the banner of "critical Internet infrastructure". It has also discussed how ICANN and the ICANN GAC work. Although the group discusses many Internet issues that are currently managed under the open multi-stakeholder model of Internet governance, the CWG's documents are available only to Member States. One of the key documents produced by the group, "Internet Governance: Background Information on Mechanisms, Arrangements, Organizations and some Current Topics" is the source of much of the Secretary-General's report for WTPF-13, including information on ccTLD operations and re-delegation procedures. The Opinions produced by WTPF-13 are likely to affect future discussions within the CWG.

WSIS, the Tunis Agenda and WSIS+10

The World Summit on the Information Society (WSIS)[13] produced the Tunis Agenda, which has become one of the key documents informing intergovernmental discussions on Internet governance. While it clearly stated that the multi-stakeholder model was the appropriate model for global Internet governance, its text on the need for "enhanced cooperation" between governments in relation to Internet governance remains the subject of debate to this day. WTPF-13 discussions on the appropriate way to further implement, if necessary, governments' roles in Internet governance result directly from differing interpretations of this Tunis Agenda text.
To mark the tenth anniversary of the WSIS process ("WSIS+10"), there will be a high level event in 2014 or 2015 that will assess the implementation of WSIS goals. As the tenth anniversary of WSIS is only two years ago, governments that have been pushing for an intergovernmental organization to enhance their role in Internet governance are beginning to express their frustration at the lack of progress to date. With the WCIT outcomes not meeting their goals, the WTPF is the next major ITU event at which governments can continue this debate.

Plenipotentiary 2014

WTPF-13 is based on the Internet-related resolutions that were updated at Plenipotentiary 2010 and will, in turn, influence the Internet-related resolutions developed at the next Plenipotentiary[14]. Resolutions passed at Plenipotentiaries are particularly important as these meetings set the agenda for the following four years of ITU's work.

How to participate in WTPF-13

The final version of the Secretary-General will be published 1 March 2013. The WTPF-13 will be held 14-16 May 2013, in parallel with ITU's WSIS Forum, in Geneva, Switzerland. Anyone can attend the WTPF and ask for the floor to make statements.
Nominet, responsible for .uk, has already made a submission to the IEG process.[15] Stakeholders can also contact their government representatives at ITU to help their government develop positions on the issues under discussion at WTPF-13. Many governments who support the multi-stakeholder model of Internet governance are also happy to place non-government stakeholders on their official delegation at meetings such as WTPF-13. If you are unsure whom to contact within your government, a good place to start is the Participants List from WCIT:
http://files.wcitleaks.org/public/S12-WCIT12-ADM-0004!!PDF-E.pdf

All information relating to WTPF-13 is posted at: http://www.itu.int/wtpf

12 http://www.itu.int/council/groups/CWG-internet
13 http://www.itu.int/wsis
14 http://www.itu.int/en/plenipotentiary/Pages/default.aspx
15 http://www.itu.int/md/S12-WTPF13PREP-C-0024/en