
Open consultations of the Fourth Meeting of the Working Group on Internet Governance*

14 June 2005

[morning session]

Note: The following is the output of the real-time captioning taken during the morning session of the WGIG open Consultations held 14 June in Geneva, Switzerland. Although it is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the session, but should not be treated as an authoritative record

Chairman Desai:

Welcome. Can I be heard?

Yes.

Chairman Desai:

Good. Welcome to our last and final consultation before the working group completes its work and submits its report on Internet governance.

I'll say a few words a little later, but I just want at this stage simply to welcome you and to thank you all for the strong interest that you have taken in our work, not just at these consultations, but also in between, in the comments that you have sent.

But before I say a few words, let me just turn to Mr Utsumi. He has another engagement. And I would therefore request that perhaps he could tell us a few words on how he sees our work, and then we can move on to business. So, Mr Utsumi.

Secretary-General Utsumi:

Thank you very much, Mr Desai, and good morning ladies and gentlemen. Welcome to the building of ITU. ITU is supposed to provide every possible logistic service to these WGIG meetings, but the U.N. Geneva has provided better services than the ITU. So we couldn't do this until today.

Having said so, I am noticing that everyone in the process of the summit is waiting for the work of this group. They are quite anxious to know the progress of the work, and hoping that you will give us a good report and recommendations for the discussion in Prepcom 3. I understand that this is the last open consultation with the members of the group.

* This document is a reformatted version of the official transcript available at:

<http://www.wgig.org/June-scriptmorning.html>

The all-uppercase format has been changed to sentence case. A lot of the paragraph breaks after single sentences have been removed. The speakers' words have been indented from the speaker's name to make it more readable. Where two speakers' names weren't included, "[New speaker]" has been added for clarity. No spelling or transcription errors have been corrected.

And I hope that those in the process will express their views to members of the working group. And I wish that the members of the working group will take those views in the report.

Whatever the report will be, it will be discussed and decided by the members of the Prepcom and those observers here, those who will decide the destiny of your report. So I think that you should seriously listen to their views. I hope that the coming few days of your work will be very successful ones, and we would like to see your report, I think the 18th July.

Once again, it may be here in this room or somewhere else. Thank you very much, Mr Chairman.

Chairman Desai:

Thank you very much, Mr Utsumi. May I thank you and ITU for the facilities that you are providing us here today. I see that these facilities are as good as anything we have in the Palais, and in one respect, distinctly better. We all have plug points here so the usual tangle of extension cords that we have had to struggle with is not there. So in that respect, it's that much better. And also in terms of Internet access and everything. So I really want to thank you, and thank you not just for this meeting, but consistent support which ITU and the staff have provided to the work of the working group. And I really want to say that we truly appreciate that.

Let me just turn to the substance of our consultations today. The working group is entering the last phase of its work. After this consultation, for the next three days, we will be transported in a shuttle, appropriately run by the ecumenical council, and the members of the working group will be -- how shall I say? -- imprisoned there until they complete their work. And they will have to complete their work by this Friday, because it's essential for the process that we finish the report so that we can present it in the middle of July, and then the further process of consideration of that report and the preparatory meetings can take place.

The point that we have reached now is really one where we have to look at the nature of the ideas that we will present for consideration in the preparatory meeting. To facilitate that, a questionnaire was put up on the web site, has been widely seen. And I just wanted to say a few words about the questionnaire. It's grouped around four broad ideas, one, the idea of a forum, of a general-purpose forum; second, the whole issue of what we -- has been described as oversight. The very term itself would have to be defined. Third, on the area of coordination. And fourth on the area of what is the nature of the national capacity that we require in order to improve Internet governance at the global level. What I want to clarify is that these headings in no way presume what the views of the group would be. They are simply headings which have emerged as part of our consultations. They reflect the questions and points which were raised in the consultations and in the conversations the group itself has had.

And I just want to assure you that there is no sense in which you should treat this as, so to speak, a template of the -- of what is it that we are working on.

It's essentially simply a distillation of the points that have been raised in the consultations and in the different regional meetings and other processes that have contributed to our work in different cases. So this is one important point that you should keep in mind.

So feel very free to speak on any issue that you consider important, but it would be helpful if you were to organize your remarks around the questions which have been put in the questionnaire, so that we in the group can distill the sense of what we hear a little more easily.

The process that I have proposed to follow is that in the morning, I am going to request people to comment on the questions, give their views on the questions which have been raised or any other matter which they feel is not fully covered in the questions which they may wish to come up with.

It would be helpful if you were to organize your remarks around the questions. But you should not feel completely constrained by that. What I thought was that in the morning we would have an open discussion where people would comment on this. And then later, we will -- I hope that it will be possible for us to have a second round of dialogue and conversation where perhaps we can comment on what somebody else has just said or raise a question, seek clarifications, and so on. The members of the group are -- almost all of them are here. And I'm sure they will be listening very carefully to what is said here.

As in the last meeting, we have made arrangements to have the -- what is said here come up on the screen. So -- and that will be -- that is being recorded and will be available even after the meeting, as was the case for the conversations that we had last time, when we had the open consultation.

And on the basis, we have done this so that when we look at it as a group over the next three days, we have not just our memory, but also a record to look back on in order to assess exactly what is it that people have said.

I really want to thank the people involved in doing this, how shall I say, verbatim record of our discussions, because this is quite difficult, but is most helpful to us in our work.

So it is a few words on what is the purpose of our consultations today.

Let me just open the floor and invite comments, questions, requests for clarifications, views, whatever you may wish to call it, on the matter before us. But let us try and focus now on the core issues of what is it that we do about Internet governance, because we, I think, have had extensive discussions about the analysis, about the evaluation, about the assessment in the past consultations.

So with these few words, the floor is open. Who is going to lead off? Why is everybody so shy? Yes, I have one. The Chairman of IETF.

IETF:

Thank you, Mr Chairman, can you hear me?

Chairman Desai:

Yes.

IETF:

So I only take the floor first because everyone else was so reluctant, I must say. I have a few remarks which have been prepared which will be submitted electronically during the day.

My name is Brian Carpenter, and until two years ago, I was Chairman of the board of trustees of the Internet society. I work for IBM, and I'm also currently chair of the Internet engineering task force, although I am not speaking for the IETF formally today. I'm actual here because, for 15 years, before I joined IBM and at IBM, I have been a member of the Internet technical community, which has defined the standards and the technology and the operational practices of the Internet. And I'm here because I am an Internet user and I care deeply about the evolution of the Internet.

In particular, I want to be sure that the Internet continues to grow, innovation is fostered, and that more and more people throughout the world can enjoy the benefits.

So I think the three important accomplishments of WGIG and the whole WSIS process have been to demonstrate that the Internet is for everyone, including the poorest; to help convince government ministers, and even prime ministers and presidents, that they need to learn how the Internet works and how to foster it in their country; and I think it has also made clear to political leaders throughout the world that there are dozens, if not hundreds of different groups who play a role in shaping the development of the Internet.

The Internet was designed to provide individual users with choices and flexibility. Because there are competing groups with competing solutions to users' problems, the users, the vendors, and the providers get to determine how the Internet evolves. The genius of the Internet is that open standards and open process allow anyone with a good idea to develop, propose, and promote new standards and applications.

So Internet governance is a term that covers all the different mechanisms that shape the function and use of the global Internet and includes standards processes, it includes the work of ICANN and the regional registries, it includes procedures for fighting cybercrime, it includes agreements among the service providers for peering, it includes efforts by multilateral organizations, such as the world bank, to support the development of the Internet in the less-developed countries, and so on.

But it's important that WGIG focus on results and solving real problems. Personally, during the debate over Internet governance, I feel there's been too much time spent on domain names, I.P. addresses, and root servers. These are largely technical matters for the technical community.

The farmer in central Africa, the teacher in the Andes MoUntains or the merchant in central Asia doesn't care where ICANN is incorporated or what the structure of the GAC is. They care about the cost of access, whether they can get technical advice. They care about security and reliability of the Internet. They care about useful content and services in their own language, and they probably care about whether they'll be thrown in jail for something they write in a chat room.

So what can WGIG do to help the users and the 90% of the world population who are not yet users? Well, first, I think WGIG can help policymakers understand the scope of organizations involved in Internet governance. I think the ICC has done a great service by compiling a matrix of many of those groups, and WGIG could update and expand that compilation.

Secondly, WGIG could suggest ways that many of those organizations might do a better job of explaining their processes and their decisions. This would enable more people in more

interests groups to ensure that their concerns are considered. For example, the Internet engineering task force, which I currently chair, has set many of the fundamental standards, and the standards we are working on now will define the continued evolution of the Internet. But our process and our standards and those of the W3C and the ITU-T and other technical groups, are not easy to understand.

We're starting a newsletter to help make the IETF process more accessible. And I would like to mention that the IETF is open to all. You don't even have to come to the meetings. You can contribute entirely by e-mail.

And a way that WGIG could foster a broader understanding of all of the work being done by all the different organizations involved in Internet governance will be to encourage all those groups to convene regularly scheduled online forums where specific issues could be examined and people in the room and their colleagues back home and any interested party could understand the decisions and weigh in when they have concerns.

Ten or 15 years ago, it was possible to bring most of the key decision-makers working on Internet standards and technology and the people who cared about their implications together in a single meeting. But today, we have such a large community that we can only use the Internet to do that.

I feel strongly that WGIG should avoid recommending creation of new, independent groups who will just discuss the Internet. We have enough of those.

I don't think WGIG should recommend a group to duplicate work already being done elsewhere or to look into technical matters, as, for example, geographic addressing, without having the deep technical expertise on the issues involved.

Let's, instead, find ways to build on the institutions that have served the Internet community so well. About a year ago, Vint Cerf said, "if it ain't broke, don't fix it." Some people misinterpreted those words to mean that nothing is wrong and nothing needs fixing. That's not true.

We have many issues to address: cost, connectivity for the unconnected, improving security, fighting spam, supporting non-Latin alphabets, new standards such as IPv6, new and innovative users of the Internet, new ways to fight and stop cybercriminals, et cetera.

The good news is we have many institutions competing and collaborating to find ways to address those problems. Many of those institutions, the IETF, ICANN, the ITU, are reaching out to constituencies that were not part of the process in the past. That's helpful and healthy.

I hope WGIG will recommend effective ways that this outreach can be done better. I think it would be particularly useful if WGIG could identify sources of funding so that most -- the most talented engineers from the less-developed countries could take more of a role in the IETF, the ITU-T and other standards bodies.

But most of all, I hope WGIG will keep one thing in mind: that's to focus on the individual, individual Internet user and the individual who has not yet been able to connect. Please focus your attention on this use that will affect their lives and the way they use the Internet. And please focus on giving them more choice and more control over this incredibly powerful and enabling technology.

Thank you, Mr Chairman.

Chairman Desai:

Thank you very much. Any further comments? Yes, Syria.

Syrian Arab republic:

Thank you, Mr Chairman. Good morning.

Mr Chairman, you asked us a question, what does Internet governance mean. I think, Mr Chairman, that this was already asked at the summit. In the first phase, it was widely debated also before the summit and during the summit. So I don't think we need to get back to this issue. The first summit adopted the clear decision, defining the matter.

And you were successful, Mr Chairman, in the first meeting, in defining the tasks and what the mission of this WGIG is very clearly, especially in your report that was submitted to the second Prepcorn in the month of February of this year. I think that if we were to get back to this question in such general terms, that we would waste a lot of time. We agree with you that we should concentrate now, as representatives of governments and institutions concerned with this matter and as representatives of the private sector, on issues and questions that were posted on the Internet site.

When I listened personally to the intervention of the Chairman of the IETF, I'm not quite sure of its name in Arabic, something about engineering of Internet, I agree with a lot of what he said. But perhaps the image I have is not so positive that all problems are being solved. I don't think that's true.

How about spam, for instance? There's more and more spam every day. Who are the victims? Developing and least-developed countries, too. There is no serious intention to stop this spam by those who are the transporters of the spam, because they benefit. The communication operators lose nothing in spreading this spam.

Another point: the definition that was mentioned, who is spending and who is taking up the costs? Developing countries. Instead of benefitting from the Internet, what they're getting is spam, and has to pay for that spam. And quite a lot of money. There are a lot of other problems that have not been solved and are not on the way to being solved yet.

It became quite clear in the first phase that there is an absolute need to solve some problems and deal with them at the level of governments, without hampering freedom of movement of information and without prejudice to the right of every individual to have access to information at the least cost.

I believe, sir, that what we have been requested to make comments on as the representative of governments and the representatives of the private sector, I believe that this morning and this afternoon we have to talk about these in order for us to be able to leave it for this group of experts and your group, sir, so that we would enable you to give us your comments. And you said that you will be retaining everything until Friday.

Of course, we are taking this as a joke; you are going to take everybody away, taking that as you have kindly said it, that you are going to do every effort in order for that to be finished by Friday. And we encourage you, sir, that should there be no common convictions or

common agreements, could we please resubmit these points of view. And I hope that they are not going to be very numerous, perhaps one or two, and we could also list the advantages or the disadvantages of every viewpoint so that the upcoming preparatory meeting that is the third meeting, so that it could submit its viewpoints that are going to be submitted to the summit.

I thank you, sir, and I thank you for all the effort that you have made, that all the experts have made, and that the secretariat have made. And, sir, I do need to tell you that I am going to ask for the floor again when we start addressing the question of the comments to the questionnaire. I thank you, sir.

Chairman Desai:

Thank you very much. Certainly. I think you will -- I look forward to your further comments on the questions. And I want to thank you for the consistent and strong interest you have taken in the work of the group and your participation in these open consultations. It has been most helpful to the project.

I have now Nicaragua and then I have Brazil.

Nicaragua:

Thank you very much, chairperson. I'm speaking on behalf of the Latin American and Caribbean group. On Friday we concluded our regional conference in Rio de Janeiro, some of the issues we discussed there, particularly the issue of Internet governance, was the subject of many interesting discussions and have enabled us to come to an agreement on certain criteria as to what we can do as a region when dealing with these issues.

Results of the Rio de Janeiro will be officially introduced at a certain point, but as we now have the opportunity, we can give you, in advance, some general information. We agreed on the need to strengthen cooperation and coordination at a regional level in order to find ways to make the international Internet governance system evolve, basing ourselves exclusively on the Geneva principles; particularly principles of multilateralism, transparency and democracy.

We've also noted that in this dialogue, in this process of evolution, it's necessary to have participation by the government, private sector, civil society and all interested parties in a coordinated and balanced manner. They have to look to their own objectives and responsibilities. We also recognize public policy as an important aspect to be analyzed when it comes to Internet governance. And we also recognize that at a global level and at a regional level we still need to engage in a productive, positive, constructive and free debate as to what should be the future of Internet governance after the second phase in Tunisia.

Now, as I said, chairperson, these are very general comments and we will fill in the details as we go along. But I thought that it was important to say where we were at present and to say that politically and technically, we are proposed and ready to continue working in order to achieve better Internet governance. Thank you, chairperson.

Chairman Desai:

Thank you very much. And I think in a sense what we have been having in these open consultations is, I hope, a free debate, and in my view, at least, it's been a very productive debate, the open consultations that we have had.

Brazil.

Brazil:

Thank you. Thank you Mr Chairman. Nice to see you again. And I would like to thank Mr Markus kummer for attending our regional meeting here in Geneva. As we've just heard from nicaragua, we have a very good discussions over there. He just read what we have decided upon Internet governance, and I would like to add some more.

As you know, Mr Chairman, we are here because we have a problem, and it's very easy to find where the problem is. I am going to read to you something that was printed this week in a very important magazine, and then I'm going to tell you from which one.

And quoting, "on June the 1st, the Internet Corporation for Assigned Names and Numbers, ICANN, the private sector group that manages the domain name system approved a triple x as a web service. After ICANN agrees on contract terms with ICM registry, an American company, that we render the back-end registration, triple x site will sprout on the global Internet. The idea is controversial. It was made with little public discussion, leaving some to wonder about the way ICANN doles out names." End of quote.

This was printed, Mr Chairman, on "The Economist" magazine dated June the 9th, this year.

I think this is very clear and shows what we are doing here is very important. This corporation, private sector group, as "the economist" called them, they are deciding upon matters that should have at least the participation of governments on the decision-making process. For those that are still wondering what triple x means, let's be specific, Mr Chairman. They are talking about pornography. These are things that goes very deep in our values in many of our countries.

In my country, Brazil, we are very worried about this kind of decision-making process where they simply decide upon creating such new top-level generic domain names. They then decided that another private company is going to run it. They are talking about this is going to give a lot of money to that company, and no one knows how they are deciding on this matter.

I think this is a very good example for us here to pay deep attention on the -- on our discussion, and I hope, Mr Chairman, this you can use as example during the next three days on the council to call the attention of the 40 that are going to be with you over there on this - - on this matter. Later on, I think I will intervene again to give another contribution from the Brazilian side. But I think this one is a very good for beginning our work. Thank you very much.

Chairman Desai:

Who is coming in at this point?

I suppose, in a sense, your remarks, Brazil, really relate to what I would describe as the second cluster of questions, the oversight issue. And nature of the engagements. I'm interpreting it that way.

Raul Echeberria, a member of our group.

Raul Echeberria:

Thank you, chairperson. As the two previous speakers referred to the regional meeting, which has just finished in Rio de Janeiro, I would like to give a personal view on that meeting. I agree with previous speakers that the discussion was rich in substance and very fruitful. I think it's important that there be more governments involved in this debate. As a result of the process itself. What I would like to highlight is what I see is very strong support by the Latin American and Caribbean region to a support for a multistakeholder system, clearly setting out in one of the paragraphs in the declaration on principles something which has been a concern for many people in the previous public consultations on the difference -- possible different interpretations of multilateralism or multistakeholderism.

And in this case, declaration of principle by the regional meeting clearly set out that the position, as the representative of Nicaragua said earlier, is that the solution has to include participation by government, civil society, the private sector, and the academic sector. I just wanted to highlight that. Thank you.

Chairman Desai:

Gentlemen, UNESCAP.

UNESCAP:

Thank you very much, Mr Chairman. My name is Xuan Zengpei from UNESCAP. I'm the director for information communication, space technology division. I'm reporting to you and through you to the floor the following outcomes.

You see in Asia-Pacific we organize about seven to eight meetings to follow-up WSIS, and one of the focal topic is Internet governance. We discuss the Internet governance at the following meetings: the first regional conference in Bangkok last October; the full subregional conference, each held in Bishket November last year; pacific island countries, December last year; and southeast Asia in Bali, in February; south and west Asia, in Katmandu last March. In addition, we have a wrap-up meeting in tehran, just ending earlier this month.

These conference were organized together with a number of organizers like ITU, especially ITU Asia pacific and UNDP APTIF among others. We have many organizers like the host countries and subregional organizations like RCM, SAAG, Pacific Forum Secretariat, CIS and so on.

In addition to the six conferences, we have two more, that is the first subcommittee on information communication space technology of UNESCAP in Bangkok last October. We have the memorial meeting intergovernmental consultative committee meeting on space cooperation in Asia-pacific held in India last October 2.

This conference discussed the Internet governance in the wide range. The topics are the Internet governance related issues included, awareness building, capacity training, definition

technical standards, cybersecurity, intellectual property rights, spam, viruses, Internet pornography, child sex, e-commerce, e-signature, e-education, telemedicine, distance learning, disaster management, local content and so on. They are cross-border in nature, and the following points were stressed.

Number one, all stakeholder approach. The conference fully supports that the partnership of all stakeholders, including governments, the civil society, the private sector, international and regional organizations and others. There is agreement that all stakeholders have a significant role to play in Internet governance.

Number two, role of government. The Internet has become a public good and the governments have the responsibility to make Internet useful to the development of the nation.

The Internet-related activities of governments are rightly important for creating an enabling environment for ICT development and the Internet development in particular. The promotion of universal access to information, including for communities in rural and remote areas and social disadvantage groups like people with disabilities, government activities and also important for facilitating the use of ICT of the private sector such as e-commerce.

So in conclusion, the conference held the overwhelming view that government had the vital role to play in Internet governance, especially with respect to public policy issues.

Number 3, role of ITU. The conference, several conferences, the paper on Internet governance by Mr Houlin Zhao circulated for reference. The paper was the most up-to-date contributed greatly to the Asia-pacific discussions on the issue. The conference felt the ITU should play a global coordinating role in Internet governance issues.

ITU was the only United Nations agency with membership representation from post governments and the private sector. For example, the issues such as spam and security were being conceded by a group of telecommunications regulators working within ITU framework. Voip, on the other hand, was being considered in study groups, whose participation comes primarily from itu's private sector membership.

Role of UNESCAP. It should start a collection of views and information of the member countries to promote understanding in a systematic manner.

The meeting welcomed UNESCAP and the UNDP to launch a number of activities including open dialogue on Internet governance and hope to contribute to the discussion launched by WGIG. I have a paper with me, I would like to circulate it through the secretariat to all. Thank you.

Chairman Desai:

El Salvador.

El Salvador:

Thank you, chairperson. My delegation fully endorses what was said earlier by the delegation of Nicaragua, speaking on behalf of grulac. As my delegation has been maintaining for some months now, I repeat that the definition of Internet governance should be one which evolves, in other words, it should begin as the Internet did at the very technical

level and moving on to the sociological aspects involved in Internet governance. This means we could also adapt it to future problems that have not yet been named and issues of public policy which have not yet been named either.

As has been said by others, we believe that the Internet governance system should be a real multilateral one. This also includes administering Internet basic resources. But in order to bring about this transformation to multilateralism, we also are aware that it must be done in an orderly fashion. It can't be done overnight. We have to ensure that we don't disturb the current operating mode of Internet. I also, of course, endorse all the other ideas put forward on behalf of our group, and I won't go over them again. Thank you.

[New speaker]

Good morning, my name is Lee Howard. I'm a member of the address council of the address -- the address supporting organization of ICANN. The address council asked me to come and make some comments to thank the working group on Internet governance for their diligent work so far. It appears that the working group is approaching consensus on the formation of some new group, and we would like to offer our suggestions for its functions related to Internet addressing specifically.

I believe these suggestions are consistent with the working group's own findings in the cluster 1 b 3 assessment report. That report on issues relating to Internet addressing found five areas for improvement and if a new organization is needed, one assumes that it would be to improve on the areas identified as needing improvement. The SOAC has discussed these areas, and we believe only one of these goals might be served under a new organization.

The working group report reports that one area for improvement is the full use of IPv4 space. As of April 2005, just under 30% of IPv4 space remains. Continued stewardship will extend the life of this space until IPv6 has been universally adopted. If the current space is fully used before the universal support and adoption of IPv6, growth on the Internet will be halted. Any alternative model of allocation which intends to use all of the IPv4 address space would clearly intend to halt the growth of the Internet. This is generally accepted to be bad. A new organization would not help.

The assessment report identified the sustainable transformation of the ip addressing and numbering system to IPv6 as an area for improvement. Allocation policy for IPv6 is among the top priorities of the RIRs, working with the IETF as policies and protocols are developed between them. Ensuring a long life for IPv6 while preserving the essential routing functionality of the Internet is a key technical consideration during these deliberations. Irresponsible competitive allocation schemes would hurt the sustainability of the system. Depleting the IPv4 space will disrupt the transition. There does not seem to be a use for a new organization here or for a reorganization of the existing systems.

The report finds that the RIRs need to improve -- need to provide policies in more languages. The RIRs and ICANN have already identified the need for access in more languages and are each assessing the need for the languages in their regions. LacNIC, for instance, currently provides documents in three major languages in their region. AfriNIC's complete web site is available in two languages. And ICANN's strategic plan already identifies the need to provide documents in more languages.

A new organization for the purpose of providing technical translation seems ponderous. The cluster 1 b reports suggests we can improve on the equitable distribution of IP addresses. This is interesting, because equitable can be construed in several ways. Equitable might mean to each according to his need. As offered in the report there's never been a case of a documented need for addresses being denied. Good documentation is required for accountability, so if the need can be documented, the address space is allocated. This is true regardless of the region or the entity applying.

The RIR evaluates that need according to public policies which are applied the same to everyone who applies.

Equitable could mean consistent with principle of stewardship to promote stability and longevity. This is why policies change, because the needs of the Internet change. Twenty years ago, protocol only had three sizes of blocks, classes A, B, and C. Now we have sider, assignment windows and the HD ratio. The policy has always been applied democratically under the policy in place at the time. The public in each region sets these policies with an awareness of the needs of the future.

Or maybe equitable could mean in accordance with community-developed policies consistently applied. One of the most important features of the RIRs is that the public creates policy. The RIRs themselves do not set policy. The members of the RIRs do not set policy. Policy is written by the public, reviewed by the public and ultimately set by anyone who participates on the mailing lists or at the meetings.

The staff and board of the RIRs themselves only judge the consensus since the complete conversation is open to the public, the transparency is perfect.

All of these principles are fulfilled by the RIRs.

There is, however, one area for improvement offered in the cluster 1 b assessment report that might be aided by another organization. That is the clarification of the role of national governance in the policies for the allocation of IP addresses. It is fair to say that some governments and civil society organizations feel insufficiently involved in the process of developing policies for Internet addressing, and for whatever reason, generally don't participate in the existing processes.

As you conceive this forum, however, keep clear in mind that allocation policy is not the same thing as public policy. Governments must set public policy to protect their citizens. Different nations understand that protection differently, as in industry competition or public utilities, privacy or transparency, free speech or objectionable content. These are not questions the addressing community considers. Those of us who participate in the policy process are concerned foremost with allocating address space to whoever can show that they need it and protecting the future of the Internet.

Some people have suggested address allocation under national authorities. Some of these people already have national registries, like those in China, Korea, Brazil, so on. We don't know what different authorities would do differently. While considering the stability of the Internet, including the size of writing tables and the intent to grow, maybe some of these people and organizations could propose alternative allocation policies which could then be considered by the public in each region.

We invite and welcome proposals and suggest that unless the current process is broken, it should not be fixed. The ASAOC does not object to the formation of a forum of some kind with the purpose of discussing public policy issues among governments and civil society.

Where these public policy concerns indicate a need for policy review, we welcome and encourage proposals. Please. Where this forum is conceived as having oversight authority is too much, however. Governments suggest they have the mandate of their citizens by the RIRs offer the direct participation of individuals. Arguments that ICANN has weaknesses miss the basic point that ICANN doesn't allocate address space. Each of the individual RIRs do according to the public policies. Perhaps more than any other structure the RIRs embody democratic principles, allowing participation by anyone. Creation of a new policy body with authority to supersede existing organizations would disenfranchise those individual experts who have chosen to participate in the construction of the existing Internet. Thank you.

Chairman Desai:

Thank you very much. That was very precise, very focused, and very helpful. And that's precisely the type of comments which I think we need in order to proceed with our work. You will have to -- not have to agree with everything, but it helps if we have a focused remark on it.

I have Saudi Arabia and the UNDP, the (inaudible) project and (inaudible).

Saudi Arabia:

Thank you, sir. I would like at the outset to express my thanks and appreciation to you and to Mr Markus Kummer and the members of the working group and its secretariat for all the efforts carried out in order to carry out the tasks entrusted to it by the WSIS, which was set up by the secretary general of the United Nations.

The document of the declaration of principles issued by the WSIS held in Geneva in December of 2003 drew up the common vision of the states of the world regarding the information society, which focuses on man and development. It also set out the basic principles related to the millennium development goals. The plan of action which was issued by the WSIS also translated this common vision and guidelines into concrete plans of action in order to meet the development goals adopted internationally.

Mr Chairman, you may recall that one of the basic reasons why the WGIG was set up was the fact that the developing countries stated that most of the programs that had to be implemented by the year 2015 depended to a large extent on the intensive use of the Internet, which required a reconsideration of the way in which the Internet was governed and administered in order to give governments the role that it requires in order to protect their sovereign rights, their investments, the continuation of the services, and to preserve the interests of its -- their citizens. All the states are looking forward to the results of the arduous work carried out by the working group.

It is awaiting a clear and comprehensive report dealing with the present situation and proposing practical and clear solutions based on the principles set out by the first phase of the world summit.

Among the basic principles is the Internet governance must multilateral, transparent, and democratic, involving all parties, all stakeholders, taking into account the role of each party and the need to have a political authority over public policy issues as these public policy issues are considered a sovereign right. The private sector should also have a role in developing the Internet in both the economic and technical fields. The civil society should also have its role in the Internet, especially at the community level. Intergovernmental

organizations should also continue to carry out its role in order to coordinate public-policy issues related to the Internet. International organizations should also continue to develop technical standards related to the Internet and relevant policies.

Too, the Internet governance should ensure an equitable distribution of resources and to facilitate access to all and ensure a stable and secure operation of the Internet by taking into account multilingual needs.

We hope that the proposed solutions have taken into account the need to accurately reflect both the positive and the negative aspects of the Internet as is required by scientific probity and honesty. These solutions, proposed solutions, must also take into account the role of all stakeholders in the Internet governance and the need to ensure a balance between the parties and sovereign rights of states.

I would like to say that the results of the working group will be greatly appreciated by the international community, and it would also constitute the nucleus of our work in the next phase in order to improve the worldwide web, which would be beneficial to all the peoples of the world and will give impetus to the developing countries to more development, more progress, and in order to bridge the digital divide.

Mr Chairman, according to what I have stated, the kingdom of Saudi Arabia has presented its vision regarding the proposed solutions by answering the questionnaire which was set up by the working group. We believe that a number of countries agree with our vision and our ideas and solutions.

Finally, sir, I would like to wish you all well, wish the working group the success that would be beneficial to all peoples and would allow for the development of a secure Internet in the future. Thank you.

Chairman Desai:

I have the -- after UNDP, I have the Internet task force of Japan, I have the ICC, Reilly. Did you want also? I will do four at a time.

[New speaker]

Thank you very much, Mr Chairman. My name is Shahid Akhtir and I am with UNDP Asia-Pacific development information program.

Mr Chairman, the number of Internet users will surpass one billion in 2005, and the Asia-Pacific region contains a larger share of these users than either North America or Europe.

The region has a critical stake in the discussions on Internet governance, yet the region's participation in governance mechanisms has not matched its stake in the outcomes. That is why we at UNDP carried out the open regional dialogue on Internet governance, or ORDIG for short, together with UNESCAP, APNIC, and IDRC of Canada. I'm pleased to present our findings in the ORDIG input policy brief and input paper voices from the Asia-Pacific. The full text of the report has also been shared with the WGIG secretariat.

In total, over 3,000 people from the region made substantial contributions to our research. ORDIG adopted three key principles from the work of WGIG. First, the term "governance" and "govern" mean more than government activities. Second, the enabling dimension

includes organized and cooperative activities between different stakeholders. And thirdly, Internet governance encompasses a wider range of conditions and mechanisms than I.P. numbering and domain name administration.

And then ORDIG went on to develop three key principles of its own for future Internet governance arrangements. The three ORDIG principles are: firstly, Internet governance mechanisms should be broad, holistic, and oriented towards human development, particularly the mdgs.

We believe that the social and developmental impacts of technical and organizational decisions must also be taken into account. Secondly, recognizing that many aspects of the Internet require coordination across national borders, there should be a balance between global and local interests. And finally, because the Internet is now critical infrastructure in many parts of the world, any new arrangements should strengthen the Internet's stability and interoperability.

Our report makes a number of recommendations across the various domains of Internet governance. There are six overarching recommendations that we would like to share with the working group.

First, we would like to propose a principle of subsidiarity, where local solutions are found to local problems where possible. This is particularly the case for language issues, the questions of national sovereignty, such as crime, ccTLDs, and intellectual property. However, many issues cross national borders to relate to human rights issues that are outside questions of national law.

Second, governments have a vital role in ensuring the sustainability of critical infrastructure in their region.

Third, Internet governance mechanisms should include all affected stakeholders in the process of decision-making as well as implementation. While the definition of who is a stakeholder varies, from our report, it must at least include actors from the private sector, government, and civil society.

A fourth recommendation follows from this. Internet governance should preserve cultural diversity and ensure an effective voice for all cultures in the deliberations and decision-making.

Fifth, effective participation requires the capacity to contribute. There is an urgent need for capacity-building in many areas of the Asia-Pacific to improve the ability of the region to participate in the many aspects of Internet governance. Such capacity includes skills and knowledge as well as financial resources.

Sixth, law and regulation are not the only tools available for Internet governance. We believe effective governance consist of a variety of innovative mechanisms, including codes of conduct, self-regulatory mechanisms, and international multistakeholder collaboratives.

We urge the working group to take these perspectives into account during their deliberations.

Finally, Mr Chairman, ORDIG's work suggests four key areas requiring attention. These are governance on Internet infrastructure must be developed to reduce access costs and support participation in the information society.

Voice over IP and wireless access are two technologies, two technologies, that have tremendous potential for achieving this in our region.

Governance of the Internet's logical infrastructure, that is to say, root server, zone files, et cetera, should be transparent and responsive to the priorities of all stakeholders.

Where there are disagreements over these governance arrangements, appropriate neutral forums may be required to discuss these issues. And this should also include discussion in languages other than English.

Three, responses to content and use issues, such as spam, virus, cybercrime, et cetera, should be developed cooperatively and internationally to preserve the interoperability of the network. However, the diversity of cultural values around these issues must also be respected. And one-size-fits-all policies should be avoided.

Finally, meaningful participation from developing countries in Internet governance must be developed. This is a complex challenge requiring both development of capacity to participate in these countries and the reform of governance structures to be truly inclusive. But without real participation from the Asia-Pacific region, the Internet cannot fulfill its potential to become a truly global medium.

And last, but not least, recognizing the complexity of the issues involved, the ORDIG process did not reach any conclusions on the bodies who should be responsible for the various aspects of Internet. However, the -- there was a strong consensus that a multistakeholder approach was required, with input from governments, private sector, and civil society.

Our input paper and policy brief have been submitted to WGIG and are also available on our web site. We will also be publishing much of the background research in due course. Thank you very much, Mr Chairman.

Chairman Desai:

Thank you. Australia, then Internet engineering task force. ICANN, Ghana, and India.

ICC:

I am Art Reilly, speaking on behalf of the international chamber of commerce.

We appreciate this opportunity to respond on the WGIG questionnaire. The business community found that its members had a diversity of views, that nonetheless, the ICC has worked diligently to develop comments to be constructive and to build on the positive aspects of the WGIG discussions to date.

As WGIG has discussed and recognized a number of times, and as we've heard today, a variety of existing organizations are addressing issues related to the evolution of the Internet and are being responsive to the needs that are dynamic and the various applications that are being considered. These organizations provide a forum for discussions. I would like to comment on the questionnaire with regard to the general forum discussion.

So recognizing that these organizations exist, the ICC would concede that all organizations need to constantly seek to improve, and those associated with the Internet are no exception. However, each organization that has been discussed this morning and that we've talked about in the ICC paper on the many organizations dealing with Internet governance are in fact actively working to in fact improve themselves.

And we heard from Brian Carpenter this morning who spoke about a number of activities within the IETF for outreach and to improve their processes.

Furthermore, the Internet was designed and managed in a decentralized fashion, without any need for centralized control. Certainly, it has worked that way for many years, and today, as we've heard a number of times again today, is bringing the benefits of the information society around the world to people and improving their qualities of life. In addition, it's the foundation of many business models in the commercial world. The WGIG has recognized, and the ICC members agree, that the Internet itself has been functioning well. Thus, given its history, achievement, and its stability to date, it is not clear to the ICC members that there is a need for an additional arrangement or body.

Nonetheless, there may be, in some cases, benefits from a forum function that could be offered by a discussion forum where public-policy issues and concerns of any stakeholder could be heard and discussed openly. Thus, the ICC members have responded with a conditional "yes" to the need for a discussion forum function.

The discussion forum could occur, however, within existing organizations and thus may not require an additional body. In considering some of the characteristics -- and our contribution goes to the details of the questions, but I will highlight some of the aspects of that, the underlying themes.

The ICC members believe that any organization performing this discussion function should provide for and promote a multistakeholder exchange of information for any issue that's brought before it. Such a multistakeholder discussion should take place in a neutral forum in which all the stakeholders are encouraged to participate equally. And we endorse the discussions this morning about the need to increase the awareness of activities and to promote greater participation in activities.

Such a multistakeholder forum could put forward summaries from the discussion to assist responsible organization in progressing the issues. It may give perspectives related to policy directions, though it would not have decision-making authority or operational responsibility.

Furthermore, in some circumstances, any such forum should recognize and should defer to existing expert bodies as the best place to discuss and progress specific issues. The working group on Internet governance has demonstrated the overlapping involvement of many entities and stakeholders in most issues related to the Internet. Thus it is important for any organization performing this discussion forum function that it should be flexible enough to encourage greater information exchange across organizations and stakeholders on issues that may be addressed by existing organizations, but it should add value by providing opportunities for horizontal cross-cutting nature discussions. This could actually promote cooperation and collaboration and thus promote greater efficiency.

However, to do so, it would have to be a neutral forum and would have to add value that would facilitate the bringing together of stakeholders and existing organizations to promote

cooperation. We'll come back again in subsequent intervention, if time permits, on some of the other issues in the questionnaire.

But let me just make a general statement with regard to our perspectives. The ICC members stress the need for the working group on Internet governance in finalizing its report to be pragmatic and to reflect the fact that the Internet has been functioning well and this should not be in any way interrupted.

The Internet should continue to evolve and grow based on a variety of existing organizations working together and working individually to address the issues associated with the Internet. The continuing reliability and security of the Internet is critical and should be maintained and built upon. And with that, I thank you very much, Mr Chairman.

Chairman Desai:

Thank you. Yes. Internet Governance Task Force -- yes, I have you. I will come back.

IGTF:

Thank you, Mr Chairman, I am from the Internet governance Task Force of Japan, not the Engineering Task Force. Sorry for confusing names. Nevertheless, thank you very much for giving the floor to me.

Actually, I'd like to supplement to the two interventions made earlier by our distinguished representatives, one from UNESCAP, Mr (inaudible), and also the UNDP APNIC Mr Shahid achter, about the outcome of the Asia-Pacific regional WSIS conference or conferences, meetings, including that one just held in teheran about a week ago. I participated.

I am also a member of the advisory committee of the APNIC (inaudible) and representing for that as a representative of the IGTF. As I said, I actually participated in the Teheran conference, but as a member of the civil society.

And I must say, unlike the WSIS/WGIG process here and some other opportunities, such as Tokyo ubiquitous network society conference in may, the civil society has not really been given sufficient space or status for full participation.

The fact is that there were not enough outreach activities nor travel funding fellowships to support the civil society participation in the many subregional meetings -- seven or eight -- or even at the Teheran conference. In fact, there were only three civil society people participating from outside the country to Iran, although there are some more than 20 people from inside Iran, due mostly to the lack of funding support and insufficient space for participation.

So Asian civil society members present at Teheran agreed to have more positive engagement with UNESCAP and many other future parties in the future work. So we don't want to just be complaining, but we agreed to make progress going forward. We could almost agree with the language of the declaration they adopted in Teheran, but not with the action plan, and due to the lack of process that we could not engage as well as some difference in opinion about the substantive debate.

Correct me if I am wrong, but my memory is slightly different from what I heard from the report from the UNESCAP as to the Internet governance.

I didn't recall that the -- either the ITU being the lead agency was adopted as an outcome. There were certain opinions like that, we recognize.

And we know that with the declaration, they took note of the findings of the APNIC ORDIG. But even the action plan says that encourage intergovernmental cooperation and harmonization for the adoption of legal frameworks for the promotion of e-commerce.

But I didn't recall any other strong emphasis on the government role, per se. Rather, it says in the end, host the dialogue and discussion on the Internet governance issues with all stakeholders, including private and public sector and civil society at the national, subregional, and regional levels.

I do really recognize the important role of the governments. But when it comes to the Internet governance, we understood in Teheran that other stakeholders should have their roles, if not, say, strictly equal, but according to their roles that we should play. And so that was my memory. Thank you very much.

Chairman Desai:

Thank you. Paul Twomey from ICANN.

Paul Twomey

Thank you, Mr Chairman. Mr Chairman, Markus Kummer, members of the working group and participants in the process, I'd like to thank you for the opportunity to speak here today. I recognize and commend many of the comments that my friend, Brian Carpenter has said, but considering ICANN has been a matter of discussion at this forum, I thought it might be useful to make an intervention today.

I commend you and the secretariat for the thorough and insightful work you are performing. As you know, ICANN staff, board members, and members of the ICANN community and its stakeholders have been participating in the WSIS process. This is a very wide-ranging group. We have been present, we have been participating, and we have been listening, listening very carefully.

The purpose of our participation is essentially fourfold. One is to provide an improved understanding of ICANN and its limited mandate. Two, to clarify areas of confusion and explain what ICANN is and is not responsible for. Three, to help the discussants appreciate the side effects of the constraints of the Internet design, since these constraints in some ways dictate what is possible in the near term. And, finally, and importantly, to understand to the best of our abilities the concerns of the international community both as regards the overall context of Internet governance and as concerns the role and functioning of ICANN therein.

ICANN is a truly multistakeholder model which continues to evolve. Indeed, a striking aspect of its bylaws is that they require very regular review of its internal structures to ensure that they continue to be relevant to the needs of an evolving Internet community. The WSIS process and the work of the working group has provided us with an opportunity to share our experiences as well as to listen to where ICANN, as one of the organizations active in the Internet, could improve.

Although the concerns in the international community are taking clearer shape and the messages about what should not happen are coming through, it is, for the moment, less clear what expectations there are in moving forward.

Views are different within and between the various stakeholder groups. It seems, therefore, reasonable to us that a continued discussion platform directed to the full range of issues is useful. Should it emerge, it should adopt a genuinely multistakeholder and partnership approach.

In as much as ICANN is interested to understand how certain of the Internet issues are addressed by the competent partner organizations, ICANN can contribute with detailed explanations of the issues it is mandated to address. Let me try and address some of the issues that have been raised in connection to ICANN, specifically, in this working group process. And I am interested to hear from partner organizations how they view the issues that have been addressed to them.

It seems there are four particular themes that at the moment are outstanding concerning ICANN.

Firstly, what is the relationship between the United States department of commerce and ICANN, particularly after the completion of their memorandum of understanding. Secondly, what should be the role of governments, civil society, and so forth stakeholders. Thirdly, what are the effects of ICANN's legal presence in the United States and under California legislation. And, finally, what should be the role of governments in the management and redelegation of country-code top-level domains.

Let me go through these in order.

Coming to the MoU, let me make some few observations. First, we cannot change history. The Internet research started and it was developed largely in the United States. Commercialization occurred earlier there than in most other countries. Its evolution, however, has been powered by contributions outside the U.S. the Internet has become a truly global phenomenon and continues to be invigorated by contributions from everywhere.

Secondly, the united states government realized in the 1990s that the coordination of the Internet's unique identifier system should be internationalized and responsive to multiple stakeholders. And this initiative itself underwent an international consultation process. This is a fact which should be recognized.

Indeed, ICANN has formed in response to this initiative after broad-based multistakeholder consultations, including with governments, with people from all regions, during meetings in Brussels, Buenos Aires, Geneva, Rio de Janeiro, Reston, Virginia, and Singapore. The MoU between the U.S. government and ICANN has been an important instrument to support the transition of these coordination functions to an international multistakeholder environment.

Indeed, the purpose outlined in the MoU when it was first signed is, "the parties will jointly design, develop, and test the mechanisms, methods, and procedures that should be in place and the steps necessary to transition management responsibility for DNS functions now performed by or on behalf of the U.S. government." It is quite comprehensive.

We are working towards the completion of the MoU by September 2006, and to date have completed all milestones on or before the time stipulated. We are confident that not only

will the MoU be completed, but that by doing so, ICANN will have passed important tests related to its independence, its democratic and transparent functioning, efficient management, effective decision-making process, and having well-described roles and relationships with its stakeholders.

As to what will be the relationship between the U.S. department of commerce and ICANN after the completion of the MoU, let me be clear that ICANN does not speak on behalf of the United States government. That said, the roles of all governments, including that of the U.S. government, are important as they share the same interest as all ICANN stakeholders, namely, a stable and secure Internet.

ICANN recognizes the public policy role of governments in the context of Internet governance. Let me move to the role of governments, civil society and other stakeholders. As I've said in the broader Internet governance context, governments have an important role to play and require a forum for discussion and influence. In the narrower ICANN context, governments have an important and concrete role in guiding the organization on the public policy aspects intrinsic in many of the technical issues that are considered for decision by ICANN.

Depending on the current discussions in WSIS and WGIG, it is perhaps appropriate to revisit the current liaison role of governments on the ICANN board, and thus strengthen the government's role in order to bring it to par to that of other stakeholder groups and fully in line with the multistakeholder approach advocated by the WSIS.

In such a case, and in support of such a new role for governments in ICANN's board, it would seem appropriate, particularly for governments themselves, to evaluate possible ways for further improvements of the governmental advisory committee now that the GAC has over 100 members and observers and is still growing rather rapidly.

It is important to note that ICANN board decisions are made after full consultation processes with all its stakeholders, including the -- especially the GAC. Significant processes often take over 18 months for fully transparent consultations in which all parties have the opportunity to participate, including governments.

Further, any party can raise its concerns directly to the board or challenge its decisions through ICANN's decision reconsideration processes. Civil society has played an important role in ICANN both in the generic name supporting organizations and what is referred to as the at-large advisory committee. The ALAC has much work to do in setting up its regional community structures. This is critical to ensuring end-user involvement and ICANN stands prepared to make this happen.

Additionally, developing country participation from governments to private sector and civil society is of great importance. The importance of participation by all regions of the world is not only an issue for ICANN but for any issue of international importance.

Thirdly, what are the effects of ICANN's legal presence in the U.S. and under California legislation. Mr Chairman, ICANN's establishment in California is a consequence of history. Jon Postel, the longstanding coordinator of the IANA functions, was based at the university in southern California. And the legal instrument available in California to establish a public benefit function, including its multistakeholder expression, is a not for profit, public benefit corporation.

I must stress that corporation does not mean the usual private sector or for-profit company, but the ICANN board does understand the term may cause confusion. ICANN's agreements with registries and registrars are based in well-established principles of international private law. Listening to the process around the WGIG and cognizant of the questioning about the reliance on a single legal jurisdiction, ICANN has started amending its generic top-level domain agreements to enshrine dispute resolution through compulsory arbitration under the auspices of the international chamber of commerce in Paris, or similar international dispute resolution forums.

During the discussions around the WGIG, a number of legal moguls concerning the hosting of coordination functions have been raised. ICANN has listened to these discussions very carefully. It is also dedicated to complying with a whole series of good governance benchmarks now being discussed in the WSIS and WGIG as a requirement for all partner organizations involved in Internet governance. We are also bound by the high standards of corporate governance required by our bylaws. What should the role of governments in the management and redelegation of ccTLDs be.

This is a topic that's been raised during the WGIG process and there are several points worth making on this topic, which I think you should consider in your considerations.

Firstly, the operation of a ccTLD involves responsibilities both to a domestic Internet community and to a global user community.

Secondly, the officials dedicated to Internet policy who comprise the ICANN governmental advisory committee have spent significant effort on refining their view on detailed aspects of the role of governments and other actors in the process of redelegations. I would draw the attention of interested parties to the GAC principles on redelegations of ccTLDs, first agreed in 2000 and recently revised.

There is a wide spectrum of models for the successful operation of a ccTLD, and ccTLDs participate in the ICANN structure through the CCNSO formed as a result of ICANN's last reform. It is most important during any redelegation process for the governmental public authority to speak with one voice, and to foster a clear process domestically.

The operation of a ccTLD involves much more than an entry in the zone file. Most of the practical operational aspects of running a ccTLD, for instance the operation of customer databases, are not within the purview of zone file management. Finally and significantly, under present processes, the U.S. department of commerce also plays a role as a reviewer in ensuring that ICANN has followed properly the procedural requirements in zone file changes. We have listened carefully to issues that have been raised in the WGO context on this point.

I am not aware of one instance where the United States government can be seen to have abused its role and rejected a change to the zone file for political reasons. The transparency of the arrangements coupled with the value of the Internet stakeholder is such that not the U.S. nor any individual organization nor group of organizations is able either now or in the future to abuse the editing function of the root zone file. This is particularly important for changes to the root zone file as regards the entry of country code top-level domains.

In conclusion, where do we go from here? We have spent three years within the WSIS context discussing Internet governance. During those three years, ICANN has undergone its first set of reform, including changing the role of the GAC and civil society and ccTLDs.

We've created the country code name supporting organization, completed the MoU with the number resource organization, recognized LACNIC and AfriNIC, introduced new gTLDs, recognized new registrars, and in furthering competition in gTLDs, promoted hundreds of millions of dollars in savings to consumers.

We have work to do, and we'll continue to do it. We believe that the WSIS and WGIG have provided an important opportunity for dialogue to occur on issues relating to the information society. We believe it's critical that the global community and governments have an understanding of the truths and myths surrounding the Internet. We congratulate the members of the WGIG and its secretariat on a sterling job in listening to a broad range of input and carefully putting the issues on the table. ICANN is planning for continuous improvement. Therefore, we are interested to listen and understand the views of the WGIG, and in the next step, the WSIS.

We look forward to continue working with the global Internet community to successfully perform our mandate.

Chairman Desai:

Thank you very much. I want to thank Paul Twomey, Theresa Swinehart and all the others from ICANN for the strong interest they've taken in this process, their regular and continuous participation. And I think the constructive spirit in which the dialogue has taken place is most helpful for our process here.

I now turn to Ghana and then to India and then sitting in the back. Ghana.

Ghana:

Thank you, Mr Chairman. I'll be speaking on behalf of the African group. Within the African group the debates on Internet governance was launched on 7th May this year and it ran for three weeks. Several African lists composed of 554 subscribers took part in the debate.

The debate recommended an international participation in Internet governance system which would harmonize technical and policy issues related to Internet governance for the benefits of the global community this should translate in practical terms to lower Internet connection costs, affordable hardware and software, regional administration of root server system and national administration of country code top level domains.

Using the questionnaire developed by the working group, the African stakeholders debated the various issues and came up with positions based on the needs of the continent. The summary of discussions, I'll be talking about. But number one, regarding forum function, there was unanimity for the need for an additional body which would not only serve as a multistakeholder discussion forum but also proffer policy advice in a participatory manner. According to the participants, the world needed a more democratic representativeness at the level of the Internet governance. The current model of governance presents advantages, certainly, but it is necessarily -- it is not necessarily in accordance with geopolitical globalization. Notably for certain regions such as that there is globalization of the Internet and thus there is a cross-cutting situation of the problems which the governance actors cannot master.

The decisions cannot necessarily work everywhere, and there is also nonobjectivity. The organizational and functional model of governance is also obsolete and there is far too much lobbying. The new organizational model of governance should take into account regional and subregional specificities in terms of level of government -- level of development, cultural needs and constraints.

Other functions of this body could include that of serving as a coordinating linchpin among the different entities involved in the various aspects of Internet management -- for instance, security and peace -- and intergovernmental bodies including the U.N.

This body would therefore address all issues relating to the Internet within the confines of the available expertise which would be anchored at the U.N. The modalities for financing this body could entail soliciting for subscriptions from beneficiaries and bodies involved in the Internet management and administration field. On the structure of this entity, there was general concerns that the ideal structure could be in the form of a multistakeholder alliance or board of appointed or elected public/private civil society members and individuals, taking into cognizance geographical representation.

Membership tenure could be for a fixed four-, five-year term under the possible supervision of a proposed anchor, the U.N. Partnerships and coordination would be required with existing organizations and institutions which could also play a role as multistakeholder alliance members.

Regarding oversight functions, the governance of Internet is not about the simple management of IP, IP addresses, but about taking decisions related to the general function of Internet, whether it is in terms of regulation in its widest sense or technical adaptations. The oversight function could include issues such as policy advice, arbitration, monitoring, audit and communication. The general consensus was that the proposed new body should not only take over the governmental oversight functions of the DNS and root server system administration but also other areas of activity under the oversight of the usg. This oversight function through this new body should not only be applicable to ICANN after the termination of the MoU in 2006 but also post 2006.

This new body should also replace the government advisory committee and take over its responsibilities and activities. And the functioning and coordination of existing institutions, although the function of existing institutions is in some way in line with WSIS principles, enhanced multistakeholder participation is key to addressing important issues relating to local content/languages, security, universal access, affordability, resolution formulation processes, et cetera.

The activities of existing institutions could be coordinated through this new body and inter-agency cooperation guidelines could be developed through the creation of new models via the current WSIS process, thus avoiding the need for tasking existing institutions with this rule.

The U.N. ICT task force or its replacement, the global alliance on ICT and development, which has played a key role in the WSIS process and has a key multistakeholder dimension could take the lead in defining the cooperation function at the global level in cooperation with the ITU and the U.N. regional commissions at the regional level.

We also believe that existing institutions should be in line with the WSIS principles; thus the need to improve the awareness and communication plans, allow more participation in

addressing the language barrier issue, open up for wider discussion on issues relating to content, language, security, universal access and affordability.

Ensure stakeholder participation in the resolution formulation process and multistakeholder partnerships. At the functioning/coordination at the national level, it is of paramount importance that governments align their national decision-making processes with international Internet governance arrangements through participation in global activities, thus enriching the consultative process. "The Internet governance space, exploring the core issues from Africa's perspective" commissioned by the economy commission for Africa and the U.N. ICT task force during the Accra regional conference in February this year on WSIS indicates that the following issues should be tackled with the participation of all, including the African stakeholders. Issues such as multilingualization of Internet naming systems, dispute resolution, affordable and universal access, social dimensions and inclusion, voice over ip, e-commerce, e-government, e-education, consumer user protection and privacy, unlawful content and access protection, intellectual property rights, cultural and linguistic diversity, education and human capacity building, national policies and regulations amongst others. This can be achieved by organizing a fora on Internet governance on the global, regional, and subregional levels.

Finally, Mr Chairman, lessons relating to multistakeholder models could be drawn from institutions such as the U.N. ICT task force, ICANN, U.N. regional commissions, ITU, and regional Internet registries. These comments have already been posted to the ITU. Thank you very much.

Chairman Desai:

Thank you very much. Very thoughtful and very precise comments which really focused around the questions which have been raised in the question, and will be most helpful because you have really commented on virtually every aspect of the question. We now go to India. After that I have Pakistan, then ISOC, and then the Numbers Resource Organization.

India.

India:

Thank you, Mr Chairman. We have been intimately associated with the deliberations of this group and the Prepcorn for the past few months. We also have gone through the structure questionnaire on different issues sent out by the secretariat on the issue of Internet governance.

May I take this opportunity, sir, to compliment the group, its members, you, and Mr Markus Kummer in particular for the inclusive process it has followed to arrive at the future framework of Internet governance. We have consistently maintained that in the knowledge society, Internet has played a very important role and will continue to do so. It is, therefore, as we again have emphasized time and again, not in anyone's interest to disturb the stability, reliability and security of this vital medium of communication.

Having said that, we, however, are unable to subscribe to the view sometimes aired that if it ain't broke, don't fix it. Our responses to the different aspects of Internet governance have already been posted by us on the web site about (inaudible) WGIG. I would only highlight some of the important responses that we have made to the different issues raised by your group and you in particular.

We view the future of Internet as one where all the multiple stakeholders would have an effective say at the policy level. We believe that there is need to have an appropriate mechanism or framework for its proper governance. As we have made it clear time and again, such an additional arrangement should work in the policy domain and create space for multiple stakeholders as a decision forum. We are of the view that Internet governance consists of certain collection of rules and procedures and processes incorporating different stakeholder's expectations. Its governance should therefore be an inclusive process.

Availability of a discussion forum, ipso facto, in our view is not adequate. This is because mere participation without meaningful decision-making role cannot be called an inclusive process. Today, various decisions are made by a small group. Its membership remains closed for all practical purposes. What we are emphasizing and necessary is to have a mechanism which truly represents the global community of Internet users.

It has never been our case, sir, that such a body can and should address all issues related to Internet governance to the exclusion of other specialized bodies. This was one of the issues raised by you in the questionnaire. Today the existing organizations specialize in handling different issues about standards or content or intellectual property.

These should continue to be addressed by such specialized bodies; however, we also believe that to have a widely accepted legitimacy, the new organization or mechanism may need to be anchored with some existing multilateral organization. The details of such anchoring is a matter of further discussion and we do recognize that it may not be possible to arrive at the same speedily.

This new body can be charged with the management of public policy issues related to Internet governance. Management of Internet address space is only one such issue. What needs to be emphasized is that the deliberations of such a body are not only transparent, inclusive, and democratic, but are also seen and perceived as such. And they are based on full involvement of the government, private sector, civil society, and international organizations.

This body should also be entrusted with oversight functions relating to the framing of collective rules and procedures. It will also deal, naturally, with issues of specific users, including combating the menace of spam, phishing, cybercrime, et cetera.

As such body comes into existence and assumes full responsibility, the functions of GAC would be subsumed in the new entity. On the current dispensation, it does not appear possible to envisage an oversight function for GAC as a logical (inaudible). The advisory function for GAC, which it has so far discharged admirably would also be subsumed by the proposed entity of multiple stakeholders mentioned above, albeit with powers of decision-making and dispute resolution.

The specificity of such functions will need to be further elaborated to avoid ambiguity and overlap with other agencies. We also believe that it will be in the interest of all, and particularly for proper Internet governance, if such new mechanism can be put in place even before 2006. We are fully aware that this is a daunting task, but we also believe that if we put our heads together, it would not be beyond the collective capability of this august body.

An important issue raised in the questionnaire is about inter-agency cooperation, particularly with respect to existing institutions. We believe that this would require further discussion

and consultation. The scope of such cooperation would need to be defined and formal mechanism established for this purpose.

We also believe that some multilateral body can play a lead role in establishment of such a new framework or body. This would ensure that inter-agency relationships are properly brought out within the normal, acceptable, multilateral agency framework.

Finally, sir, we believe that it will be necessary to have consultations or working paper put out on public domain for comments and discussions. After such discussions, it may be feasible to see if a broad consensus emerges, upon which the recommendations can be finalized for establishment of such a body. Such recommendations would also need to be discussed by different stakeholders at the respective policy formation levels.

Sir, we are at a critical juncture of Internet governance. WSIS has afforded us a unique opportunity to take stock of the current situation in a multistakeholder context and lay out a proper roadmap for the future of Internet and its role in shaping of the knowledge society. We are confident that as the working group come out with its final recommendations it will doubtless adequately address issues raised by us in this regard. Thank you, sir.

Chairman Desai:

Thank you. It was precise, thoughtful comments and also the comments are posted in the web site. They really do help to -- they really do answer the questions which we have posed on the web site.

I now turn to Pakistan, represented by an old friend from New York. Welcome to Geneva, and I look forward to hearing from you.

Pakistan:

Thank you, Mr Chairman. Mr Chairman, it's always a pleasure to see you chairing a meeting. It's quite clear when you chair a meeting that we will be going somewhere. And we hope to be going somewhere with you on this important issue before us. You have given the working group energy and direction, and we hope to get good results out of the work that is being done by WGIG.

We have responded, Pakistan has responded to the WGIG structured questionnaire, giving our point of view on the various issues raised by WGIG.

We hope that this will provide an input to discussions that will take place later this week in the working group.

The working group on Internet governance has done good work in terms of fulfilling its mandate, in particular, identification of public-policy issues that are relevant to Internet governance, and developing a common understanding of the respective roles and responsibilities of various stakeholders. We wish the best to you and members of the working group and the secretariat for the final phase of WGIG's work.

As we said earlier, responses from governments to the structured questionnaire shall help move your work forward. We appreciate the dialogue WGIG has maintained with all stakeholders since its inception and the open and transparent manner in which it has been undertaking its activities. This is critical to a successful Tunis outcome.

Issues of management of critical resources of the Internet, including national administration of country-code top-level domain names, Internet interconnection costs, free and open source software, virus attacks, online fraud, cybercrime, spam, and, in general, security and stability in development of the Internet are of paramount importance today.

However, some other issues will become critical as dependence of people on Internet grows further. WGIG's focus on an institutional mechanism for a more robust and democratic model of global governance is useful. Mr Chairman, for continued development and growth of the Internet and for it to be available to everyone everywhere, it is important for all stakeholders to come together, understand, and address each other's concerns, find common language, and take collective decisions for implementation. Any new arrangement of body for Internet governance should therefore have the following attributes, we believe:

One, effective multistakeholder participation.

Two, management of the Internet in accordance with WSIS principles of multilateralism, transparency, and democracy.

Three, should be anchored appropriately to the U.N. or be under the U.N. auspices for drawing legitimacy.

Four, have a decision-making mechanism that could be activated when necessary.

Based on the material posted on the WGIG web site, we recognize the existence of a wide range of views on whether and how the new body for Internet governance should be set up. We look forward to a model -- to WGIG's views on a model of Internet governance that would be widely acceptable and efforts of all sides to come to a closure of this issue in Tunis through compromise and mutual accommodation. I thank you, Mr Chairman.

Chairman Desai:

Thank you. I turn to ISOC.

ISOC:

Thank you, Chairman Desai and ambassador Kummer. And thank you to all the WGIG members for all the time and work you have given to this matter. It is sincerely appreciated. The Internet society, or ISOC, as we're known, would like to strongly and fully support the statement made by Brian Carpenter. However, given the time allotted to this vast subject matter, we will endeavor to cover some other equally important areas. So these statements should be seen collectively as parts one and two of ISOC's position.

First, with respect to Internet development and operation, this is a longstanding example of successful multistakeholder cooperation. One of the benefits of the debate around the issue of Internet governance has been the increased visibility of the role of the technical groups and other Internet organizations as the entities that have supported the development and operation of the Internet for many years.

Inevitably, there have been some misunderstandings about their responsibilities be the technical aspects of the Internet, and even about the fairness and openness of the current processes. However, ISOC is happy to note that there is now much wider recognition of

how these groups have worked to make the Internet function smoothly and why these Internet models have been so successful.

We strongly urge the WGIG to build upon these models and work with these organizations rather than creating a new body. Traditionally, the technical groups have carried out their work with little fanfare and only a desire to serve the communities openly, transparently, and inclusively. Their focus has always been on meeting the needs of their communities in a manner that encourages participation and builds consensus.

These are groups that are not dominated or managed by any single interested party, but which are multistakeholder and are open to all, including private sector, civil society, and governments. Cooperation between all these organizations has always been extremely strong and the community has shown time and again that it works together in a very open manner to evolve organically in response to community or technical needs.

During the WGIG discussions, there have been many calls for effective multistakeholder processes. Those of you that have taken the time to study how the Internet's current processes and groups function will have found an excellent example of such cooperation in the way groups such as the IETF, the regional Internet registries, and ICANN, et cetera, all work together.

Their operations are built on sharing, on openness, inclusiveness, and principles such as give one idea and get two back. The success of the Internet has depended to a large extent on this approach and it can be seen in many areas of operation. Some examples of these principles I'll mention later.

Second, with respect to number resources and maintaining an open community of responsive allocation process. One important area that is important under consensus agreements is Internet resource distribution.

The five RIRs -- AfriNIC, APNIC, ARIN, LACNIC and RIPE NCC -- develop allocation principles and procedures in regional fora which are open not only to RIR members but to all interested parties, including governments, private sector, and civil society. They are specifically accountable to their regional communities and come under ICANN review.

A recent proposal from the ITU called for a new IPv6 address space distribution process based on national authorities. It seems to some that behind the proposal is an assertion of primacy of public sector and national interest in the administrative task of assigning address space for the Internet.

The RIRs recognize not only the legitimacy of the public sector interests, but also that of the private sector and have worked diligently to involve all parties equally and fairly. Perhaps more to the point, the proposal disregards the fact that I.P. addresses are end-point network identifiers that intrinsically have no national attributes and that allocation principles regarding their distribution must be guided primarily by technical considerations relating to the viability of the operation of the global Internet. A national allocation scheme would not only be impractical, but it could also lead to fragmentation and destabilization of the Internet.

I would also like to make a few comments on root servers. As we mentioned earlier, a clear benefit of this process has been the opportunity to share how things such as the root name

server system operates. Specifically, it now seems to be widely understood that the root name server operators do not determine the content of the root zone file.

No Internet traffic passes through the root name servers at all. And further, they have nothing to do with routing Internet traffic. Furthermore, many root server operators now provide service from multiple locations, using a method called anycast, which increases the availability and resilience of the global DNS system.

In fact, as of December 2004, the root name server's being operated in more than 80 locations and 34 countries, most of them outside the United States of America. And this number has grown considerably over the last six months and will continue to do so. This diversity and the distributed authority has been a critical element of the reliability of the root name service.

We are happy to see that a consensus seems to be emerging, that today's arrangements have significant value to the Internet, as it is far from clear what value would be added by creating a new authority to oversee the root name server system.

In fact, there is a real risk that this could even weaken the robustness of the current operations by creating a single point of failure or a potential target for capture and abuse.

Fourth, a few comments on the participation in open multistakeholder processes and quick review of some of the principles that have stood the Internet so well. All the organizations within the so-called Internet community, in other words, those organizations involved with developing and operating various administrative aspects of the Internet, honor and embrace the values of participation, democratic decision-making, due process, consensus, and often vigorous, passionate debate.

These are all fundamental to the communities' overall values and include some of the following principles: ensuring a single end-to-end interoperability Internet, bottom-up technical policy-making and decision-making, participation open to all who wish to do so, significant outreach to include greater participation of lesser-developed countries, and here efforts such as LACNIC and AfriNIC or the workshops ISOC has been holding for developing countries for the last 13-plus years are all good examples of some of those efforts.

Other principles are that legitimacy is determined by open participation, transparent processes, and the value of the contribution to the joint effort rather than more traditional power-based mechanisms or structures. Consensus-based decision-making forms a clear and significant part of all of our activities. Cooperation, coordination, collaboration, and consultation among participants and groups advocating initiatives and change is another key principle. Local decision-making wherever possible. And all of this is actually done in an environment which supports and encourages spirited and public debate.

We understand there is a need for this Internet community to continue to reach out and help organizations, policymakers, and individuals understand technological developments, their potential impacts, and, most importantly, how we can all help the Internet deliver all the promise it holds for mankind.

We look forward to helping, and we expect to make further suggestions in this vein in the weeks to come. This is, of course, in addition to our continuing and many efforts to build capacity in the lesser-developed countries. It's worth stating that the processes that support

the development of the Internet are truly open to all and are already multistakeholder. They have supported the development of the Internet for many years, and we welcome increased participation by all in these processes.

To specifically address the questionnaire, we do not see the benefit of creating new organizations, but would welcome initiatives that foster continued dialogue. I recommend these be built on existing institutions and fully utilizing the Internet and the new technologies and communications options that the Internet affords. It will truly allow us to maximize participation while supporting the most effective and timely progress on many fronts.

Thank you again for this opportunity and for all of your efforts.

Chairman Desai:

Thank you very much. I'm glad you mentioned something about using the Internet for talking about the Internet. One of the things, having been involved in this business for the past few years, I discover is that the Internet community likes to meet face to face far more often than most other communities do. The number of Internet meetings that are being held is unbelievable. So -- but, anyhow. I'm sure we can get around that one.

(Laughter.)

Chairman Desai:

But I have Axel Pawlik. Maybe Randall sitting right to the back, followed by Bulgaria.

NRO:

Thank you, Mr Chairman. And I would like to agree with you on the travel part.

I speak in my role as Chairman of the Number Resource Organization, and this statement on Internet governance is made by the NRO, representing the five regional Internet registries, and pertains to the question of Internet technical coordination, which is one of the key topics of the recent Internet governance debate.

The NRO has been supportive of the ICANN model as the most appropriate one to support the further growth and evolution of the Internet. The principal characteristics of this model are those of lightweight technical coordination function, maximum delegation of responsibility to independent bodies, and to the inclusion of the broad spectrum of stakeholders in the overall process.

This model has proven well suited to the evolving structure of a global communications community with a significant private sector component while maintaining openness to civil society and public-sector interests. The NRO has also supported ICANN in its efforts to embrace these principles and characteristics and has supported the continuing evolution of ICANN's structure in order to better fulfill its role.

Further change is required for ICANN to meet the evolving global agenda of the Internet, particularly as it relates to the various aspects of the information society. The NRO believes that the continuing evolution of the Internet coordination function should include consideration of the following four topics:

One, as stated in its bylaws, ICANN's mission is to coordinate at the overall level the global Internet systems of unique identifiers.

In addition to this coordination function, ICANN is currently contracted to operate the IANA function, responsible for the administration of DNS top-level domains, the allocation of I.P. number resources, and the assignment of protocol numbers. While these activities have historically been performed by a single body, we find that in ICANN's case, an imbalance has emerged whereby specific DNS-related activities have absorbed the vast majority of the organization and resources. It is appropriate at this juncture to consider the diversity of ICANN's activities and the organizational structure that is best suited to its entire range of responsibilities.

While an overall coordination role is certainly needed, further delegation of specific activities would allow for increased levels of specialized expertise to support the various roles in a more efficient and balanced manner.

Two, public-sector participation, ICANN, particularly, has expressed for the governmental advisory committee has clearly not operated to the satisfaction of all parties. The NRO is supportive of further refinements that could meet the needs of national governments for more meaningful participation in the activities of ICANN.

The NRO notes that the Internet is sustained by significant investments by both the private and public sectors. This investment needs to extend beyond the public/private partnership, and that this diversity should be reflected in the multistakeholder coordination process.

We have noted the April 2005 European Union proposal to WGIG in this regard and consider such initiatives to be well founded.

Three, in the interests of equity, Internet technical coordination activities need to be independent of government and utilize participation models that incorporate and reflect the diverse set of interested parties in other dimensions of activity sectors, international alignments, geography, and language. While aspects of the current model achieve this in certain cases, and most particularly in the case of the RIRs themselves, there needs to be a greater focus of effort in this area.

Four, the function of address distribution has operated within a framework of self-regulation for a considerable time and enjoys significant community, industry, and government support. While we recognize some areas of concern by segments of the global community, we caution strongly against precipitous changes in the system such as the proposed introduction of new parallel systems for the management of IPv6 addresses.

This is an activity with considerable interdependency in technology business models of supply of Internet services and consumer demand for those services.

In contemplating any change to the current system, the NRO advocates a thorough investigation of the technical implications of any such changes in the global operating characteristics of the Internet.

We fully recognize the voiced concerns regarding the historical distribution of IPv4 address space and are now and have been discussing the implementation of mechanisms to ensure fair distribution and adequate supply of IPv6 address space to Internet users throughout the planet.

Finally, the NRO does not see it as appropriate to view ICANN as a controlling body, a source of international regulation of the Internet, or a means of enforcing regulatory provisions.

The basic expectation of ICANN is as a technical coordination forum where various activities related to infrastructure administration can be considered, needs can be identified, and broad, common objectives can be phrased in order to give further activities in both the private and public sectors.

In this regard, ICANN has enjoyed considerable success, but it is now time to take further steps that would engender further broad confidence in this model. However, if one or more of the new entities are considered, then it is essential to consider how such additional bodies could and would provide more effective coordination of activity within the existing roles in the organizations that currently exist. Thank you.

Chairman Desai:

Marilyn.

Net Dialogue:

Thank you, Mr Chairman. I'm here representing Net Dialogue, a joint project involving Harvard's Burkeman Center and Stanford's Center for Internet and Society. I would like to take this opportunity to congratulate the members of the working group and the secretariat on your excellent work exploring the various aspects of your mandate.

While you have identified many issues in the questionnaire, my comments focus on some very basic functions that a forum might provide. As you will recall, Net Dialogue has been consolidating information on net-related initiatives been more than a dozen intergovernmental organizations, presenting them together in a one-stop-shop web portal.

The project is meant as a working model for something the multilateral system might do, to promote access to information and public dialogue on international net governance. However, like all other projects by civil society, Net Dialogue suffers from a fundamental weakness. It has no authority to serve as a central meeting place.

For this reason, Net Dialogue's aim has been to join other projects in offering working models of ways to promote transparency and multistakeholder input. Naturally, there is increasing demand for such functions to be handled by an official multilateral forum. In conversations I have had with members of the NGO community, I have been struck by the common misperception that intergovernmental organizations wish to block out the public.

As a former staff member of one of these organizations who liaised with other governmental bodies, I respond that, to the contrary, these organizations are eager for the public to have accurate information on their activities. Now is the time to prove this.

A forum that promotes transparency and allows input from all interested stakeholders need not be heavy, especially in light of the easy spread of ideas enabled through technology. What I'm saying is this: simply pull together what already exists through organizations' individual web sites, offering this information together in a web site portal.

A key concern, of course, will be for the site to offer a request-for-comment feature. For example, the site can employ simple tools like rss feeds to facilitate the transmission of feedback directly to the specific committees involved. Similar to other projects in this field, Net Dialogue would be happy to work with intergovernmental organizations by either donating web site material or collaborating with the organizations to construct a site with the intergovernmental bodies being responsible for their own descriptive content.

In short, the working group could propel transparency and multistakeholder input by creating a forum through which intergovernmental organizations would consolidate information and harness public input. On behalf of Net Dialogue, thank you for your attention.

Chairman Desai:

I have Bulgaria and then Japan.

Bulgaria:

Thank you, Mr Desai, dear Mr Kummer. Thank you, and once again thanks to the ITU for their hospitality and all the support behind the WSIS/WGIG process. Dear colleagues and friends, Brian Carpenter quoted the famous-now phrase, "if it ain't broken, don't fix it."

But I still want to return it to the real life, that is, the eastern European saying, which says, "if it's working, don't touch it." That's a fundamental difference in the approaches towards work.

The very fact that so many stakeholders want to touch it, what does it mean? Does it mean it's not working? I guess not, as we are here using the Internet even while we are listening to the different statements. But all this that they want to touch. So what does it mean that there are some stakeholders who want to touch it or to fix it? And what is it that they see or we see as broken?

Perhaps there are some of the stakeholders who think that the broken is that they are not actively involved in the governance of the Internet the way they see it, be it the root management, the I.P. address allocation, or as some mentioned today, spam content control, dot triple x release, et cetera.

However, no one has mentioned another big problem, much bigger than the ones discussed: how to combat cybercrime. And do you know why?

Because the majority of the countries and users do not suffer from cybercrime yet. They have not recognized it as a danger for the society. They have not accepted adequate legislation. But the U.S. and the western countries suffer annually billions of dollars of losses from cybercriminals. There is credit card fraud, id theft, et cetera.

And if we don't try to find a solution to this problem, the Internet will be over as soon as cybercrime affects all countries and users, not only the most developed countries and the most advanced users or the ones with credit cards. One can participate in every single aspect of the Internet policy-making today. However, there are three requirements to do so.

First, to want; second, to can; and, third, to do it.

So the feeling one can have from the discussion is that there are two groups of people speaking here. One group which feels quite happy with the current situation, and one group which feels quite unhappy with the status quo.

So the task of the WGIG is not to make both groups happy, but to give some guidelines as to what is the road towards finding the cross point where all interests will meet and a common, mutually acceptable solution to be found which would include all stakeholders, not only governments, but also civil society, the U.N. agencies, especially the ITU, the individual users. And in searching for this common solution, Bulgaria can positively contribute with its own experience.

We have managed to build a public/private partnership that has served the interests of the society through in-depth work with the government, the parliament, and the office of the president. We are ready to share this experience, and we will do so in writing after the publication of the WGIG report on July 18th, hopefully, and during the time until the Prepcom 2 in Geneva in September.

In the 21st century, while we still can, but we should not work the old way. The new way of work is to use all available resources and put together all stakeholders. This, so far, is one of the main achievements of the whole WSIS process and the work of the WGIG. Thank you.

Chairman Desai:

(inaudible).

Japan:

Thank you, Mr Chairman. Japan would like to congratulate, Mr Chairman Desai, Mr Markus kummer, all the members of the working group and the secretariat staff for their excellent work. The WGIG activities have been well coordinated and conducted in a transparent and elaborative manner, led by the secretariat which called upon the public interaction through questionnaires on some of the key issues and provided the public with summarized responses of the members that help clarify the differing views as well.

Let me first express our support and concern as to the forum which has been explored with the working group. We generally support the notion of continued momentum to discuss the global agenda in building the information society. As new issues are emerging in pace with the increased use of Internet and rapid broadband deployment, the agenda in an awareness-raising, nonbinding, and ad hoc meeting should include the diverse aspects of the public policy in the I.P.-based network era.

We, however, argue whether it is necessary to form a new agency in dealing with Internet-related policy issues and coordination of public policies. There are already a number of responsible international organizations functioning well, and there is a risk that the additional organization could constitute a greater cost than making the whole process more efficient.

As far as oversight, we reiterate our support for ongoing mechanism of Internet governance, and the improvements should be carried out programmatically, based on the current structure, in an evolutionary manner, taking into account the market competition-led development which has brought the current success.

As to the issue related to responding to spam, we believe the comprehensive and multidimensional approach is necessary, including enforcement of the law, self-regulation, and international cooperation. In addition to its strengthened domestic regulation, Japan has entered into a multinational MoU agreement with countries in Asian and Pacific regions and continues to develop antispam measures with international cooperation and public-private partnership.

WSIS in its endeavor is expected to foster ways to establish the foundation for an information society. We thank you, Mr Chairman, that the WGIG can facilitate this ambitious process. Thank you.

Chairman Desai:

Carlos Afonso, member of our group.

Carlos Afonso:

Yes. Thank you, Mr Chairman. I appreciate all the presentations, particularly of members of what I would call the extended ICANN system, like the IETF, the NRO, and even ISOC and so on.

All of these bring us repeating lessons on how one or another technical component of the Internet logical infrastructure works. And we all have to admit that this is working well, at least for the countries and communities which can afford it.

However, WGIG has not been created just to reinvent this logical infrastructure, which is far from its scope and expertise, nor to responsibly propose to simply replace it. WGIG has been created to consider that this sprawling logical infrastructure has serious consequences far beyond it for all aspects of society, politics, and culture, and thus options must be analyzed and considered to take care of a long list of these serious consequences.

As an example, in response to the incredibly degraded situation of spam and phishing, IETF can and is trying hard to build, let us say, a better lock.

But no matter how good the lock is, thieves will still manage to invade my home. So I will expect the lock to be accompanied by a series of other measures to protect my community and so on.

So IETF will certainly understand that prescribing legal and other measures against preparatory to the crime via Internet goes far beyond its mandate, expertise, or capacity. And similar examples may be quoted for DNS, allocation of I.P. numbers, and so on and so forth.

This is a point I must kindly ask the ICANN-related people to keep this in mind when confronting their "working well, don't fix it" arguments against the overwhelming, far broader and complex reality of the Internet in the context of real life. Thank you, Mr Chairman.

Chairman Desai:

There were many references to "if it ain't broke, don't fix it," so it reminds me of what maybe in certain cases what you need is what's called the principle of progressive maintenance for old radios. If it ain't broke but it's stuttering, hit it hard on the side. But any further? Yes, Marilyn.

ITAA:

Many of you know that until recently I was an executive at AT&T responsible for advising AT&T on Internet issues. I am now an independent consultant. But today I would like to speak from comments that have been contributed by ITAA, where I chair the global public policy committee. The comments have been submitted and are available and are also available on the ITAA web site.

I want to note very quickly that ITAA is an association that represents over 440 ICT companies who do business both in the United States and in many other countries. Many of the countries who are here today have business representatives from their members.

I think that it is well established by now that there is much agreement among all of us here, and that is, that it is very important to have an Internet that is stable, ubiquitous, and secure.

And I have heard a great deal of agreement that the technology is fast-changing and dynamic and that our challenge together is to keep the innovation and growth that has characterized the Internet in its past while exploring specific issues that arise with respect to its administration or operation in the future, but that we must work together to continue to ensure its smooth functioning.

And in no case should we contemplate any changes that disrupt any aspect of the Internet. ITAA's members do not feel that an additional arrangement or body is needed. There has been substantial evidence, we believe, that has been presented that there is an overabundance of organizations and institutions that are engaged in some aspect of the Internet. The creation of a new body would be duplicative, counter productive, and unnecessarily costly.

A number of organizations have identified the various organizations, institutions involved in the Internet. A document contributed by the international chamber of commerce has been contributed earlier which identifies 41 separate entities. This document listed the institution and the issues which they are involved in.

So I would say that it is also important that the WGIG has identified a number of issues. And I would note that all issues are being discussed, but not everyone has discussed all issues.

Some may view this as a weakness. I believe at ITAA we view this as a strength. It is not necessary for everyone to do the same thing at the same time everywhere. There is expertise in different bodies and that expertise must be enhanced and developed.

We do acknowledge that there is no universally understood definition of the term Internet governance, but we take note of a draft definition that was included in an annex to the Chairman's introduction. The definition was divided into two parts: a descriptive part and a proscriptive part. ITAA supports the definition along the lines of a descriptive part but opposes the concept of a proscriptive element.

We believe that in the organization that is new and additive, regardless of how lean its secretariat or its activities, would entail expenses and commitments of time and energy that we believe could be put to better use.

We think that better use would be to fashion concrete responses to the issues already being worked on in a significant number of fora.

The funding of the organization itself would only be a small part of the cost. For every meeting that we all attend, domestically or internationally, we take time away from our hard work to improve the Internet. Major expenses can be associated with participation in meetings. Many organizations are already stretched from a budget and a personnel standpoint, so new organizations will duplicate work or perhaps compete with work that must be done.

We believe there is a more responsible approach, and that is to strengthen the existing organizations to improve their performance, provide for better and broader transparency, provide for greater and more open multistakeholder participation in consultation; strive to improve and increased participation and improve the opportunity for participation by developing community representatives in the existing bodies. So in summary we oppose the creation of a new body.

We also do not believe that general oversight of the Internet is needed. Our comments are similar to the comments that have been made by others and the written contribution details them further. We believe that ICANN is furthering and strengthening its performance and continue to increase the opportunity for participation. We would say that it would be most welcome if all who have questions about ICANN would come and participate in the multistakeholder forums that ICANN provides.

We do not support convening of existing organizations merely for the point of coordination. In fact, we think that there is duplication in the participation across many bodies, and that this coordination can happen naturally. We think that the organizations can work together more collaboratively, but that there is no need for an oversight organization to take on coordination.

We do agree and support the need for national action and supportive efforts by government to implement specific recommendations. Without a serious commitment at the national level, the likelihood of international consensus seems remote. ITAA's document is available on the WGIG web site.

Chairman Desai:

Thank you. The Internet governance task force, I got it right this time, Internet governance task force of Japan.

IGTF:

Thank you very much, Mr Chairman. ITJFA does not claim that we represent Japan as a country as a whole. We are just a joint group by the Japanese Internet community and Internet industry; namely, JPNIC the address registry in Japan. We are a member of the APNIC, JPRS is a dot jp ccTLD registry and a member of ccNSO. Together with Internet Association Japan and Industry Organization of the Internet Business, and Japan Internet Providers Association. It's an ISP/ASP and other service providers.

We have also some participation from academia and civil society. We do not have strong formal relationship with our government but we still maintain a good liaison function, and we have invited two ministries as our observers.

Now, we like to thank first of all the WGIG chair, and the secretary Mr Markus kummer for your guidance and support. We'd also like to thank all the WGIG members for your dedicated work as well as the hard working of the staff.

Now, we have prepared the following answers to the WGIG questionnaire with some comments to explain why we are making these answers. This contribution is already on the web site of the WGIG.

For the first question, the need for additional arrangement of body, we do not think there is need for an additional arrangement of body. Whenever we had issues regarding the Internet, individuals or organizations that think it necessary to address those issues have been able to do so voluntarily and cooperatively. To date, collectively we have been able to solve those issues.

Such dynamic and open process enable the right people to be in the right place to address the issues that concern and involve them at the right time.

So this is the distributed governance architecture which has worked so far very well, and hope will work well in the future if and when any new issues emerge.

Yet to those who strongly see and push the need for a new forum to address the wide range of issues, we like to hear specific and concrete definitions of what these broad public policy issues or emerging issues mean. We'd like them to indicate the disadvantages of the current dynamic arrangements which we believe have worked well so far, and please explain how the proposed new measures can improve on current arrangements.

One of the possible explanations we can anticipate could be if we have such a new forum or mechanisms, we can address issues in a timely manner. However, it's like saying we need to prepare for each and every kind of danger, including those of very little possibility with small dangers.

Furthermore, there will be costs associated with creating and maintaining any such new forum, and we will have to bear those costs. Therefore, if we establish a new forum, we need to consider a framework of cost distribution and the forum's cost effectiveness. Our conclusion so far is such a forum cannot achieve the success when we take those factors into consideration.

Second, on the oversight function, IGTFc would like to agree with the simple audit function model as the appropriate function. On the ICANN's GAC, the governmental advisory committee, should it be transformed and take over some more functions? We think the current GAC should not be transformed and take on oversight functions.

According to the ICANN bylaws the current GAC is designed as the part of ICANN's consensus development process and therefore it has functioned as a place for government participants to exchange their opinions freely in the bottom-up organizational structure.

We find a great value in the current position of GAC, and thus it should not be transformed to take on oversight functions. This is in line with answers to next questions, should the GAC be replaced by another body. Again, our answer is no; we think the GAC functions well under the current arrangements.

(Projector screen rises).

IGTF:

Am I saying something wrong? Who is managing that?

(Laughter.)

Chairman Desai:

Please.

IGTF:

Please fix it. Thank you again.

For the number four question, should any post 2006 governmental oversight be exercised within the U.N. framework, here, yes, it should be. The governmental oversight function should take the form of a simple audit in ordinary times. In an emergency situation, for example, if ICANN goes into bankruptcy, it should have the role of providing financial support; however, government oversight should stand aside ICANN's daily operation.

And we have some brief comments why we are saying this, and we'd like to share this so you may have better understanding.

We think it is very important to review the existing oversight arrangements when we evaluate the need for new oversight function. At present, the oversight is done by the U.S. government on the ICANN models. The arrangements are essentially one, to mandate ICANN to submit annual reports, and, two, to examine and approve changes to the IANA database requested by ICANN.

As for the first mandate, the annual reports ensure ICANN's transparency. We think it is very important that a new oversight function, if so happens, does the same. However, we think it is not appropriate to give more than a simple audit function to the new oversight arrangements. ICANN has been working well because the U.S. government has not micro-managed it or its consensus process, so we definitely need to keep the situation.

As for the second item, the change of root zone files in IANA database, there has been some criticisms that the needs to examine and approve changes to the IANA database has introduced delays to the process of having those changes made. Moreover, based on the publicly available information, it is our understanding that the U.S. government has not declined nor asked for any revision to any request ICANN has made for changes to the IANA database.

Therefore, this function should be abundant in the new oversight arrangements and the responsibility should rest at ICANN's hand alone.

In addition to the arrangements we have mentioned, we would like to point out two additional roles that the U.S. government takes currently. One is that ICANN is protected from legal actions taken under the U.S. anti-trust law because ICANN is formally operated under the contract with the U.S. government. Such safeguards or immunity should be ensured in the future by any new oversight arrangements carried out under the U.N. framework.

Also under the current arrangements the U.S. government must support ICANN practically if, as we said, ICANN goes into bankruptcy since the U.S. government claims it has the right to manage the Internet. So the new oversight arrangements should secure this backup role as well. Thank you very much.

Chairman Desai:

El Salvador and then I have Syria.

El Salvador:

Thank you, chairperson. My delegation would like now to provide more detailed comments following our first intervention which are along the lines of the questionnaire, which the working group has so creatively set up.

To begin with, sir, my delegation believes that the agenda of topics to date related to Internet governance cannot be covered to Tunis without mentioning that we'll be facing fresh challenges which will require appropriate follow up. This is why el Salvador believes we need a global forum within the U.N. system with participation by all the different stakeholders: government, civil society, and private industry, to promote greater awareness and participation in the debate, and in the decision-making process related to Internet governance for the end of the Tunis and summit phase.

Passing on to the second group of questions, my delegation believes it's important to address public policies relating to Internet, both those derived from technical aspects and those derived from nontechnical aspects.

As I said earlier, my delegation would prefer to gain in real multilateralism in existing institutions. Referring specifically to the management of basic Internet resources and ICANN, my delegation believes that we should work to make it a more multilateral body, both in its governing body and in terms of monitoring. My delegation believes that the management of basic Internet resources should continue as they have thus far; however, we believe that a point has been reached where governments must also assume their responsibilities in ICANN's governing body.

On previous occasions, ICANN itself invited governments to be part of the governing body, and governments felt that the time was not ripe. Today, El Salvador believes that the time has come for government participation in ICANN's governing body. We believe that we cannot carry on saying things are not working well and not assume responsibility for improving matters.

So my delegation believes that we should work towards agreements which would enable equitable geographical participation, both in the governing body and in a committee which would undertake monitoring functions for ICANN.

Now, of course, this monitoring would, of course, entail simple auditing and would not go into detailed micro-management. We believe that this supervisory body should be multi-participatory so that each country would be represented by delegates from the three sectors that we have been referring to throughout the whole process: the government, private sector and civil society.

In order to be part of this committee or of ICANN's governing body, we believe that elections should be avoided at all costs. There should be some system of rotation, possibly alphabetical, so that we could all have an opportunity to sit on both bodies for administering basic Internet resources. Now, we're aware that this is not the only institution that is engaged in Internet governance, but it is a body which we should acknowledge representing an important nucleus. While it does not run the other Internet governance bodies, such as the registrars, it does have a very direct relationship, and we agree that the various governance functions outside the Internet should continue as they are. But as I said at the outset, we need this global forum, as the previous speaker said, taking costs into account and seeking the most cost effective means to ensure that all those involved and the portal system which was suggested should be afforded the physical possibility of sharing how we are dealing with Internet governance without everyone having to be aware of all the details but at least being aware of how it's working. Thank you.

Chairman Desai:

Thank you very much. That's very helpful, the structured comments that you have. Syria, please.

Syrian Arab Republic:

Thank you, Mr Chairman. Mr Chairman, we listened very carefully this morning to the general observations which responded to only one point, one of the questions in the questionnaire, which was is there a need for a new forum to deal with this matter. And of course the same things were repeated endlessly. We must not fix what is not broken. We should not interfere.

However, I believe that this is not a sound position. If we take as an example spam, which until now has remained unresolved, the only solution is for us to buy equipment from the countries which send this spam in order to deal with spam.

However, this, we believe, is not acceptable. Now, we shall try to respond to the questions. Is there need for an additional arrangement or body? We say that, yes, we need arrangements; however, we do not need a new body or a new forum. Why? Because we believe that the specialized organization, which is ITU, UNESCO, and WIPO are capable of covering all the issues that we are dealing with today.

If we take the ITU, for instance, and if we look at how ITU deals with the members of the sector, that is the nongovernmental members, and of course ever since the ITU was set up in 1965 -- 1865. That is 130 years ago. We can see that the private sector, with all its components, works at the ITO participates, at the ITU, and has clear rights. And these rights are contained in the constitution of the ITU.

These arrangements that we are referring to of course must deal only with public policy issues, which must be defined by the next summit. These arrangements must include cooperation between the ITU and UNESCO, and there is a cooperation agreement which was signed and ratified, officially ratified. However, this agreement may be expanded also to include the WIPO.

All the concerned parties can be invited to take part in this arrangement, joint arrangement, without exception. What are the public policy issues which is the object of your third question. Access to the Internet. This can only be guaranteed through governments.

Protection of the consumers. How can that be safeguarded? How can consumer protection be safeguarded without proper decision-making on the part of the governments?

When it comes to security, how can we enforce the law or even promulgate laws? How can we possibly fight cybercrime or legal intercept? This is a mission for the governments.

Dispute settlement. We had suggested for that the WIPO. The allocation of scarce resources, that is naming, numbering and addressing, all of these functions have to be carried out by one party, and the ITU in the past has succeeded in dealing with all these matters, and we hope that it will take them up once again.

And, sir, I would like to make a very important suggestion. All these proposals are based on international cooperation and have nothing to do with what is taking place at the national level.

No one, of course, can contest national sovereignty, and we cannot accept that sovereignty should be violated. This is how all the international organizations work. This is how ITU works, this is how the U.N. works. Except the security council, which has the authority and has the right to intervene in the national affairs of a country.

Finally, sir, who should be financing this activity? All these organizations have their own budget. Do we need to restructure? No, we do not need to restructure.

Is there a need to cooperate with these organizations? Yes, we may need joint meetings, open to multistakeholders, and these meetings are held continuously.

There are 41 entities working in the field of Internet governance. Can we imagine that a developing country, or a least developed country, can we imagine that it will be capable of attending these meetings or following such meetings? For this reason, sir, our answer to the second point is we do not need any changes. Do we need to reconsider the basic instruments of these organizations? No, sir. We do not need that.

When my administration reviewed these laws, we found that all the issues that need to be dealt with are dealt with by the basic text of these three organizations.

Have there been any pilot projects, any experiences? Yes, there has been such cooperation between the ITU and the UNESCO. This has been done for a long time, and there's no problem in that.

Should there be a lead agency? No. There is no need for a lead agency, but there is a need for a coordinator. And there is a big difference between a coordinator and a leader.

Is there a need for national implementation? Or national coordination? Yes. Yes, Mr Chairman, that's very simple. These organizations have the means to allow for that when such states decide to implement such decisions. And that would be done in accordance with the principles of giving up some sovereign rights voluntarily.

Has there been such an example? Yes, since the beginning of the work of the ITU. This has been done for telegraphy. This was also done for telephone communications, for frequencies, without any problems up to this day.

We're very surprised, Mr Chairman, to see that the excellent present cooperation between the ITU with the IETF and ISO, who are members of this union, in spite of that excellent cooperation, we find some calling for a new organization or a new body.

We consider, Mr Chairman, that these organizations, these existing organizations, which are U.N. agencies, should be mandated to take on these functions as soon as possible. And we are grateful to our colleagues in Asia and the Pacific who have supported this role to be given to the ITU.

We also appreciate what was said by the representative of Ghana on behalf of the African group who said that the ITU has a role to play. We consider that the constitution of the ITU, the convention also of the ITU, include the necessary text and provisions to allow for the ITU -- to allow the ITU to play a major role that would be complemented by the UNESCO as concerns the content and the defense of cultural rights and language rights and the rights of all to access information, as well as the third organization, which is WIPO, which would resolve all problems resulting from the use of the Internet.

Thank you very much, Mr Chairman.

Chairman Desai:

Thank you. Sorry we have overrun our time. I will not try to summarize right now. Let us reassemble at 3:00 to continue this dialogue. And I hope we can focus on the questionnaire and your response to that. See you at 3:00 in this room. Thank you. Thank you to the interpreters. Sorry for delaying you by five minutes.

(Break.)