



PLENIPOTENTIARY CONFERENCE REPORT 2

October 12 – 19

Contrary to expectations, there have not been rapid developments at the ITU Plenipotentiary Conference in the days following the first report. Quite the opposite, in fact. The documents proposing to make changes to resolutions on Internet issues were introduced in the Working Group of Plenary. After they were introduced they were grouped and referred to an Ad Hoc Group for detailed discussion. Wim Rullens, Head of International Organizations at Ministry of Economic Affairs and Communications of the Netherlands, was appointed Chair of the Ad Hoc Group. The documents under consideration related to existing Resolutions 101, 102 and 133, 3 new proposals concerning the adoption of IPv6 (Common multi-country proposals from Europe and the Americas, plus one from Syria), the Brazilian proposal to create a new ITU-T study group mentioned in the last report, and a proposal from the United States that would define the role of the ITU in the multistakeholder environment of the Internet.

The Ad Hoc Group met several times each day, including virtually every evening and all day through the weekend. But there was little progress. There were probably about 35 Member States interested in the issues and those quickly split into two camps, neither willing to compromise on the text. The Chair went through the texts one by one in order, but there was heated debate on every point, sometimes informed, sometimes not. But after seven days of meetings, virtually no significant changes were made in the 2006 texts of the existing resolutions.

There was good representation and cooperation among the representatives of the Internet organizations. In addition to ISOC, all the RIRs except RIPE NCC had representatives in attendance. This group worked closely with many government delegations whose positions were pro-Internet, and with countries and regional groups where we hoped to provide factual information to help inform the debate. Also posted on the ISOC web site is a set of briefing notes on key resolutions that were prepared to share with delegations that sought information.

In the end, it was impossible to reach agreement on many of the documents. The three resolutions on "Facilitating the Transition from IPv4 to IPv6" were eventually merged into a single new Resolution, with almost none of the Syrian text included. The text is not yet approved, but in general, it urges the ITU to

collaborate with the “relevant organizations” to encourage the transition from IPv4 to IPv6, although there is still no agreement to include a footnote naming those “relevant organizations.” The majority of the activity proposed in the resolution calls on the Telecommunication Standards sector to study the progress of allocating IPv6 addresses and to assist Member States in the management of their national plans. Member States are also urged to take action to ensure the a smooth transition. The one unfortunate phrase that remains calls on the ITU-T:

while assisting those Member States that require support in the management and allocation of IPv6 resources, to monitor the current allocation mechanisms [(including on the equitable distribution of addresses)] for ITU Member States or Sector Members, and to identify and point out any underlying flaws in the current allocation mechanisms

We had said to government delegates that we think it is inappropriate for the ITU to be monitoring the current allocation mechanisms, because those are developed through an open, transparent, and bottom-up policy development process where governments can (and do) participate; however at the time of writing, it appears that could pass. (Note – the square brackets indicate the enclosed text is not agreed, so there will be ongoing discussion.)

The other new resolution, from Brazil, has changed since it was introduced, and reported last week. The final version no longer proposes complete reorganization of the TSB to address the “ITU role in organizing the work on technical aspects of telecommunication networks to support Internet.” Instead, it now calls for the Sector to consult the membership about what the ITU role should be, and to provide the report to the Telecommunication Standards Advisory Group (TSAG), with the assumption that TSAG will pass along recommendations for eventual action by the next WTSA in late 2012.

The amendments to the existing Resolutions 101 and 102 are not very significant, despite being much debated. Disagreement has come down to a single clause, in which the Plenipotentiary resolves:

to explore ways and means for greater collaboration and coordination between ITU and relevant organizations² involved in the development of IP-based networks and future internet, through cooperation agreements as appropriate, in order to increase ITU involvement and participation in Internet governance to ensure maximum benefits to the global community.

where footnote 2 reads: [including, but not limited to ICANN, the RIRs, the IETF, ISOC and W3C]. As a compromise, the US agreed to withdraw its proposed new resolution on the condition that the above paragraph is included in Res. 101, 102, 133 and the new IPv6 resolution.

The Conference spent over a day debating whether or not to include the footnote. We have argued that the goal of the phrase and of the footnote is to make the point within the ITU that it is not enough for them to invite others to come to their

house to play. If they want to really "increase ITU involvement and participation in Internet governance to ensure maximum benefits to the global community" the Union and the Member States have to leave their house and go out to engage with other organizations where those other organizations do their work. That may turn out to be one of the most difficult phrases in the conference negotiations.

The revisions to Resolution 133 (Role of administrations of Member States in the management of internationalized [multilingual] domain names) were also controversial. Sometimes they were very strange, as some of the Member States appeared to be ignorant of the progress that has been made in ICANN to introduce IDNs, arguing that work already finished needs to be done in the ITU. The representative of the Vatican added a moment of levity to the debates when he took the floor to congratulate Iran on receiving its IDN ccTLD in Persian. That's not quite accurate – the application passed the string evaluation phase, but is not yet delegated. Still it was nice to have a note of reality introduced.

At the time of writing, the key points of contention, beyond the clause quoted above, concern the ITU role with regard to the ICANN Governmental Advisory Committee, and ITU's authority over the domain .int.

A Russian proposal was made to have the ITU either take over the GAC or to assist developing country governments to participate in the GAC. Specifically, the difference is expressed in two alternate clauses that say the Plenipotentiary Conference "invites Member States and Sector Members

[1 to support the transformation of GAC into an international committee or create council working group, evenly representing the six regions of the Union, similar to the membership of the ITU Council, and with powers of supervision over ICANN,]

[1alt. To discuss and conclude a progressive cooperation agreement between ITU and ICANN and define a mechanism to increase the participation of governments especially those from developing countries into the GAC proceedings while ensuring across and continuous communication channel between ITU, its Council and ICANN.]

On the .int, the disputed text says that the PP Conference invites Member States and Sector Members to:

... invite the entity engaged in development and deployment of internationalized domain names to cooperate with the Union and ITU-T in order to help implement this resolution [and to [consider approving] [approve] entrusting and make necessary actions to take responsibility for use of the ".int" domain name to ITU-T, pursuant to ITU-T Recommendation E.910, while continuing to develop this recommendation;]

Leaving aside that Recommendation E.910 (which talks about how to obtain 2nd level domains within .int) is irrelevant in this clause, it will be difficult to find a compromise between supporters and opponents.

The other issues that are holding up the Conference in its third last day are cybersecurity, where there is no agreement about whether the ITU should extend its responsibilities to include cyber-crime, even though the proposal to include cyber-warfare has been removed from the text.

The Conference will have to conclude these and any other outstanding issues in the next days, to allow Member States to sign the treaty on Friday. A final report will be posted once the outcome is known.

About the Internet Society

The Internet Society (ISOC) is a non-profit organization founded in 1992 to provide leadership in Internet related standards, education, and policy. The Internet Society is the organizational home of the Internet Engineering Task Force, the Internet's premier technical standards body. With offices in Washington, D.C., and Geneva, Switzerland, it is dedicated to ensuring the open development, evolution, and use of the Internet for the benefit of people throughout the world. For more information see <http://InternetSociety.org>.