



## **Report of the Council Working Group on International Internet-Related Public Policy Issues (CWG-Internet)**

### **1. Introduction**

On behalf of the Secretary-General, the TSB Director, Mr. Malcolm Johnson, welcomed the participants to the 1<sup>st</sup> meeting of CWG-Internet. He highlighted the mandate and terms of reference of this newly created group, especially the introduction of the concept of open consultations. He appreciated that this was in keeping with the longstanding tradition of ITU as an open and inclusive organization.

The Chairman thanked the TSB Director, Mr. Malcolm Johnson, and the BDT Director, Mr. Brahim Sanou, for their participation in the meeting. The Chairman then presented Council 2011 Resolution 1336 which established this Council Working Group (CWG).

This CWG was established as a separate group by Council Resolution 1336, in accordance with Resolutions 102 and 140 of the 2010 Plenipotentiary Conference. The CWG-Internet is limited to Member States, with open consultation to all stakeholders.

Previously, this group was established as the Dedicated Group as an integral part of WG WSIS, open only to Member States, in accordance with Resolution 75 (WTSA, 2008) and Council Resolution 1282 (Mod. 2008).

The terms of reference for the CWG-Internet are to identify, study and develop matters related to international Internet-related public policy issues, and including those issues identified in Council Resolution 1305 (2009); in this regard, as appropriate:

1. Disseminate its outputs throughout ITU's membership and to all relevant international organizations and stakeholders actively involved in such matters for their consideration in their policy making processes;

2. Consider and discuss the activities of the Secretary-General and the Directors of the Bureaux in relation to implementation of Resolution 102 (Rev. Guadalajara, 2010) and prepare inputs into these activities as appropriate;
3. Initiate and conduct open consultations with all stakeholders in an open and inclusive manner; and the output of the open consultations will be presented for consideration in deliberations of the Council Working Group.

2009 Council Resolution 1305 invites Member States to recognize the scope of work of ITU on international Internet-related public policy matters, represented by the list of topics in Annex 1 which was established in accordance with decisions of ITU membership at the Plenipotentiary Conference, Council and world conferences; and to elaborate their respective position on each of the international Internet-related public policy issues referenced in the list of topics and to contribute actively to the work of ITU on these issues.

## **2. Summary of Contributions**

### **2.1 Contribution CWG-Internet-1/02 from Brazil: “Principles for the Governance and Use of the Internet”**

Brazil submitted the ten principles used by the multi-stakeholder Brazilian Internet Steering Committee (CGI.br) for coordinating its national and international actions and decisions on Internet Governance initiatives, as well as promoting technical quality, innovation and the dissemination of the services available. These principles have been presented before various international fora and usually applauded as a way forward for handling Internet governance issues.

Brazil intends first that ITU Membership take note of the document. They propose that the Union consider developing its own principles on Internet governance based on a participative and open model such as theirs, that the discussion on such principles be included in the Secretary-General’s report, and that WTPF 2013 adopt opinions on the subject.

### **2.2 Contribution CWG-Internet -1/03 from Saudi Arabia: “Impact of Resolution 102 (mod. PP-10) and Council Resolution 1336 (2011) on the Council Working Group and open consultations with stakeholders”**

These resolutions made the Dedicated Group into a Council Working Group, limited to Member States, with open consultations to all stakeholders. The terms of reference of the CWG include: “as appropriate...initiate and conduct open consultations with all stakeholders in an open and inclusive manner; and the output of the open consultations will be presented for consideration in the deliberations of the Council Working Group.” Resolution 1336 also recognized “that the goal and intent of open consultations is to bring in unique perspectives that various

stakeholder groups may have on aspects of certain topics, bearing in mind the sovereign right of states on public policy issues.”

Saudi Arabia made several proposals related to undertaking open consultations. These included encouraging the widest possible representation from governments in the CWG, defining the stakeholder entities to be included in open consultations, the points at which open consultations should be initiated by the CWG, and the methods for undertaking such consultations.

### **3. Discussions**

#### **3.1 Contribution CWG-Internet-1/02 from Brazil: “Principles for the Governance and Use of the Internet”**

1. Some Member States were of the view that the Brazilian principles, drawn from the framework offered by the WSIS principles, formed a good model which Member States could consider while developing their own principles for internal governance and use of the Internet.
2. Some Member States raised the question of the relevance of the principles to topics under the Internet-related resolutions such as Res. 101, 102 and 133. In this regard, some noted that many of the individual principles did correspond with some topics covered by the resolutions as well as some of those under the Annex of Council 2009 Res. 1305.
3. Since there was only one contribution (from Brazil) to the group relating to the issues to be used for the open consultations, ITU Secretariat made some suggestions in this regard on choosing two principles (5-Innovation; 8 – Functionality, security and stability), drafting broad questions that raise two public policy issues listed in Res 1305 (C11) - #10 on developmental aspects of the internet and #4 the security, safety, continuity and robustness of the internet.
4. There was no consensus to use the questions suggested by the ITU Secretariat. Some Member States expressed that issues such as those listed in Council Resolution 1305 would first have to be submitted to the CWG and discussed. The CWG would then decide which issues and related questions would be taken to open consultation.
5. The CWG took note of the contribution

#### **3.2 Contribution CWG-Internet -1/03 from Saudi Arabia: “Impact of Resolution 102 (mod. PP-10) and Council Resolution 1336 (2011) on the Council Working Group and open consultations with stakeholders”**

1. There was lengthy and detailed discussion of the contribution.
2. Two options on the modality of the open consultations were discussed:
  - a. Online consultations
  - b. Online consultations combined with a physical meeting

There was no consensus on both options.

Proponents of view (a) stated that there is no need for a physical meeting since online consultations would represent a fair and inclusive platform for consultations reaching all stakeholders and provide a complete record. Moreover, organizing physical meetings require addressing several issues such as: financial implications, dealing with the logistics of scheduling and conducting a physical meeting, difficulty of participation of stakeholders from developing countries in the physical meeting, status of the output from the physical meeting of stakeholders, and interaction between the physical meeting of stakeholders and CWG. Moreover, the issue of verification of the identity of participants was also brought up.

Proponents of view (b) were of the view that online consultations were not sufficient to address the issue in view of the widely accepted benefits of real time interaction with stakeholders and experts in the field.

Some Member States proposed that all CWG-Internet documents should be made available without passwords to all stakeholders. Some other Member States were of the view that a) the dissemination of output is clearly mentioned in instructs the Secretary-General (2) of the Council 2011 Res. 1336 and b) the issue of availability of the ITU documents without password is a matter outside the scope of this CWG.

Some Member States also proposed that all written contributions from the consultation process should be made available to the CWG as information documents. Some other Member States indicated that a) providing all relevant inputs is covered in instructs the Secretary-General (1) of the Council 2011 Res. 1336 and b) ITU Secretariat collate the written contributions and present it on the CWG website.

3. Based on the discussion, the ITU Secretariat made some suggestions on a model for a *trial* open consultation.

- A. The CWG identifies issues and corresponding questions for open consultations with all stakeholders.
- B. The issues and questions will be posted on the ITU site just after the CWG meeting.
- C. All stakeholders are invited to provide their comments prior to one month before the next CWG meeting.
- D. The ITU Secretariat will collate all comments submitted and this will be posted on the ITU website (on a page dedicated to CWG Open Consultations).
- E. A physical open consultation will be held the morning before the start of the CWG-Internet (i.e., the CWG-Internet will start in the afternoon of the same day).
  - i. Attendance will be open to all.
  - ii. Remote participation will be available.

- F. CWG-Internet will convene after lunch to consider:
  - i. The results of the open consultation.
  - ii. The effectiveness of the trial modality and decide on its continuation or to consider a revised/different modality.
  - iii. Public policy issues for the next open consultation.
- 4. The suggestion of the ITU Secretariat was discussed at length.
- 5. There was also discussion on the issues on which to conduct open consultation, one of which is addressed in 3.1 (3).
- 6. Some Member States proposed that an open consultation be carried out on how to involve all stakeholders in an open and transparent process. Some other Member States considered that a consultation on this topic was not required.

#### **4. Conclusion and Actions**

- 4.1 The Chair will reflect the discussion that took place in this meeting in his report to Council 2012, and seek further guidance from Council.
- 4.2 Member States were requested to continue to make contributions on international Internet-related public policy issues, especially those listed in Council 2009 Res. 1305.

#### **5. Summary of the Meeting**

- 5.1 The Report of the Council Working Group on Internet-Related Public Policy Issues was approved by the CWG and was posted on the CWG website (<http://www.itu.int/council/groups/CWG-internet/index.html>).
- 5.2 In closing, the Chairman thanked all the ITU Member States who made contributions and participated in the work of the CWG. He also thanked the TSB and BDT Directors for their presence. The Chairman appreciated the ITU Secretariat for their contributions and efficient assistance during the meeting. The meeting expressed its appreciation to the chairman for his able chairmanship.

**Chairman: Engr. Majed M. Almazyed (Saudi Arabia)**