



# WCIT-12

World Conference on International  
Telecommunications 2012

Dubai, UAE

3-14 December 2012

# Why WCIT-12?



- When the 1988 ITRs were written, many telecoms were still operated as State monopolies
- Mobile phones weren't ubiquitous
- People didn't travel & expect to use their phones internationally
- Most States had no idea what the Internet was

# WCIT: the stats



- 152 Member States attended (out of total 193 States)
  - Some with only 1 delegate
  - Others with over 100 delegates
  - 98 have signed the ITRs
- ~1600 delegates
- 391 scheduled meetings between 2 and 14 December
  - beginning as early as 7:30 am
  - ending as late as 1:30 am

# What WCIT is really like



- Very little sleep
  - Bad attempts at humour (Iraq wanting to shop)
- Coloured badges govern where you can go
- Very intense huddles in stairwells, corners of rooms
- Often no time to get food between non-stop meetings
- Internet crowd use chat rooms (LOLcats)
  - Communications between allies less visible to others
- Some governments refuse to go electronic
  - Many trees killed, assistants having to haul their bosses' trees around the venue
  - Inter-State negotiations are public. For example, “Oh look, there’s Iran negotiating with Bahrain” (fictional example)



# Some negotiating tactics we saw



- At beginning, argue against/for issues you really don't care that much about
  - USA and the e-waste & accessibility texts
    - Makes you look good when you “compromise”
- If you're unpopular, let your friends speak on issues you care about
  - Often, USA wasn't the first of the (largely) developed States commenting on an issue
- Submit proposed changes as late as you can
  - The “leaked” UAE & co compromise document
    - Backfired on them, though
- Know what you won't compromise on
  - Many States on Internet issues (whether they be clearly stated in Res 3, or implied, as many States believe they are in the ITRs themselves)

# International politics



- Generalizations about developed (OECD) vs developing countries (G77)
  - Developing countries support UN bodies as there, they have equal status with developed countries
  - Developed countries resent large fees paid to UN bodies & decisions coming out of UN bodies not always in their interest
- Distrust of USA (& its allies) due its history of involving itself in other countries' affairs
- Regional politics
  - Resentment at Brazil's dominance within LAC region
  - Change in Middle Eastern dynamics since Arab Spring (Egypt, Tunisia, Libya)
  - Asia Pacific region widely divergent (Iran vs Australia vs China, etc)
- Some States actually don't care that much about the ITRs. They have much bigger issues on their international agenda.

# Summary of the ITRs



- **Preamble**

- What States do within their territories outside scope of the ITRs
- **NEW**: States commit to uphold human rights obligations
  - Toure's baby ("The world is watching us")
- **NEW**: ITRs recognize right of access of Member States to international telecommunication services
  - Largely a reaction to US trade sanctions, which include telecommunications services from US-based companies, against Cuba & Sudan.
  - Sudan is particularly upset at blocked websites\*, which is moving into the territory of content management
  - In summary, a fundamentally political issue is being tackled as a technical issue, but bleeds into content issues

\* See p. 15 of <http://www.itu.int/en/wcit-12/Documents/dec10plenary5.docx>

# Summary of ITRs



- **Article 1: Purpose and scope of Regulations**
  - ITRs deal with provision & operation of international telecommunication services & underlying international telecommunication transport used to provide those services
  - Follow ITU-T Recommendations as much as possible
  - **NEW:** ITRs do not address content-related aspects of telecommunications
    - But the Preamble and Article 5B text do open the ITRs a little towards content issues.
  - **NEW:** ITRs are applicable to “authorized operating agencies”(AOAs) that conduct international telecommunications
    - Some argued “operating agencies” was too broad & would ensnare private & govt networks, suggesting “recognized operating agencies” would ensure ITRs wouldn’t be applied to wrong parties. Compromise: “authorized”.



# Summary of ITRs



- **Article 2: Definitions**
  - Telecommunications, international telecommunications service, government telecommunications & more.
- **Article 3: International network**
  - States should ensure AOAs cooperate in establishing & operating international networks
  - **NEW**: States to work to ensure telecommunication resources specified in ITU-T Recommendations are only used by those they're assigned to & not for unintended purposes
  - **NEW**: Create an enabling environment for implementation of regional telecommunication traffic exchange points
    - Aimed at reducing costs for developing countries

# Summary of ITRs



- **Article 4: International telecommunication services**
  - States shall promote development of international telecommunication services, conform to ITU-T Recommendations as much as possible, ensure quality of service.
  - **NEW**: States to promote competition in global roaming services
    - Recognition of the jet-setting nature of many people in the world today.
    - ITU giving this as one of key reasons why ITR negotiations were a success

# Summary of ITRs



- **Article 5: Safety of life & priority of telecommunications**
  - Emergency telecommunications have priority over all other telecommunications
  - Government telecommunications have priority over all other telecoms except emergency telecoms
  - **NEW**: States to encourage AOAs to inform all users, inc. roaming users, of emergency services number

# Summary of ITRs



- **NEW: Article 5A: Security and robustness of networks**
  - States to endeavour to ensure security and robustness of international telecommunication networks
    - ITU's previous work in cybersecurity creates links between this provision and Internet-related activities
- **NEW: Article 5B: Unsolicited bulk electronic communications**
  - States to endeavour to prevent spam & reduce its impact on international telecom services
    - WCIT Chair stressed this was about technical issues & not content, in reality, technical solutions (e.g. SPF\*) can't catch all spam. Most spam solutions rely on some sort of DPI (remember WTSA & DPI)

\* <http://tools.ietf.org/html/rfc4408>

# Summary of ITRs



- **Article 6: Charging and accounting**
  - **NEW:** Terms & conditions for international telecom service arrangements may be established through **commercial agreements** or accounting-rate principles
  - **NEW:** States to promote **competitive wholesale pricing** for traffic carried on telecom networks
  - **NEW:** Terms & conditions don't apply to international telecom service arrangements may be established through commercial agreements
    - Recognizing increasing liberalization of telecommunications but continues to allow for a more structured intergovernmental setting of prices alongside the liberalized market model
    - More accounting related activities have been moved to Study Group 3 (See WCIT Resolution 5, International telecommunication service traffic termination and exchange)

# Summary of ITRs



- **Article 7: Suspension of services**

- If a State decides to suspend international telecommunication services, it should notify the ITU Secretary-General immediately, who will then immediately notify all States of the situation.

- We saw how well this provision works when Egypt & Syria blocked citizens' ability to use telecommunications services to reach the outside world.

# Summary of ITRs



- **Article 8: Dissemination of information**
  - Secretary-General to disseminate international telecoms-related information of “an administrative, operational, or statistical nature” if Member States have authorized their AOAs to provide such information.
    - **NEW** in this Article: it’s no longer States providing the information, but the AOAs. Also, it provides a “get out” clause if Member States don’t wish for the information to be provided. In some cases, States may not be collecting the full spectrum of information being sought under this Article.

# Summary of ITRs



- **NEW: Article 8A: Energy efficiency/e-waste**
  - States should be environmentally friendly
- **NEW: Article 8B: Accessibility**
  - States should promote access for people with disabilities to international telecommunication services
    - Given national telecommunication services include telephony, which are largely already available to people with disabilities, I suspect this is more to do with making Internet services accessible... which, when you consider the Web is the biggest user app, could head into content territory.



# Summary of ITRs



- **Article 9: Special arrangements**
  - States and their AOAs can enter into international special arrangements between themselves outside the provisions specified in the ITRs, as long as they try not to harm the telecom facilities of third parties.
- **Article 10: Final provisions**
  - The ITRs take effect between signing States on 1 January 2015
  - Signing States can make reservations on provisions they don't plan to be bound by

# International politics & WCIT outcomes



- Secretary-General emphasizing in press briefing that it was developing States who signed the ITRs and developed ones abstaining doesn't help the developing/developed political divide
- Many States see the USA not signing ITRs as meaning USA wants to "retain control" of Internet, not as sign that USA thought Internet was being managed by ITU processes that were in opposition to multi-stakeholder model
- States not happy with ITR outcomes on Internet-related issues will turn to other UN venues with their ideas (UN General Assembly, for example)
- USA being seen by many States who signed the ITRs as once again playing Leader of the World
- The way the Internet constantly cropped up as an issue at WCIT, the way the "temperature of the room" was felt late on the last Wednesday night, ITU's pre- and early WCIT attempts to turn itself from Internet threat to cuddly teddy bear

# ITRs & the Internet



- The 2012 ITRs may not use the word “Internet”, but they must be read within the wider context of:
  - ITU’s previous activities in Internet space
  - WTSA 2012’s adoption of deep packet inspection
  - The difficulty of having an entirely “technical” solution to spam (Article 5A)
  - The combined UAE, Russia, China & co. proposal DT/47, which proposed much stronger role for ITU in Internet sphere. These ideas will return in future ITU meetings.

# ITU's Internet governance page\*



- Lists resolutions mandating ITU's involvement in “international public policy issues pertaining to the Internet and the management of critical Internet resources”
  - Plenipotentiary 2010
    - Resolutions 101, 102, 130, 133 and 140 (Rev. Guadalajara 2010)
    - Resolutions 174, 178, 179, 180 and 181 (Guadalajara 2010)
  - ITU Council
    - Resolution 1282 (Mod. 2008), Resolution 1305 (2009), Resolution 1336 (2011), Resolution 1344 (2012)
  - WTSA 2008
    - Resolutions 47, 48, 50, 52, 64, 75 (Rev. Johannesburg, 2008)
  - WTDC
    - Programme 2, Resolutions 20, 30, 45 and 63 (Rev. Hyderabad, 2010)

\* See <http://www.itu.int/osg/csd/intgov>

# ITU's Internet governance page (cont.)



- Lists ITU “activities related to Internet Policy & Governance”
  - Cybersecurity
    - Compare with ITR Article 5A
  - Multilingual Internet
  - IP Networks and Next Generation Networks (NGN)
    - Compare with WTSA Recommendation on DPI
  - ICT accessibility
    - Compare with ITR Article 8B
  - IPv6

# ITRs & hot Internet topics



- Net neutrality
  - ITRs say they have nothing to do with content, only the infrastructure that delivers content
  - ITRs are about international telecommunications, and leave national regulations to each State to decide
  - WTSA's approval of ITU-T Y.2770 "Requirements for Deep Packet Inspection (DPI) in Next Generation Networks (NGN)"\*, which can also be applied to other network types, paves the way for easier differentiation of network traffic types.
  - Ultimately, the WTSA recommendation has potentially more impact on network non-neutrality than WCIT's ITRs

\* <http://i.haymarket.net.au/News/T09-WTSA.12-C-0030!!MSW-E.pdf>

# ITRs & hot Internet topics



- Openness
  - Inclusion of recognition of human rights obligations can be seen as a boost for freedom of speech on the Internet
  - The large number of closed-door negotiations that took place between subsets of ITU Member States (no non-government folk allowed) runs contrary to the Internet model of open and transparent development
  - It doesn't appear that the majority of Sector Members or observers had been informed that they could ask the Chair for the floor during Committee 5 and plenary sessions
  - On the other hand, having Committee 5 and plenaries webcast and transcribed is major change for ITU processes, taking it a step closer to Internet model

# ITRs & hot Internet topics



- Diversity of services
  - ITRs now recognize international commercial arrangements in telecommunications
    - Signals more freedom in how international telecoms are conducted
    - Language that would have said States must encourage competition in telecoms, however, was rejected, signaling that some States prefer to retain a State-dominated model for the near future, at least
  - As usual, security may be used as a reason to limit services
    - See Article 5 A, which calls for security to achieve, among other things, “the harmonious development of international telecommunication services offered to the public”



# What's next?



- 2012/3 – United Nations General Assembly
  - ICT-related resolutions
- 2013 – World Telecommunications/ICT Policy Forum
  - Dedicated to “International **Internet**-related public policy matters”
    - <http://www.itu.int/en/wtpf-13>
  - Only 1 opinion at WTPF in 2009 was on the Internet\*
- 2013 & beyond – ITU Council Working Group on international **Internet**-related public policy issues
  - <http://www.itu.int/council/groups/CWG-internet>
  - It's a closed group with closed documents, but may ask for public opinion on topics
- 2014 – ITU Plenipotentiary
  - Internet-related resolutions from 2010 Plenipotentiary will be revised
- 2014/5 – WSIS + 10
  - Reviews progress on WSIS action lines
  - IGF progress, enhanced cooperation on international public policy issues pertaining to the **Internet**

\*See <http://www.itu.int/osg/csd/wtpf/wtpf2009/documents/opinion1.pdf>

# What's next? (cont.)



- There's a lot more work for States and Internet governance stakeholders
- Think long-term, not short-term
- Two questions for you to go away & think about:
  - How can we alleviate some government's fears & concerns about Internet governance model, including multi-stakeholderism?
  - How can we ensure non-government stakeholders can have access to, & hopefully participate in, Internet governance-related discussions in intergovernmental forums?

Questions?

