

ETNO Reflection Document in response to the ITU Consultation on Resolution 102 (Rev. Antalya, 2006): ITU's role with regard to international public policy issues pertaining to the Internet and the management of Internet resources, including domain names and addresses

ETNO is an ITU Sector Member and represents 41 leading telecommunications operators from 34 European countries. This Reflection Document has been unanimously approved by the ETNO Membership and represents our collective views on the eight Questions of the Consultation document.

Question 1: What specific activities should be undertaken for ITU “to continue to take a significant role in international discussions and initiatives on the management of Internet domain names and addresses and other Internet resources within the mandate of ITU, taking into account future developments of the Internet, the purposes of the Union and the interests of its membership as expressed in its instruments, resolutions and decisions?”

As an Intergovernmental Organization, ITU has and should continue to have as stated in Article 35 of the Tunis Agenda for the Information Society, a facilitating role in the coordination of Internet related public policy issues.

The coordination at the overall level of the management of Internet domain names and addresses, and policy developments in this area, falls under the Internet Corporation for Assigned Names and Numbers mission.

Within ICANN, the Governmental Advisory Committee plays a key role with regards to public policy issues. As GAC membership is open to Intergovernmental Organizations, ITU has the capacity to play a significant role in this context. Its expertise, both on technical and policy issues, can be a strong enabler that can facilitate the understanding, the analysis and the elaboration of public policy issues and provide guidance in the development of policies within ICANN .

The GAC function has significantly improved over the last months in order to be more directly engaged in Policy Development Processes at early stages, in close relation with the other ICANN structures. GAC's priority is to be able to timely provide principles related to the wide ranges of issues that are considered by ICANN on domain names (gTLDs or ccTLDs) and on IP addressing. Two such examples of issues recently considered by the GAC, were the introduction of new gTLDs and gTLD WHOIS services, for which a set of principles were approved.

There is no doubt that ITU expertise should be very helpful on these issues and on issues like Internationalized Domain Names.

ITU should also play a key role in disseminating information and collecting information to and from organizations that are not able to participate directly to the ICANN work.

Moreover, another group where ITU has a role to play is the Technical Liaison Group (TLG), whose mission is to link the ICANN Board of Directors and other ICANN entities with appropriate sources of technical advice on specific matters pertinent to ICANN activities. ITU is a member of the TLG with ETSI, W3C and the IAB.

More than duplicating the work undertaken by ICANN, ITU should work within ICANN and help ICANN and the GAC to improve.

Question 2: What specific activities should be undertaken “to take the necessary steps for ITU to continue to play a facilitating role in the coordination of international public policy issues pertaining to the Internet, as expressed in § 35 d) of the Tunis Agenda, interacting as necessary with other intergovernmental organizations in these domains”?

In order to address the specific activities that should be undertaken by the ITU, as expressed in §35d of the Tunis Agenda, it is important to establish a clear and common understanding of the scope and the definition of “Public Policy Issues.”

To start with, §35d is part of a paragraph which recognizes the various roles of stakeholders in the management of the Internet. However, this part should not be seen isolated, nor should it contradict other parts of the paragraph; rather it must act complementary to these. Therefore, besides the facilitating role of Intergovernmental organisations, it is also recognized that the private sector has had and should continue to have an important role in the development of the Internet.

Bearing that in mind, ETNO first wishes to stress the effectiveness of current mechanisms and the need to build on existing structures, without government oversight function over day-to-day technical and operational matters of the Internet. The private sector has been successful in the development and the management of the Internet and the role of existing organizations must be maintained.

The development of public policy by governments must be done in consultation with all stakeholders. In this respect, ETNO believes that an important role of inter-governmental organizations like ITU is to cooperate with governments and other stakeholders in order to avoid over-regulation and to foster a stable and competitive environment, in which networks are interoperable and accessible. This environment is conducive to attract investors and to ensure benefits to users.

Moreover, it is important that the ITU continues to work on its well developed areas of expertise and in full compliance with its mandate. In this respect, ETNO urges ITU to avoid duplicating efforts already taken by others and (to avoid) launching new ones outside its responsibilities. ITU should rather serve as a catalyst and a facilitator to reinforce existing efforts. As a matter of fact, ETNO insists it would be counter productive to reopen issues already handled or settled. Regarding the scope of initiatives, ETNO would like to repeat¹ that it is of the utmost importance to discard any option likely to affect negatively the global connectivity, security or reliability of the Internet.

The activities to be undertaken or maintained by the various parties should respect the responsibilities of the existing international private sector bodies, such as ICANN, IETF, etc., and those that fall within the scope of intergovernmental bodies, as could be the ITU, WIPO, WTO, etc.

The responsibility of the IP addresses and Domain Names management as a technical activity under the responsibility of ICANN, which is in line with the idea expressed in §35, has to be maintained. ITU as an intergovernmental body which is a member of the GAC could, on one hand convey the common opinions of the Member States to the GAC and later on to the ICANN Board, and on the other hand could foster the participation of the governments (Member States of ITU) in such a committee.

Moreover, ITU could strengthen its focus and facilitate international discussions and policies on electronic communications network standards, especially for Next Generation Networks. Also ITU could take international awareness and education initiatives, or collaborate with other international bodies in this direction. ETNO also supports ITU to continue its work in Action Line C5 (building confidence and security in the use of ICTs) where ITU-T is instrumental.

Question 3: What specific activities should be undertaken “in line with § 78a) of the Tunis Agenda, to continue to contribute as appropriate to the work of the Internet Governance Forum (IGF)”?

¹ August 2005 - RD220 - ETNO Reflection Document on the Communication on Global Partnership in the Information Society: EU Contribution to second Phase of WSIS
<http://www.etno.be/Default.aspx?tabid=1548&mid=3315&ct=edit&ItemID=1384&GridPage=0>

ETNO is very supportive of the Internet Governance Forum and sees it as an excellent opportunity for effective multi-stakeholder dialogue on among others policy issues, recognizing the shared responsibility of all stakeholders, each within their respective roles and responsibilities; a policy which *inter alia* promotes innovation, development and investment in ICTs and the Internet.

In this respect, ETNO recognizes that the ITU has an important role in the preparation of the work of the IGF, especially in reference to § 72 a), b), e), f), h) and I) of the Tunis Agenda. Also, the IGF annual meetings are a very suitable environment for ITU to present its activities and to disseminate knowledge developed within ITU.

Question 4: What specific activities should be undertaken “to take the necessary steps for ITU to play an active and constructive role in the process towards enhanced cooperation as expressed in § 71 of the Tunis Agenda”?

Regarding ITU’s involvement in the process towards enhanced cooperation, ETNO can support ITU’s facilitator role in compliance with the following provisions:

- That the international management of the Internet should be multilateral, transparent and democratic, with the full involvement of the private sector²
- That enhanced international cooperation should facilitate a further expansion, in a non-discriminatory way, under applicable national laws, of e-business as well as consumer confidence in it³
- That the development of public policies implies consultations with all stakeholders⁴

ETNO is in favour of enhanced cooperation which fosters productivity and sustainable growth. This must be compatible with a “business climate” in favour of investment and innovation, the best warrants for development. ETNO reaffirms the view that the objectives of such cooperation must remain in line with present and prospective market realities, in order not to destabilize or jeopardize the development of the Internet. This also means that cooperation with standardization bodies outside ITU-T should be enhanced and that ITU should continue to develop a spirit of coexistence with nongovernmental organizations such as the Internet Engineering Task Force (IETF), W3C where Internet and web standards are developed. By all means, ETNO would like to stress that a sound and transparent process towards enhanced cooperation is of outmost importance.

Question 5: What specific activities should be undertaken “to take the necessary steps in ITU’s own internal process towards enhanced cooperation on international public policy issues pertaining to the Internet as expressed in § 71

² § 29 of the Tunis Agenda

³ § 47 of the Tunis Agenda

⁴ § 68 of the Tunis Agenda

of the Tunis Agenda, involving all stakeholders, in their respective roles and responsibilities”?

ETNO suggests a close cooperation between the three ITU sectors when communicating in other fora or meetings, a single ITU representation, and a transparent feed-back given to all sectors via reports. ITU-D and ITU-T need to work closely together in this field. ITU-T needs to seek the involvement of members of ITU-D in their study group work on one hand, and on the other hand, ITU-D could invite some experts in the Study Groups meetings where dedicated questions regarding these matters are treated.

As a minimum requirement, it is suggested that the new Secretary General takes measures towards ensuring that there is no duplication of efforts within ITU.

Question 6: What specific activities should be undertaken by ITU-T “to ensure that the ITU-T performs its role in technical issues ... related to the management of Internet domain names and addresses and other Internet resources within the mandate of ITU, such as IP version 6 (IPv6), ENUM and IDNs, as well as any other related technological developments and issues; and continues to play a facilitating role in coordination and assistance in the development of public policy issues pertaining to Internet domain names and addresses and other Internet resources within the mandate of ITU and their possible evolution; and works ... on issues concerning Member States’ ccTLDs and related experiences”?

The day to day management of Domain Names and IP addresses falls under the responsibility of existing bodies (ICANN, Regional Internet Registries and Local Internet Registries for the management of IP addresses; ICANN, ccTLD registries, gTLD registries and registrars for the management of domain names). ITU has no specific role to play in this area.

Regarding ENUM, as this technology is based on specific usage of E.164 numbers, ITU's role as already agreed is essential to preserve the stability of the E.164 numbering plan.

Regarding policy developments, as described in response to Question 1, ITU should be engaged in these activities within ICANN and particularly at the GAC level.

Question 7: What specific activities should be undertaken by ITU-D “to organize international and regional forums and carry out necessary activities ... to discuss policy, operational and technical issues on the Internet in general, and on the management of Internet domain names and addresses and other Internet resources within the mandate of ITU in particular, including with regard to multilingualism; to promote through ITU-D the exchange of information, fostering debate and the development of best practices on Internet issues, and to continue to play a key role in outreach by contributing to capacity building, providing technical assistance and encouraging the involvement of developing countries, LDCs and SIDS in international Internet forums and issues.”

ITU must capitalize on its past, present and future involvement in the different Post-WSIS Development activities (WSIS Action Lines, Global Alliance for ICT and Development - GAID, ECOSOC Commission on Science and Technology for Development - CSTD). This for instance can be interpreted into encouraging capacity building, or creating an environment able to attract investments.

Sound policy combined with an action oriented implementation plan that takes into account, where necessary, infrastructure deployment and capacity building, leads to more development. But development can't take place in cyberspace without proper security and reliability of the Internet, which should be a key area of focus for ITU. ITU should also continue to discuss other issues of general interest, such as multilingualism, which are important to a large number of countries, especially in the developing world.

Finally, as it was stated before when referred to enhanced cooperation (Question 4), there is intent to improve the cooperation between the different organizations and stakeholders. In this respect ETNO would like to stress that the ITU resolutions that have been agreed to and the Council-approved work was intended to be educational in nature and be focused on collaboration with responsible bodies.

Question 8: Do you have any other contribution or comments, of a general or specific nature, on any other issues contained in Resolution 102 (attached), including the role of the ITU secretariat and the three Bureaux? You may also wish to upload relevant documents to the Resolution 102 website.