

**Fourth Meeting Working Group on Enhanced Cooperation**

**25-27 September 2017**

**Geneva, Switzerland**

**DAY 1**

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>>CHAIR FONSECA: Good morning, everyone. I would like to call the meeting to order. We are going to start in two minutes.

>>SHAMIKA SIRIMANNE: Good morning, everyone. Thank you, ladies and gentlemen, for being with us. We are very happy to host you. And my staff are all ready to work with you in the next couple of days.

I mean, this is the fourth meeting of this WGEC. And I believe there is one last meeting and then you can rest up and go to -- the report will be presented to the CSTD.

I just also want to appreciate the fact that you have been working on a really difficult topic. This is not an easy one to crack in four times. But the Internet issue aside, the public policy of Internet issues are the topic of the day. And we hear this everywhere in news, the blogs, everywhere we turn. So what you have been doing is a historical first step, plus a very -- you know, embarking on a difficult but really important item.

So having said that, since we are in the fourth meeting and we only have one meeting left, it is our -- I mean, from my part and from my staff perspective, we would expect to see some, you know, much faster move maybe to come up with some sort of outcome document and to start looking into that at this session and then you can complete your negotiations in the next and the last meeting before the CSTD.

So having said that, so I will give the floor to our Chair, our able Chair, to bridge us and try to -- (laughter) -- and for you to come together and work in one direction. Thank you.

>>CHAIR FONSECA: Thank you, Ms. Sirimanne. I hope I can live up to that challenge.

Good morning, everyone. It's a pleasure to welcome you to this fourth meeting of the Working Group on Enhanced Cooperation. As stated by Ms. Sirimanne, this is our fourth and second-to-last meeting before we conclude our work wishfully by providing the output we are mandated by the General Assembly. So I would like to, first of all, acknowledge all the work that has been done by the group. I am convinced we have the opportunity to discuss so many important areas and topics related to enhanced cooperation in a way that might even allow for a very rich exchange of views.

Of course, we are dealing with a topic that has been around for many, many years. So much of what was said was not exactly new. But I think it's always important to make sure that we can have a very

precise and updated view on what are the important issues of what are the main aspects to be touched upon.

I am certain that in spite of that, some of you may feel frustrated because of the approach we have taken and, again, the issues before us. In spite of the intent to allow sufficient time and space for discussion of the important topics, I am sure we may have left out some important areas yet to be discussed.

However, since we are readily approaching the end of our work, we would like to, with the agreement of the plenary, of course, to engage -- to be engaged but to move to a new stage of work, a new *modus operandi*. I touch upon that when we come to discussion of methodology of work and discussion of the report format.

For the moment, I would like again to welcome all of you. Those that are also following us remotely, I am very pleased to see the room packed. I think most of the members could make it to this meeting.

I am -- I regret that some of the members could not make it. In particular, I would like to send to my good friend, colleague, Anriette from South Africa my best wishes for a speedy recovery and hope she will be able to follow us remotely.

So with this initial word, I would like to move to suggest to plenary to adopt the agenda we have before us. I would like maybe just to have a few words after -- basically we are allowing plenty of time for working sessions without mentioning specifically any particular area of work. Only with two exceptions regarding our initial session, that we are discussing the procedural issues of the organization of the meeting. Actually I think this would be an overlap of the methodology of work and discussion of the report format. So immediately after this, after the adoption of the agenda, I suggest we discuss how we will organize our work with what methodology we intend to follow from now until the end of our work.

And basically I'd like to resurface our discussion we have had previously upon the initiative of Richard Hill to discuss the outline of the report. I think it's important for us to discuss it at the very early stages of this meeting so this may guide us also in our future work.

So with these comments, I'd like to submit to you the agenda of the meeting for your approval. Are there any comments? I see none. So the agenda is adopted.

[ Gavel ]

So moving directly to the discussion among organization of the meeting, the methodology of work, as I have said before, we have had so far very extensive discussions which, in my view, were very fruitful. They were very helpful in assisting us to have a better understanding of each other's positions and to have an overall appraisal of the state of play of each issue. So I think this was not last time.

We had some input we should have, of course, a lot -- dedicate enough time to discuss this certainly. However, I'd like to propose that our overall approach to this exercise should from now on try to focus

on the outcome that is expected from us without prejudice of discussing any other topic. But I'd like to propose that we take this focus.

For that purpose, I have updated all the contributions we have had, all the discussions we have had until now. I'd like to submit to your consideration from the Chair's perspective what is emerging from our discussions as something we could propose as a report. Basically as (indiscernible), we would refer to some description of the meeting itself, of how things developed; but then in the substantive part we would very clearly identify what are the areas of consensus that emerged from our discussions. And here -- I'm not proposing a draft. This is not a draft, not even an initial draft. It's just some ideas I have put on paper just to test the view whether this could be acceptable. So you see there could be some items that in my view emerged and are prone for consensus. And the fact that I'd like to, I think, in line with other reports that tackle this issue, I think it would be important for us, even those areas where there's no consensus to document the discussion, to make sure we relate to previous work that was done in that regard in other moments in time to make sure that we can present to particularly the ECOSOC, the General Assembly a very clear picture emerging from the discussions.

So with your indulgence, I'd like to ask the secretariat, please, to upload the document. If you allow me, I'd like to make a full presentation of the document, and then I will open for comments. I think maybe it's important for you to have an overall view of what is the proposal before you can react to any particular aspect of it. I acknowledge that this is not a very perfect document. This is not something to be seen as a full-fledged proposal or a very lovely proposal. It is some ideas I have had. And I would like to thank the secretariat also for helping us in putting this together. I worked with my colleagues back home. And I wanted to propose this at a very early stage in this meeting basically to have your reaction and to see if you think it's an acceptable, say, goal to have in general terms.

Of course, each and every section deserves very careful meaning, very careful drafting. So don't be concerned about it for the moment. Just I'd like to invite you to look at the idea of the concept to see if it seems acceptable, if this reflects also your views on what we have been doing.

So can we have it on screen, the document? Yes, this has also been sent to you by mail, to the group.

So basically I -- well, this would be the part that we would not even be drafting here. The standard report would include the executive summary, of course. This would be provided at the final stage of drafting, not now. So let's move to the other section.

Then we would move to also very standard part of the report that refers to the description of what took place of the meeting we have had of the mandate. We have even in this area that is marked, say, controversial because it just reflects what we have been doing, I would expect to have improvements in language and even in components that are there. This is basically just to show you how this could look at, not something definitive that would fit in this.

So can we move to the other section?

Ah, okay, okay. Yes. Basically we are referring paragraph 1 to the mandate.

We have paragraph 2, we are referring to the establishment of the group. Paragraph 3, we refer to the meetings we have had and the remote participation.

Can you move up a bit? Is it okay?

Paragraph 4, and then we summarize what took place in each meeting. Maybe we can even drop that but that was maybe something I could propose -- describe the first meeting with that.

And paragraph 5 would refer to the second meeting.

We can move on.

Six refers to the third -- six, fourth, and so on. Seven and eight, we should fill in the gaps of what took place.

Maybe there are some other information that would be relevant to insert here. I would like for your views on that.

I think then we are moving to the more interesting part. This we have provision on the term, paragraphs reflecting areas in which the working group has come close to consensus. It might be leading at this point, but it is what reflects the situation now. In the final report, these would be areas that would, indeed, reflect consensus. The report would not have that wording "have come close to consensus." There may not be even be a heading, just we would move to the ideas.

First of all, in paragraph 9, I'm trying to reflect the idea that was present in many contributions and discussions we have had that upon discussing and engaging enhanced cooperation, we should look at not only the paragraphs -- the particular paragraphs that address these topics in the Tunis Agenda but whether at the larger picture. Here we are focusing more particularly on paragraph 34, 35. But, again, if you see something that should be further include -- but basically the idea is that to contextualize the discussion to make sure that the group agrees.

Paragraph 10, 11, and 12 seek to reflect the outcomes of our discussion on high-level principles. We have, as you may recall, upon discussing high-level principles come up to the conclusion that some of the motion -- some of the elements that were proposed were not high-level principles itself. They would be rather goals or some objectives to be achieved through enhanced cooperation. So these are reflected in paragraph 10, referring to sustainable development, capacity-building, cybersecurity, peace, and technology transfer. So these would not be high-level principles, rather some goals or ultimate objectives to be assisted by enhanced cooperation.

In paragraph 11, I have -- I propose we could here indicate in a more precise way what are the high-level characteristics that we had agreed both are the seven characteristics: Transparent, inclusive, collaborative, effectiveness goal oriented, sustainability of cooperation, responsive to innovation, and international. Here even the way we address the topics may slightly change. Maybe we need some language to accompany each of these concepts. So I think this is just some kind of skeleton that we

should later on fill in and put some flesh to make more sense, if the group wishes. But here I think this is about the basic agreement that emerged from the discussions.

In paragraph 12, paragraph 12 here I have thought to reflect many other motions that were proposed when we are discussing high-level principles. I acknowledge those are of different nature; but just for the sake of not losing the idea that we discussed, I thought it would be important to document in a paragraph -- because I think in spite of different nature or even different paths of the report, these ideas would come either up front or in relation to some element. I think there was overall agreement that those ideas would be important to reflect in some way in the report. So they are just bundled into one single paragraph. Of course, we should later on further elaborate on that.

Paragraph 13, here is, again, from the chair's perspective an area that could, my assessment, lead to consensus. I think those are very helpful ideas that could help us to -- as stated in the chapeau, to address the need to promote dialogue and coordination among member states and other stakeholders, A, that they have the complete understanding of the emerging issues, sharing best practices, and raising awareness.

I think there were some proposals coming from you and some ideas on how to -- without building necessarily some new institutional framework, some fresh -- but some ideas which could allow for an annual discussion on the topic.

Here, just are some comments on my part. First of all -- and then there are three alternatives, and those alternatives are not mutually excluded, of course. The first one would be to include a standing agenda item at the CSTD annual sessions as part of its WSIS mandate or, also in the context of CSTD, to establish a permanent working group that should meet annually back to back to annual sessions of the CSTD.

Here I think it's important to note that this is -- we are referring to something that is -- that already exists. We are not proposing something totally new. Because CSTD, as you know, has a dual mandate. And part of the mandate refers to WSIS follow-up. So what is being proposed here, basically, either Alt 1 or Alt 2 is to provide for a locus for focused discussion on enhanced cooperation in those sessions either within the existing format -- so CSTD has one day to discuss WSIS follow-up, one and a half day. So maybe here we're aiming at having maybe half a day every year to discuss enhanced cooperation. So, basically, this is something that would put some more focus on something that is already part of the mandate of CSTD or more boldly to establish a permanent working group that should meet annually. And here we should, of course, refer to secretariat and to budget implications that that might have. Because then we are not talking about using the existing format of the CSTD. We are talking about creating that kind of group on a permanent basis, which is something more elaborate. And, certainly, the costs would also be different. And Alt 3 refers to -- it's to propose the GA to have a debate every year on international public policy issues pertaining to the Internet in the General Assembly as part of the general debate under ICT4D. Here again, we are not proposing something totally new. Because, as you know, at the second commission of ICT4D, there are part of the agenda items to discuss which is follow-up. So enhanced cooperation is there already in a way.

So we are proposing here to also dedicate some time in consideration of the topic for focused discussion on enhanced cooperation.

So those are ideas that came from you, from contributions and that we discussed at the last meeting. And, from the perspective of the chair, those are some ideas that could be entertained by the group with the ultimate objective, if the group can agree, to have some kind of consensus recommendation in that regard.

Paragraph 14 I have not proposed language. But just to indicate that part of the consensus of the group, part of the recommendations, one of them would refer to capacity-building efforts, the need for concerted capacity-building efforts. This is, I think, one of the most frequent references in the contributions coming from the group.

Many, many of you emphasized this aspect, capacity-building. I recall at some point Jovan even proposed we should be talking about capacity development instead of capacity-building to be in line with the latest discussions on that.

So I think we have very rich discussions. The way we are going to frame it is, of course, would be the subject of further discussion. But I think certainly one paragraph in our consensus recommendation should refer to capacity-building.

Paragraph 15 also refers to another notion that was very frequent and very strong in your contributions. And, in regard to each, I saw no opposition. I think it's important in regard to those notions starting paragraph 14 to say that there was a lot of support. And I have seen no one opposing that. So I think this could make it to our consensus part of the report.

So paragraph 15 would address the need for evidence-based policy making and also to related open, accessible, and timely factual information and statistics as a basis for further work and for action in regard to enhanced cooperation. Paragraph 16 would address the importance of identifying and monitoring capacity gaps with a view to develop appropriate solutions. Again, the way it is phrased here was not object of maybe precise discussion. But the notion there, I think, was -- also has been discussed and, in my view, received a lot of support and no strong objections or no objections at all.

So, in a way, it would also be linked to the previous paragraph that refers to have good information on which policies could be made -- on the base of that good information, we could identify gaps and move and try to develop mechanisms to address those gaps.

Can you move up?

17 we would propose a paragraph on the need to promote and support inclusiveness in the discussion of international Internet public policy issues.

And here again I refer to many contributions coming from you and discussion we had in plenary regarding the need to -- for enhanced cooperation mechanisms to make sure to be inclusive.

I have not in some contributions referred to particular situation of developing countries, ITCs, Tunis Agenda, or civil society needs. So, here again, I'm not proposing anything specific. I think this would be further discussed by you once -- if we agree to the concept. But, again, it's the concept that has emerged in my view very clearly.

Paragraph 18 would make -- would be address international organizations to promote, facilitate, and strengthen corporation public policy issues pertaining to the Internet. Here we are referring to something that is already in the Tunis Agenda, the role of international organizations to do it. I understand this has been done over the years. There have been efforts within international organizations that are responsible for coordination of action lines that are engaged in implementation of the WSIS outcomes. So, basically, here we are referring to something that is in existence and making a call for those efforts to be sustained, to be strengthened, through the benefit of enhanced cooperation as a whole.

So those paragraphs -- and maybe others that could come from you could make it to let's say the consensus part of the report.

And now we'd move to what we have nominated paragraphs documenting contributions made to the working group around which no consensus could possibly be found.

And here we'll -- forgive me. I know we have not come to the end of -- maybe it's a conclusion we should take at the conclusion of the exercise. But I think at this stage so much discussion took place. We had plenty of opportunity for ideas to be confronted with, to be discussed. So I -- from the chair's perspective, at least there are some areas around which we should at this stage -- this is my proposal -- conclude that maybe the group not be able to achieve consensus on that.

I would not say it's a failure on the part of the group. I would say those are issues that have been around for many, many years discussed in many, many fora and in the context. So I would say it would be important for the group. If we could bridge those gaps, that would be excellent. We'd be making history. In a way. But I don't think we'll be able to do that, frankly speaking. So my proposal would be to document it in an appropriate form. I think we have examined previous exercises around this topic. For example, the WGIG report was not particularly focused on enhanced cooperation but rather on a more wide basis of topics. But at some point they decided to document differences, to document areas, to highlight some areas of very important discussion, but to document very clearly the state of play and leave it for further discussion in the future, if this is the case.

So paragraph 19 addresses the main controversial aspect that has been permeating our discussions since the beginning and beyond this growth that permeates the discussion in many, many other fora and has serious implications, I would say, to the extent that we'd not be able to overcome in these meetings. We can engage in further discussion. I would be more than happy to allow time for discussing this further in respect for your contributions and in respect for new things that have come in that regard. But my proposal is that we look at the final -- at the outcome of our discussion that we began the institutional framework. Whether we need or not some institutional framework, I would say towards -- it would be realistic of us to think about documenting it.



I'm proposing two basic options. Option one would be the establishment of U.N. party/mechanisms where the organization sustain open working group. And here I have, differently from the other previous paragraph I have included some additional language. I have relied exclusively on language coming from you.

So for option one, the process could take an evolutionary form. It could develop and establish international perspectives, norms, and public policies with a view to ensuring coordination and coherence in cross-cutting Internet-related global issues. It could develop appropriate relationships with relevant existing policy bodies inside and outside the U.N. It should build a close association with the IGF but be distinct and separate from it. Here are just some ideas that proponents of a new institution have voiced. I would, of course, refer at the appropriate moment to those proponents to make sure these are the ideas that really would reflect their views on -- the main elements that would be contained in their proposals. Again, I just kind of imported some of those ideas, which in my view, seemed important but should be vetted by the proponents themselves in the plenary.

Option 2 would reflect the position that there's no need for institutional mechanisms. And, again, I refer to language that was proposed in that regard saying that international Internet-related public issues should be addressed by existing mechanisms. That new mechanisms could confuse work that is already being done going on elsewhere to duplicate and undermine that work. That creating more international internet governance meetings could make the current landscape more complex and difficult to navigate, especially for developing countries. And that recommendations should extend and improve existing processes. So, again, I think those two options refers conflicting views, to an extent. The group can engage in further discussion, but I see no real prospect of coming to a consensus formulation from that. So we are proposing that should be reflected like that in the report.

Paragraph 20 would refer to other important topics that were also addressed in your contributions but around which I also would not see a possibility -- I stand to be corrected -- to achieve consensus.

First of all, refer to level and areas of focus of enhanced cooperation. And here we are talking about the priority areas, the great categories that would be covered by enhanced cooperation. Some of you have made proposals aiming to further elaborate on this.

I should say this would be in line with what was done, for example, by the WGIG itself that contains a list of topics of areas of work that would be encompassed by enhanced cooperation. It would be in line with the main effort that was made by the previous WGIG that, basically, as you'll recall, made the mapping of the issues and the mechanisms to address those issues. So all those -- and I refer to the mandate we have that we should in our -- even in our report, in our work, to refer to the existing work in that regard. So this is an effort that has been done before at least in those two opportunities that are very well documented. However, in the context of this meeting of this present gathering, from the perspective of the chair, I see no intent to collectively by consensus to engage in that.

So I would refer -- I think it would be fair for us to reflect it in the report to say that this is a very important area of work that has been addressed before. But, at this point, the group will not make any particular recommendation with regard to areas of work or -- and I take the point it is very important for

some of you to have some discussion to see it reflected. But, again, if we are looking to things that -- that report should be adopted by the group, not by the chair. Should not be the chair's report. Should be the group report. So I don't see a way to insert in the report as consensus areas in which the group has no consensus, just part of reflecting on paper what is taking place in our work. The same applies to recommendations to other bodies outside the mandate of the working group. I think -- and we have had extensive discussions on that. You may recall that there were many, many recommendations and issues that were raised that addressed work that is being done elsewhere by other individual bodies, organizations outside our -- the scope of the group. And I would say by saying "the scope of the group," I say that this working group is linked to CSTD, linked to the GA, to ECOSOC. So I think, when we see that line, we can propose CSTD, to the GA. But, outside of that, I saw and I recall some discussions we had that many of you think it would not be appropriate for the group to issue recommendations addressed to other bodies outside the mandate of the working group. Of course, this is not a consensus view. Some of you think it would be indeed within our mandate to do so. But, again, as something that should feed into the group's report, I think, again, the best way would be to document it to the most appropriate forum.

And we have had very recent discussions in the list that was put together by the secretariat. I wish to thank the secretariat for making that platform available. And also in the list itself there was some very vibrant exchange, I would say, in regard to how to address new challenges related to emerging technologies, technological developments. Again, this is something that is coming very recent in our discussions. So I very cautiously would -- in line with other similar discussions we have -- I would tend to say there would be no consensus in engaging that.

But, as in regard to the other parts, I would seek your views.

So, basically, then, of course, we had those standard concluding parts. But I think those elements in the chair's perspective, in light of everything we have read and said in those plenaries, I think this would be a good representation of the discussions we have had so far.

So this is -- I think this is a very extensive presentation. I would look forward for your comments, for your input, for your reaction in regard to what has been proposed.

And, if accepted, my proposal would be that, without prejudice to further discussing the contributions, particularly, the new inputs that are coming to this meeting, I think it's -- it would be fair to allow an opportunity for those proponents to speak to their proposals. And even things that have been proposed in previous meetings, previous contributions, I would not object to any discussions. I would be in the plenary's hands. But I would certainly suggest that, if this outline could be accepted as our end game, that our work from now on should be more focused, even when we're discussing the contribution, already thinking how this should be reflected and how that would feed into the reports. So this is my contribution, my attempt to help us to move into a modus operandi that might lead us to the success we all want to achieve, at the end of our next meeting to have a report be submitted to CSTD and then to ECOSOC and General Assembly. Thank you.

Are there any comments? Yes, Iran and then Canada.

>>ISLAMIC REPUBLIC OF IRAN: Good morning, everybody. And I would like to thank you, Mr. Benedicto, for your comments and your efforts during the meetings in the past and also present meeting and in the future certainly.

We listened carefully with great interest to your remarks and the outlines that you illustrated now and you're going to send it to us through email. And my evaluation thinks that that would be very appropriate to work on that as a basis in this meeting. And I appreciate your efforts and the support the secretariat has given to you in this regard.

As in the past, I think in this meeting, I'm not going into details, just in response to your comments. As in the past, I think that we can continue our discussions on joint positions -- to identify our joint positions and differences in this meeting. And I'm sure that your comments, initial comments, and also the text that you're going to provide us with, that would help us to focus on that text as a basis in order to make some progress and make some practical steps because we don't want to repeat what we said in the past and we have to save the time. So we can continue to identify those current positions and the differences certainly.

And the second point I would like to make is we have listed some characteristics which are very important, in my view. Still we can work on that and complete it, if needed. And it's very important how to achieve those characteristics in the future so we come to organizational or constitutional frameworks that we have the possibility to establish in the future. This is maybe another issue that we have to touch upon.

And I saw in your outlines the question of working group permanent -- establishing a permanent working group under the Commission on Science and Technology as separate from constitutional framework. Maybe we have to see them in one section because they already are close to each other.

And then we have to, I think, define the mandates of those framework working groups we are going to propose to establish. And some of the paragraphs that you mentioned, like 16, 17, falls in that category, I think, just how to organize your outlines. Maybe it gives us a better picture of what you have in your mind.

And maybe another issue that we have to categorize is the question of recommendations, like recommendation to other international organizations, what they have to do in this regard.

And maybe the last point I'm going to touch upon is the outcome of this process that could be a working group report based on consensus, if we reach consensus, we can -- with the name and the title of "working group report." But if we cannot reach that -- because we have to have some kind of outcome anyway, we can call it chairman's summary or chairman report of this process. That is for the time being my comments. And I thank you again.

>>CHAIR FONSECA: Thank you, Iran.

And just before turning to Canada and the others who have requested the floor, let me just further clarify two things. You have referred to the actual recommendations addressed by international

organizations. One thing I forgot to say, that even in those areas in which the group cannot agree by consensus, clearly state that because at the end of the day we need the group's report, not a chair report. This is very clear from the mandate we have. It is the group's report.

What I propose is that the group report have a consensus part -- in the document there are consensus, and it very honestly says there's no consensus here but this was discussed. And one thing that would be important is to make some way -- to devise some way in which even in those no consensus, we can track and we can reference the proposals that were made so nothing is lost. One of my concerns in this exercise would be not to lose any of the richness of the ideas that were proposed, to make sure that anyone that in the future will look at what we have done can, for example, in this paragraph say, There is no consensus in regard to focus areas, but to have a way to reference those discussions there. I think this is an important point. And it should be not be a chair's report but a group's report.

May I turn to Canada, please.

>>CANADA: Sorry. This is a bit complicated. I have injured my back so I will tend to stand up during most of the meeting. It is not that I try to be intimidating or anything like that.

So, good morning, colleagues. I'm glad to see you all here in such great numbers. I'm certainly looking forward to another fruitful round of discussions.

Chair, I want to thank you for all the effort that you and the secretariat have put in to prepare this document and start us on focusing specifically on our outcome because we are here to prepare a report, a report with recommendations.

At first glance -- and I don't want to be too categorical here. I want to have more time to look at this document and think it through. But just the first -- the first initial remarks that I would have is that for Canada, certainly when we're thinking about this report, we're thinking about consensus recommendations that we would make. It seems very odd to us to have -- to accord the same value to the discussions on consensus item and non-consensus item. And then how would you choose which non-consensus item we talk about?

We focus a lot on this non-consensus item of a mechanism and a new body and as such. But there were other proposals that were made in this regard which did not receive consensus. So should we spend all of our report, you know, making in detail presentation of all the non-consensus discussions we had? To me that just seems -- that just seems like it's a chair's report and not a group report.

I would be fine with having a report that has the recommendations with an annex, the transcripts, for instance, of our meetings where all of the richness of our discussions is there and can be followed up by anybody who is interested, having all of the contributions put in as an annex to a report so that people can see all the contributions that were made and all the ideas that were made. But I think that in Canada's view, it would be important to aim for a consensus report and recommendations that are consensual.

As I said, this is sort of a first initial reaction to it. I don't want to say a yay or nay just right away. Would certainly need more time to see more in detail.

But the structure of, you know, introduction, background, the number of meetings, then the actual substantial recommendations that we had, that would be sort of more along the lines of what we had imagined our report would be. Thank you very much.

>>CHAIR FONSECA: Thank you, Canada.

And I apologize for abusing my position as chair just to make a quick comment. Certainly the idea is not to put -- give the same status to areas of consensus and non-consensus. This is clear. And I think we should be very clear about that in the report. However, one possible example -- we are not forced, of course, to follow any precedence but working at the U.N. sometimes it's unavoidable to use precedence.

So if we look, for example, at the report on Working Group on Internet Governance, which remains, I'd say, as a landmark for many of us, this was the report of the working group, not the chair's report. And it documents views that are not consensus views.

I will read out for you just for information the paragraph second -- second paragraph of this report that says: A background report that includes much of the work produced in the course of the WGIG process is made available separately. It reflects the wide variety of opinions held within the group and reflects many comments made by stakeholders. The background report makes clear whether an argument or opinion is shared by the entire group or only by some of its members. It does not have the same status as the WGIG report but can be used as a reference.

So we see, for example, in this precedent for us in a way that the report of the working group documents and makes clear the areas of consensus that have a status, but the consensus can be tracked so nothing is lost. This would be one of my concern because this is -- I have seen so many -- so much richness in our discussions. I would think if our report were to focus only on areas of 100% consensus, it would not maybe give -- make justice to the discussions we had. This is my proposal to you, and I look forward to other discussions. I thank Canada for raising this.

I have next on my list the U.S. followed by Lea Kaspar and Cuba. U.S., you have the floor.

>>UNITED STATES: Thank you, Chair. And good morning, everyone. First, I'd like to just agree with the secretariat and the chair that I really think it's important that we make good progress this week. It's the fourth meeting, so look forward to working with everybody towards that goal.

I will certainly reserve judgment on the substance of the document that's presented. But just to offer some -- our viewpoints on the structure, I agree that I think that there's been previous conversations where the key elements in this based on the conversations we had is some kind of preambular, text, background/preambular, and high-level characteristics and then the recommendation section. I'm concerned about this notion of in a report listing these non-consensus recommendations for a few reasons. First, I agree with Canadian colleagues, I don't know exactly know how we do this. I mean, is the goal for next few days to negotiate recommendations that we know won't achieve consensus but we

want to discuss and negotiate those to some point? At the forefront -- at the outstart, we can't agree to. So it makes it very complicated.

And then is there a notion that some recommendations that can achieve consensus will be dropped and that we'll include some but not all? And then how do we determine that? I think there's some real questions here that I don't understand procedurally how we get there. I think it's better to focus on consensus. What are areas we can achieve consensus? Let's work towards that like we usually do in discussions and then deal with the other things if we get to a point where we don't have consensus.

But, second, I also have a concern that it somewhat favors proposals coming into this meeting that we're never going to achieve consensus. Certainly, we could have taken a track where we submitted proposals that we feel strongly about, we know that other participants in this group would never agree to. In our original proposal, we tried to put forth recommendations that we thought could have consensus. Now, if there's also going to be this where we list other things, then there might be other proposals out there that the majority -- many people in this room, participants in this room, would feel strongly about but then others wouldn't. So it kind of changes the dynamic and changes where we have been working up until this point.

So I'll leave it there now. But I just think those are two of the issues both procedurally how we do this and then also does this favor proposals that would have never gained consensus instead of those proposals that were presented with the specific goal of trying to achieve consensus. Thank you.

>>CHAIR FONSECA: Thank you. Next on my list is Lea Kaspar followed by Cuba and Russian Federation.

>>LEA KASPAR: Thank you, Chair. Good morning, everybody. It's good to be here in Geneva again. And I'd like to use this opportunity to thank the colleagues who have been making contributions and making both on the online platform and sending in their recommendations over the last couple of months.

Having read through those in an effort to review and analyze, synthesize, and assess the various proposals, one challenge I had -- and I'm sure that the Chair had in compiling this outline -- was that what often seemed an exercise in comparing apples and oranges, right?

We had some proposals that were very specific and providing very specific recommendations on institutional mechanisms and others that were more broad in their outline.

In thinking about how we overcome that, this reminded me of an exercise that we did back in 2014 together with William Drake in preparation for the NETmundial conference when we were working on a document called "Institutionalizing the Clearinghouse Function in Internet Governance" where in an effort to figure out how we put an institutional solution forward, we realized that we can't really talk about that until we first agree on the function that -- that the clearinghouse would perform.

And looking at where we are in our discussion and what I want to kind of -- what this can be captured in is the principle form follows function. I think that should be the principle that should guide us here in our conversations as well.

And the reason why I'm saying that -- and when I looked at the proposals again, I realized that the difficulty in kind of comparing some of these proposals was due to the fact that it's difficult to discuss form if we don't agree on the function. And we keep coming back to the lack of consensus, I think, on what we mean by "enhanced cooperation" and what enhanced cooperation should be achieving.

However -- and this is the positive part -- is that when you look at all the -- and what I think this exercise has allowed us to do is to tease out these areas of agreement, to tease out the areas that we agree on. And I think you, Chair, have made an excellent effort in doing that through the outline. In fact, a lot of what -- the areas of consensus that I thought the good proposals were reflecting, for instance, the need for greater information sharing, the need for greater coordination among existing mechanisms, the need for greater inclusiveness, that is something that I think most of us in this room will agree on.

And if we focus -- and this is my proposal and kind of endorsement of your approach, I think, because there is a lot that we can take from what -- the work done so far to bring us closer to fulfilling our mandate in moving this discussion forward. If we focus on the areas of convergence, which are, I think, in your paragraphs -- paragraphs 13 to 18, that capture those areas of consensus and then only then move into thinking about how these can be potentially institutionalized. Before going in and agreeing what the functions are, how can we actually talk about what the institutional mechanisms of solutions can be? Without kind of going into that much further, the reason I'm mostly saying that is because I think it might be premature to talk about the various alternatives under your paragraph 13, which kind of go into specific solutions for the function.

However, I think the way forward is to focus on those areas of consensus where we can move forward and then think about, okay, what are the then -- some of the institutional solutions we can offer where we have agreements on function of enhanced cooperation? So thank you very much for making that outline, and I think it's very helpful in terms of our way forward. Thank you.

>>CHAIR FONSECA: Thank you, Lea. I turn now to Cuba and Russian Federation and the U.K.

You have the floor.

>>CUBA: Thank you, Chair. I want to begin by expressing my appreciation to all of you and all of your countries that have expressed solidarity with Cuba for the effects of Hurricane Irma.

And then I will refer to this proposal of the Chair. I want to thank the Chair for this excellent proposal. I want to begin by agreeing with the director of the CSTD. I think it's important we go out of this meeting with the draft report that our delegations can take back to capital and to come back for the next meeting to finalize that report. It's very important. We already had three previous meetings in which several positions have been discussed and presented.

I want to take some time, because maybe I want to say -- I don't want to say old, but one of the most senior delegates here -- that, although we all think that this Internet governance is a very current and trendy and new thing, it's actually it's been in the discussion in the international agenda for quite some

time. I can say this is a new group, but we're discussing an old issue. We have to have the perspective that results in these issues take time.

This year it was signed for the first time it was agreed in a convention for the implementation of nuclear weapons. That has been discussed for more than four decades.

Chemical weapons were discussed for more than three decades. And biology weapons also have been discussed for many years. So it's not strange for us to have in this meeting -- you know, we have to control our expectations. I think it is naive to think in this meeting we were going to solve all the problems of Internet governance. We have to keep this process moving on.

Having said that, this does not mean that we don't have agreement on many things. I think that is the merit of this proposal by the chair that he has identified those places in which we can have quick agreement maybe with some details. I'm asking the delegations here to be flexible. Of course, I'm not asking to renounce to those positions that already in the three previous meetings we already know the positions that are really red-lined for each of our countries, especially in the new mechanism proposals.

So, having said that, the merit of this proposal of the chairman is to really reflect what happened in these previous three meetings. And I think it's not of anyone's interest to renew the discussions here of what already -- we already know the positions of our countries. Of course, after we have a draft, we can take back to the capitals. And maybe we can have a final definition from our seniors back in capital. But I think it's important to work on this.

Having said that, he mentioned the WGIG report. We have two persons who worked on that report, Professor Carlos Afonso and myself. By the way, I was together with the delegate from the United Kingdom, David Hinton in that day, who facilitated the discussion of the place -- of the point where we didn't have consensus. And we did it in a way -- this may answer some other delegates' concerns -- in a way that every opinion was taken into consideration. We just started to merge, merge, merge those opinions until we were left with four different opinions.

Here in the first proposal by the delegate, by the chairman, he's proposing two options. Maybe there can be three. But I think that two -- for the time being, I think that is good. We can work on that.

Having said that, I think that the paragraph, the introductory paragraph chapeau that is in the document is only for us. That will not be in the document. For instance, what is before paragraph 1 that it says "Paragraph that has consensus," that does not need to be in the document. Before paragraph 19, that it says, "Paragraph documenting contribution around which not consensus," we should not say that. We should just go as paragraph 19 says, "In this topic the different opinion was" this, this, this. That could happen in some other issue. If we identify there's some other issue in which there's more than one opinion to be made, we can put it also like that.

Because we -- what we have to do is to reflect the reality of what -- of this discussion. Because this discussion is not going to end here.



I was in the GDE last meeting in June. Unfortunately, in that meeting, we didn't have a final document, although we had consensus in many points because it was only discussed the final one of the topics that was the international law implement -- how it's implemented in the view in cyber security. And that was unfortunate. Because there were many results that was carried down from the three previous meetings.

I think that we should take that in mind and not have that situation here. I think we could make a substantive report. And that means that in some points the opinions are not unanimous. And we just reflect as that. And, in that sense, it's even still a group report because it's reflects the deliberations of this group.

As you all know, this will not be the end of this. This will go to ECOSOC, and then we go UNGA. And then maybe the mandate of this group or a new group will be created, and it will follow on.

I remember, I will repeat. This is a very long process that has taken more than 10 years, and it will take at least more than that in the future. So we don't have to be hasty and try to go into all or nothing situation here, because that will lead us nowhere. We should put very honestly what we have agreed and very honestly say where we have a disagreement. And that's it.

And I will be happy with that. So, Chair, you could count with my collaboration. And also I repeat I helped with the process of this in the WGIG, so I will be happy to help you in the process here.

And, in this sense, what we did in WGIG we created two main groups. We created a group that went very fast with all these things that are agreement, like you say, drafting these paragraphs that are pending. And we created another group for this discussion in which there were not agreement. Maybe that's the way to do here, to work in parallel, to move fast in what we have agreement to do -- to put the text there. Of course, all this is preliminary. Because this actually has to be agreed in the next meeting. But to have some text to take back to our capitals and then in another group to get back to those places where it's not any unanimous agreement and how to reflect it in the document. I insist this is our group report. And you can count with our collaboration with this. Thank you.

>>CHAIR FONSECA: Thank you very much. I have quite a long list. For the moment Russian Federation, U.K., Peru, Marilyn Cade, Richard Hill, Parminder, Saudi Arabia, Jimson. I think I have not missed anyone. And Kenya.

Just for organizational aspect of this meeting, we had adopted the agenda that there was a provision of the coffee break 15 minutes ago. Since we have started 20 minutes late, I suggest we could skip that, if you could agree, so we can go on with the discussion. Seeing no objection.

So Russian Federation, please.

>>RUSSIAN FEDERATION: Thank you, Chair. Good morning, everyone. First, we would like to say thank you for our distinguished chair for his work. This is really the big work was done.

Actually, we think that the fourth meeting of enhanced cooperation working group was the critical time for success. So the critical factor of this success is actually the start to work on the text of the report. What we actually were proposed during last meeting and also proposed in the contribution including the structure of the report. Because we think it's extremely important for the success of our work.

And we think that, if we start to discuss the report, we need to start from the structure of it. And we think that what was presented is a good point for a start. But we need also to discuss it on the level of the table of contents. We believe that the structure is extremely important. Because what we propose is introduction, background, and recommendation.

And background is, from our consideration, important to have the scope and focus area of enhanced cooperation; second, format of enhanced cooperation; and, third, high-level characteristic of enhanced cooperation, which we have reached consensus already. And international organizations to be involved in enhanced cooperation, which is important for coming to the recommendations that the recommendation is something which is followed up from the background.

And, regarding proposed recommendations, we said that it's good for the start. We see no problem with alternatives or options proposed, because we believe that it's according to the mandate of the group and according to the formulation of resolution 70/125, that the group can have different views on the issues. So this is the factual reality of the discussions that we have already. So we think it's important to start to work from the beginning from the structure of the report to the table of the contents, and then go further to the background. We think it's absolutely normal to have different options or different views on also background information. Because, as was said, the recommendation was just the follow-up of point of views and the approaches in the background. Thank you.

>>CHAIR FONSECA: Thank you. U.K., you have the floor.

>>UNITED KINGDOM: Thank you. It's really good to be back in the working group again this morning.

Thank you, Chair, for presenting this proposal as we've seen on the screen. Of course, it's the first time we have seen this. And we will need more time to consider it fully.

We're rather surprised to see it in some ways. It's different to the homework you set us at the end of the last meeting. And you also haven't asked us for any inputs on the structure, as far as I'm aware.

And we're also a little surprised at the suggestion that our report should not be a consensus report. Because we have been working very hard to find consensus. We have said from the very beginning that we should take a step-by-step approach. We have come here with proposals which we think could attract consensus.

We have not come here with lots of proposals that we think would not have consensus. We've done that in good faith because we understood that our task was to find consensus. And we hope we can continue with that good faith.

We think consensus is important partly because of the mandates of our group.

It's good to remember why we are here. We are here because the U.N. General Assembly gave us a mandate to produce recommendations.

It's also a question for us about the scope of our group. We have heard a wide range of issues raised here and also raised in some of the email exchanges that we've seen. In our view some of the issues that have been raised are outside of our scope. They're outside of the scope of enhanced cooperation as it's set out in Tunis, outside of international Internet-related public policy. And so we can't support the idea that those issues would find their way into a report if they're not within the scope of our work. And we're a little worried that the document on the screen starts to look as if we are trying to rewrite the WSIS+10 review.

If people want to know about our discussions -- and, of course, they can read that in the contributions. And it's right that all those contributions are available for people to see the different inputs and views. We think we must keep to a consensus report, because that is our mandate. That is the basis on which we have been working.

But, perhaps even more importantly, consensus recommendations will be more effective. This is an important opportunity for us to improve enhanced cooperation processes. If we can agree, consensus recommendations, they will have real impact. They will be effective, and they will have authority. And we will be able to use them so that all stakeholders can improve the way in which we cooperate together. Our proposal for a structure would be much simpler, particularly as we don't have much time.

We would have three sections. The first section would be introduction. The second section would be high-level characteristics. And the third section would be recommendations.

We think we've made a lot of good progress. This is an opportunity to make consensus recommendations which will improve enhanced cooperation. And we would hope that we can continue on that basis. Thank you.

>>CHAIR FONSECA: Thank you, all. I'd like just to offer a few comments just to put in the right perspective the proposal I have made.

First of all, I take a point that at the end of last meeting there was a request for new inputs. And we would work -- would revisit those inputs at this meeting. This would need to take place. There will be opportunity for that.

What I'm trying to do at the beginning of the meeting is already to try to have some reactions from you in regard to what is the -- how to (indiscernible) impact the mandate.

The mandate is to prepare a report. That's what the mandate says. The General Assembly requests the group to ensure the full involvement of all relevant stakeholders to take into account all their diverse views and expertise and request the group to submit a report.

And I fully take the point you make that we have been from the start aiming at recommendations to focus on areas that in the views of the many participants can lead to consensus. Because the

recommendations, as recommendations, my understanding is that they should refer only to consensus recommendations. There will be no meaning split recommendations reflecting different views. This is not the case. And I think we have all been working in good faith in that regard. I don't think it's a question of good faith. I think it's just, in light of all the discussions of all the contributions, working towards consensus, some areas, clearly, at least from what I hear from you, could lead us to concern high-level principles which you have mentioned, which I see all the inputs, the new inputs that are coming. I have read them all. And my proposal seeks to reflect on these new inputs.

So I see high-level principles, for example, referred in all inputs as area for consensus. But, unfortunately, in some other areas, there's not such a consensus.

So my proposal, on the basis of what has been done before, is to -- not to say that you got no consensus as you can make any recommendation. The group cannot make a recommendation with regard to areas where there's no consensus. But the group could document those areas and make sure that the contributions refer to non-consensus areas can be referenced somewhere.

The WGIG report took this approach of preparing a background report. We could take the same approach. Or we could, for example, reference to the compilation documents we have, to the transcripts of sessions. There would be ways of doing it. So that would address the full amount of the -- the -- all the contributions we put -- without being selective. I think it's important.

I took the point made by Canada and others, we're not being selective about the areas of non-consensus. I have -- and this is my own responsibility. In the light of the whole amount of contributions, for me some categories of contributions, even if there are no consensus, there is clearly a pattern that, in regard to two or three cases, for example, institutional framework, it was a very strong area in regard to focus areas of work, priority areas.

So I'm not sure if it would be appropriate to do it or just refer that other issues were addressed and there was no consensus referred directly to. But, anyway, it was not out of the scope of the group since we were mandated to make sure there would be diverse views and extensive discussions on topics to make reference to areas in which there was no consensus but make it clear we would not get the same start because this would be no recommendations to those areas. But there would be a way to track those areas so nothing would be lost.

I think this was done previously in other cases. And I -- my suggestion is that we could try to do it likewise here.

And, basically, the outline that was proposed with introduction, with the background and recommendations, I think this would be the core of the report.

Any other thing would not have the same status. But I think that would be the way to document discussions.

May I turn to -- and, of course, after this first round, all of you who have intervened would be -- I'd be more than glad to have any further reactions.

But let me turn to Peru followed by Marilyn Cade and Richard Hill.

Peru, you have the floor.

>>PERU: Thank you, Chair. Good morning, everyone. The delegation of Peru wanted to support the statement made by the distinguished representative of Cuba. Thank you very much.

>>CHAIR FONSECA: Thank you. Marilyn Cade.

>>MARILYN CADE: Thank you, Chair. And good morning, all colleagues.

My name is Marilyn Cade. I am one of the five business participants in the working group, just to introduce myself for those who may be here in person for the first time and to say welcome. And, also, I agree with the U.K. that it is, in fact, a real pleasure to be here at our fourth meeting and to focus on achieving the report text that I think we should prioritize achieving in this meeting.

Having said that, I, therefore, plan to buy lots of food for the evening work, Chair. I hope that's a joke.

Let me go on --

[ Laughter ]

Let me go on to the substance of my comments. I -- I think that the document that you have given us is a really good platform for us. And I want to acknowledge the work of you, the chair, and the work of the secretariat in particular.

I think that we must all recall that in agreeing to chair such a diverse and challenging group, as we are -- and we should acknowledge that -- that we have been very ably led by your work and well-supported by the secretariat. And I know that has been without a lot of resources. So I particularly want to be on the record in thanking you for that and noting that I believe your document should be the basis of our work.

I also want to thank you for the clarification comments that you have been offering after some of us have been speaking because I think it -- while I agree that we should reflect as predominantly as possible those areas where we have consensus, I think we have to also acknowledge that we must include in some way the other recommendations that were proposed, even though they have not reached consensus.

I also want to strongly support our colleague Juan Fernando's comment that this, in fact, is not the end. This work will continue. And I think that's really important to remember, that we are on a journey and that journey must be as inclusive as possible.

I really appreciate the fact that we have reached consensus on high-level principles. And I just want to make a comment about inclusiveness speaking as only one person from the business sector. "Inclusiveness" needs to be not just about including all issues that are raised by governments and intergovernmental organizations but also making sure that there is inclusiveness of voices from the

other stakeholders. And I really value that this working group has made a very strong effort to do that, and I hope that we will continue to see that prioritized in the future.

I think it's possible to have a section which shows the consensus recommendations and a section which shows the other recommendations which were discussed but did not rise to that level.

And then, finally, I really appreciate the fact that you as chair and the secretariat have reinforced and all colleagues are reinforcing that this is a report of the working group. Carlos Afonso and Juan were members of the Working Group on Internet Governance. I was not, but I followed its work very closely and depended on its work during the negotiations led by very ably Ambassador David Hinton. I appreciate that reference to Ambassador Hinton as he was instrumental in helping to lead toward the negotiation of the final text in the Tunis Agenda which led us to these paragraphs.

Thank you, Chair.

>>CHAIR FONSECA: Thank you, Marilyn, for your comments.

Richard Hill followed by Parminder and Saudi Arabia.

>>RICHARD HILL: Thank you, Chairman. And thank you for having submitted your document. I think it was very appropriate for you to do so.

I have to say, Marilyn, that for once -- actually I agree with almost everything Marilyn said. That does happen.

And I have to say I find some of the other comments -- I won't pick them out by name, but I found some of them to be totally surreal.

I think it's always been understood that the report should reflect the views and the discussions of the group. And to the extent that the group is unable to agree, we will have something in the report that makes that clear and says, okay, we didn't agree on this, we didn't agree on that.

You know, we've been here a while, most of us. Even if we haven't, it suffices to look at the inputs to understand that there are basically two camps. There is one camp that says everything is fine. Neoliberal markets are working optimally. Little strange things happen like Brexit but let's not worry about that, that's not a big problem. So there's nothing to be done. We don't need any intergovernmental discussion. Governments should keep their hands off the Internet. It's working fine, et cetera. That's a perfectly valid view, and people have cogent arguments to defend that point of view.

And then there is the other camp, well, things aren't really working out. We have the risk of massive unemployment. Things like Brexit are not isolated incidents. They are trends that show that something is fundamentally wrong in the global economy and so we have to do something. And then in the camp of the "do something" people, there are some people who are proposing new bodies, new mechanisms, whatever. Other people who say, well, we just need better coordination of all the existing mechanisms.

And maybe we could even get consensus on that particular point. And then there's other people, including me who say, well, yes, here's some very specific items where clearly we need more work.

So it would do a disservice, in particular the bodies that mandated us to meet, if we didn't reflect basically that that's what people think. They are differing views, and different people have very good reasons for why they are holding their views.

Chairman, your proposal is one way to reflect this reality. It's not the way that I outlined it in the previous meeting -- or it's not exactly the way that I outlined it in the previous meeting. But I do agree with those who have said that this is a basis for consideration regarding how to structure our views.

And I'll just conclude by saying that I have not seen any inputs to this group that are out of the scope of this group. Everything that has been talked about here is within scope. So apparently we're disagreeing about what the scope of the discussion is; and maybe we could have a paragraph about that at the beginning saying, well, some people think the scope was this and other people think the scope was that and there's nothing wrong with that. We are allowed to disagree about the scope. Thank you, Chairman.

>>CHAIR FONSECA: Thank you, Richard, for your comments. I will give the floor now to Parminder followed by Saudi Arabia and Jimson.

>>PARMINDER SINGH: Thank you, Chair. And good morning to everybody. And welcome back. I thank the chair for putting in a lot of hard work. A lot of important consideration seems to have gone into the document which he has put up to the room. And I will not go into the substance of it right now, but it's worthy of discussion which I look forward to do.

Also, I think we have got into a very good discussion about how to go forward. And I would at this time respond to some comments made (indiscernible), supported by U.S. and others about how do we choose among issues which may not be non-consensual, whether they go into the report or not. And it has been said that in that case, there would be candidates of things which are non-consensual and it's impossible to determine which go in and which goes out.

I would propose there is another test to do that easier because we are here to not only make correct observations but also relevant ones. There are a lot of things which are very correct but not relevant; and there are things which are very, very relevant but there may be issues around consensus around them.

We need to go back to what is most relevant to this group, what brought this group into effect, which is a certain kind of difference on institutional mechanisms. And these differences go back not only to Tunis but before the Tunis to the WGIG itself, the W-G-I-G WGIG.

And it was known that there is an issue whether we use new institutional mechanisms and, if so, what kinds and others who think we don't. So that's the most relevant part of the group's job. To say that policy making should be inclusive is not a discovery. I would be most embarrassed to say we are making here or whether it should be transparent. They are important things to observe; but that's not our core

mandate, to tell the world how policy making should be. It is our political (indiscernible) which have been in work for centuries which, again, we can use them. So there is a difference between correct things and among them what are more relevant.

In that context, we need to address the issue which is most relevant. If we are not able to fully get consensus on, to see what degree of consensus and what closer of views we have made around it. This is the criteria of making choices on what should be inside, even if the consensus is not absolute. And that is a single matter of a huge amount of demand in a big part of the world that we need some institutional revolution in the area of Internet governance. That's what the group is about. And we cannot agree on consensus elements of the transparencies important to policy making: Policy should be evidence-based, and people should all be good and happy with each other. These are not the real element of what we are sitting here to deal with.

Having said that, when the chair responded that we are trying to address both what has met consensus and what has not, we cannot just do it as a background report because background report like, again, WGIG did, there was a main report, and the four boxes were part of the main report. And then there was a background report. So the more relevant parts -- and that was the vision of those people who said that, though, there is no consensus on institutional mechanism, it is so relevant that it is in the main report as a set of different options. Then rest of it went into the background report. So there is not only two categories here, there are three categories. One is relevant and consensual. Second, highly relevant central to the group's mandate but there is not a clear consensus. Both of them we are trying to put in the report because that is the main mandate. And then there would be a lot of other elements which chair rightly observed should not be lost track of which goes into a background report.

So I think that's the logic we should follow. And the reason institutional mechanisms should be in the report is because that's the core mandate of this group. Thank you.

>>CHAIR FONSECA: Thank you, Parminder.

May I just comment that since our first meeting, we have had this discussion of what should be out of scope, in scope, what would be the mandate of the group. And as has been said by Richard Hill, I understand the idea of these two camps. This was very clear. And for some of you, this, indeed is -- including for you as you have just said, this is the main -- should be the main focus of our work. Others do not agree with that. So, again, that would lead us to the same discussion.

But this is the reason why I have proposed one paragraph inside the report, explicitly stating there is no consensus in that regard. But taking the same approach we had in WGIG, recognize particular importance of that topic, to document the discussion.

We think this is important without prejudice to referring to some kind of background report the whole amount of information there. But this was one of the particular topics I thought should deserve one paragraph, not with the same status of recommendations.



My opinion is that recommendations we should reserve that expression for those recommendations that achieve consensus and may be very clear. So in my opinion, in case there are some proposals that are not consensus, they should not be the nominated recommendations. There should not be split recommendations because I think this would go against the -- what was given to us as a mandate.

But I think it would be fair to recognize those consensus areas that would lead to recommendation but also recognize some non-consensus areas and document it appropriately and refer to a background document. I think that might be some kind of compromise and I would say in my perspective a good way to document the discussions. In a very honest fashion, we are not doing anything different than what was done before. We are not inventing the wheel. We are just trying to reflect appropriately on paper what took place in the room and in the contributions. We will refer to that later on.

Let me then -- next on my list I have Saudi Arabia followed by Jimson, Kenya, Australia, India, and Belarus. And Timea, yes.

I think after this first round, I will come up with some more instructive comments and propose a way forward for our work.

So, Saudi Arabia, please, you have the floor, sir.

>>SAUDI ARABIA: Yes, thank you, Chairman. And good morning, colleagues. It's good to see some friends back here in the room and in good shape. We look forward to a fruitful meeting.

I have been looking at the proposal structure. I mean, quickly, we can have some comment on it, as it was mentioned by previous colleague that we should focus on the core mandate of the Enhanced Cooperation Working Group governed by UNGA. So we have three paragraphs specified in the Resolution 70/125, 69, 70, and 71 of Tunis Agenda. These are the main elements and core business of enhanced cooperation and where our recommendation should focus or try to solve the issues that we have ten years ago. Others are features of our enhanced cooperation work, like capacity-building and those issues. But for this, I think this can be within the structure you have proposed. Maybe it's a matter of moving issues up and down or we can in the structure say these are features of this and this is the main core business of enhanced cooperation. And we look forward to working in this -- I mean, in this path.

On the issue of options and consensus and non-consensus, we have the WGIG report. And I don't remember that there was consensus or non-consensus (indiscernible) in that report. It was issues. Views were reflected. And in the institution, we said we have a different model. We did not say we have met consensus or we did not meet consensus. But it's a matter of models or view of implementation for further work.

As we know, our work will be submitted to CSTD, then to UNGA, for further action. So we should not explicitly withdraw issues from the beginning. Let's put everything in one document. I would prefer to only have one document that reflect the work of our five or six meetings and send it in one document to UNGA. Thank you, Mr. Chairman.

>>CHAIR FONSECA: Thank you. Jimson, followed by Kenya and Australia.

>>JIMSON OLUFUYE: Thank you very much, Distinguished Chair, colleagues. Good morning. Is it afternoon? Okay, still morning. My name is Jimson Olufuye. I'm chair of the Africa CT alliance, one of the business delegates here just for the benefit of those who are with us for the first time during this meeting.

I'd like to thank the chair for this great draft document, the structure -- the draft structure for the report, and also the secretariat for their support particularly with regard to the intersessional platform they provided. I think a lot of work went to bring it, and that's commendable.

The structure the chair proposes is quite apt. In fact, it is in consonance with the business approach to high-level reporting way, the way you have the executive summary, the introduction, and then the key substance.

Listening to comment by colleagues in respect to focusing just mainly on consensus recommendations and view, I think other views proposed are quite relevant in their strength. But I think a compromise would be that the executive summary could really focus exclusively on this recommendation to have consensus so that at a high level, anyone who picks the document can really get the key substance of our discussion.

So the consensus recommendation will flow in the executive summary, which has been proposed to be fixed afterwards. Then light reference can be made to other recommendations that did not get the consensus. So that is just proposing that the executive summary will carry the key substance of the mandate of this meeting, and then we can still follow the structure the chair recommended. Thank you very much.

>>CHAIR FONSECA: Thank you, Jimson. I will now turn to Kenya followed by Australia and India.

>>REPUBLIC OF KENYA: Thank you, Mr. Chairman. And good afternoon, colleagues, who are in this room. I think the benefit of taking after very many people have spoken is you measure what you have to say, so I will try to do that.

But in measuring what I have to say, I have to agree that many of the speakers, they have raised the issues as we have been discussing since this process started.

I remember I have attended almost all the meetings since last year or so when this process started. I was, I think, naive at the beginning. But I have become, I think, wiser. By the end of the day, I might be even really wise.

I want to model exactly with what she said and also what Jimson has said, as I said, with other speakers earlier.

My point of view is that the four paragraphs that we give as the mandate on the business we are discussing, enhanced cooperation, I think those paragraphs in themselves acknowledge a lacuna

somewhere in the area of cooperation with regard to international public policy in the area of Internet governance. And at no one time should anything think that we are just talking. We are supposed to solve our problem. That is the problem with the General Assembly. They want this group to come up with recommendations. If we discuss for two years or even more, then we don't come out with a solution that solves what we were meant to, it will be a disservice to ourselves and to our various constituencies.

In saying so, I also wanted to underscore the fact that so many good things have been discussed from the beginning of this process.

I know we have looked at characteristics of enhanced cooperation. And I think some consensus has been reached on a number of characteristics. I think we have discussed what enhanced cooperation is supposed to achieve in some ways or the another. There is consensus on a number of issues in that area. And we also have discussed the fact that the principles, characteristics, or the achievements must be within a certain framework within a mechanism that we'll roll out, we'll manage whatever proposals that we're coming up with. And I think that is where the institutional mechanism is coming. I think with all those kinds of discussions and concerns with differences, I think, the chair, you're on the right path.

The proposal that you have presented to us, in my view, captures the intentions and the discussions of this group.

I also realize that we don't have too much time. So the discussion that we're having should be leading to somewhere. We should be narrowing down to real consensus.

And we may need to define consensus. Because in this diverse group, consensus might be among different groups. Of course, we already have different groups having consensus on different issues.

But, in a distinguished group like this one, I think we can reach a global consensus so that we can all agree on a few things which can move this process forward. I'm sure we might not be able to agree on everything but at least three or four issues that can move the process forward. There are some things we can discuss forever. They're important, but they might not move the process to the next step. And, in this regard, I would encourage or request, if we agree, to make good use of the time we have. I think we're remaining with two and a half days.

I would be of the view that we allow the chair with the support of the secretariat to refine the proposal he has given, bearing in mind the discussion we have had this morning so that, if possible, by end of today, we start working on real text where we need argument or we need to improve with the view of moving toward forward progress.

I know that there's issues that not everybody agrees on. But, as the chair, as they say, you must use your Solomonic wisdom. You don't have to leave a certain section of this group in the cold. As you don't have to take the views of a certain section of this group just as the Gospel truth.

We all need to come out and say we all achieved. We all succeeded. Because I know everybody in this room has a stake on the issue of enhanced cooperation in regard to international policy, on issues of

Internet governance. Nobody has proposed anything really out of the way. The only difference is we don't agree on everything proposed by everybody.

And, lastly, I would be of the view that if we can work out well, we avoid writing a report and telling whoever that gave us the mandate or whoever is telling them that we do not agree on this. The details of our discussion can be captured in a way that will be on record that these issues were discussed. But we must have recommendations that we say this is the way we think this process should go ahead. But we should not conclude by saying that we did not agree on this, we did not agree on this. I thank you. But I really hope the chair will be mandated to keep us a concise summary of a text that we can really start zeroing down on so that, by the end of the two days, we have something to present later. Thank you.

>>CHAIR FONSECA: Thank you, Kenya, very much for your intervention and for your suggestions, which are submitted for consideration to the plenary.

I will now turn to Australia, followed by India, Belarus, and Geneva.

>>AUSTRALIA: Thank you, Chair. The Australian government would like to thank all those who made contributions to the working group so far. At the conclusion of our work, we'd like to take this opportunity as well, Chair, to thank you for your leadership in guiding our discussions to date.

We have come today looking forward to working constructively with you and others here to support efforts to find areas where we can find common ground in our combined efforts to bolster international Internet governance processes. This is the approach we had understood the members of our group were taking from the outset of this process, that is, ultimately, to find common ground, common set of ideas about cooperation, and recommendations we could make for its implementation. I didn't understand until this morning that, in fact, some of us were as equally focused on divergence as we were on convergence. This is unfortunate. Because, if we had understood this earlier, Australia might have contributed other types of recommendations to the process. We've been engaging in good faith focusing on where we have convergence. And I hope today and in the next couple days, we can continue to do so.

However, I do agree that all contributions to this process should be made available in some way. Transparency of the diverse views of this group is an important part of the process we have all committed to. Australia is supportive of transparency and inclusivity in all Internet policy discussions.

I understand fully the explanation provided that you wish to show the diversity of views in our discussion. And I believe there are quite elegant and simple ways of doing this that are standard practice elsewhere in the U.N. system such as annexes.

However, with regard to the main report we produce as a group, that goes to the CSTD and on to ECOSOC and UNGA. I must agree that it is our mandate to produce a report and that it should be based on consensus. Chair, I'd also like to put on record that Australia doesn't see in U.N. processes, generally speaking, shades of consensus. There is either consensus or there's no consensus. We believe we

should focus our efforts in the next two and a half days on where consensus can be achieved. Consensus is important. We are not here to provide a survey of every opinion under the sun on the Internet.

I cannot see how this could be a useful contribution to global Internet policy discussions. I cannot see how this would be a wise use of our time.

In a sense this should be our goal because this is the manner and the only way in which I can see we are sure that what we deliver at the culmination of our efforts is, in fact, useful. Thank you.

>>CHAIR FONSECA: Thank you for your comments. May I offer the floor now to India followed by Belarus. India, you have the floor, madam.

>>INDIA: Thank you, Chair. Very good afternoon to all.

To begin with, I would like to thank the distinguished Chair for putting out this executive summary. We've seen it. Now it's something we would like to examine it in detail and come back later with our remarks. With very preliminary remarks we'd like to make on this, this is very helpful. The fact that the executive summary is here is very helpful to someone like me who only started last meeting. So that we can understand where the discussions are and where we need to go. I totally agree with you, Chair, that there is a need to put forth some kind of outcome document which captures the debate which is taking place in this particular forum. This is a very diverse group of -- it is a multistakeholder group, and there is likely to be divergences in opinions which have been expressed. The cyberspace is an evolving area. We cannot yet reach consensus on every subject that is under discussion here. But we see value in having consensus and reflecting those in the form of recommendations because that is going to help the countries to decide on their policies in future.

But there is equal value -- and let us not discount the value in having defenses which need to be reflected in our report.

Because in any future meeting that we would have -- and we know that we would continue to have these discussions in different formats and different multilateral fora. The divergences, as they are reflected in this report, would help us guide in which direction the meetings need to go and also how far the divergences need to be built up on or need to be narrowed and where the countries are taking their different positions.

So I don't think that we need to totally discount the divergences. And perhaps in this report there needs to be some kind of a paragraph which talks about the different approach. So thank you so much.

>>CHAIR FONSECA: Thank you for your comments. We'll hear now Belarus followed by Tunisia. Belarus.

>>BELARUS: Thank you, Chair. Good morning. Good afternoon. Our colleagues would like to thank the chair for this proposal and the draft report. The document could serve as a good basis for deliberating a tangible and informative outcome, which, in our opinion, should reflect the discussions that took place

here. We understand the concerns about the conclusion of paragraphs or ideas on which we're not able to reach consensus. Indeed, consensus is important. And this is our task here to try to reach it.

However, we support this approach to reflect different views in the outcome document of this group. To avoid this negative connotation in the report, we might think about renaming this subchapter and call it, like, issues that require further consideration,

so to avoid this mentioning that no consensus was reached.

So my suggestion will be to discuss the structure of the report next and then start to discuss substance of the paragraphs that we can already include into the report.

Thank you.

>>CHAIR FONSECA: Thank you. Next on my list is Tunisia followed by Mexico. You have the floor, Timea.

>>TIMEA SUTO: Thank you, Chair. Good morning, everyone. I'm happy to see all of you here again and look forward to a successful meeting.

For those who don't know, I'm speaking as a private sector representative from the International Chamber of Commerce, which forms its input across its membership of companies and associations in 100 countries and expanding in all region and sectors.

I would like to thank the chair and the secretariat for their work in organizing this meeting and setting up the SharePoint for our discussions over the summer period. Thank you also for the opportunity to reflect on our previous submissions and recommendations.

We've had two meetings to present our thoughts and ideas so far. And we have one more meeting ahead to agree on what recommendations we put forward on paper.

I think this meeting is a great opportunity for us to build on previous discussions. We agree with you, Chair, and colleagues who have spoken before, and concur with those who have noted we should prioritize first on what we can all agree to and can take forward as our collective recommendations.

The working group does not have a mandate to take a position on every issue related to the Internet. I wish to reiterate we should avoid being distracted by a wide range of issues outside our scope.

We should focus on the important opportunity given by our mandate to deliver consensus recommendations that can improve enhanced cooperation processes related to international Internet-related public policy. While the WGIG analogies have been made repeatedly, we don't feel the request for the WGIG to prepare the grounds for WGIG negotiation is the same request for the working group on enhanced cooperation to make recommendations.

So, including a summary of our discussions would dilute the value of our consensus recommendations and could prove unwieldy given the number of failures where consensus hasn't been achieved as our colleague from Australia has noted.

The mandate, as we understand it, is to provide a consensus report of recommendations. And a range of diverse views can be appropriately be done included in an annex as, past examples support. Thank you for your attention.

>>CHAIR FONSECA: Thank you. Mexico.

>>MEXICO: Thank you, Chair. And welcome back to Geneva. I join those who stated that this is a work in progress. We should as a group be able to agree on recommendations, whatever they are. All of us know there are areas in which there is no consensus, but there are others in which there is consensus and possibilities to reach consensus in others.

I remember, for example, issues related to capacity-building as one of the areas in which there are things to say and for sure recommendations to make.

For us, the recommendations section should include those in recommendations in which there is agreement. We don't need to put all of them. No reason to include something else without consensus. We should try to make a contribution no matter it's modest.

I'm sure this is an issue which consideration will not be finished at this working group. So we should take advantage of this opportunity and focus our work on delivering the recommendations on the areas we're able to reach consensus. Thank you.

>>CHAIR FONSECA: Thank you, Mexico. I see no one else.

Okay. Iran, you have the floor.

>>ISLAMIC REPUBLIC OF IRAN: I Thank you, Mr. Chairman. And I really enjoyed listening to various views and comments with regard to how to reflect the outcome of this working group. As it reflects -- as a response to those comments or some kind of interaction with regard to that, I would like to say that this working group is on enhanced cooperation.

And we are going to recommend some issues that we have in our mind. We have some joint positions we have in our mind. It's not a decision.

And we know the importance of consensus. I accept or I acknowledge that all delegates and members of this working group said consensus is very important. I also acknowledge it is very important on each part of the report that we are going to make.

But the question is how to present outcome based on consensus. We have to bear in mind that this is not an intergovernmental meeting to make a decision. This is just a working group.

And our task is to report to that intergovernmental working group, so-called, Commission on Science and Technology, to make a decision or, apparently, to report again to ECOSOC for making a decision.

And, secondly, this is not a statement. This is a report. In a statement -- this is the practice in international fora. When there is a statement at the final intergovernmental meeting, in a statement there should be consensus on each wording. And it encompasses the positions of the member states or members of that body. Positions, common positions in that body.

But in that report, a part of that report can be included of the various views which expressed during that meeting. And there will be consensus on how to reflect those various views. So there is consensus also here on how to reflect.

The third question I would like to raise is why we need to have a non-consensus part, as our Canadian colleague termed it. We need it because Internet governance is a process. There is no end in the future for this process. And as it was reflected in Tunis Agenda, we need international cooperation to be enhanced in this regard. So in the future, we need to -- we need further discussions at international level.

Before that, we need to reflect various views in this meeting, although we have not reached consensus on them for further discussion in the future. And the discussion in the future should be built upon these discussions. That's why we stress that we need non-consensus issues part.

As I stressed earlier, we need also consensus on this part as well, non-consensus part, on how to reflect. I agree with these delegations. And I don't have any problem to reflect contributions of various delegates and representatives as annexed as our dear colleague from Canada pointed out. That could also help our colleagues in the future to work on that. Thank you.

>>CHAIR FONSECA: Thank you. I see Richard Hill seeking the floor.

>>RICHARD HILL: Yes. I just wanted to make a quick comment because I believe the (indiscernible) delegate mentioned specifically consensus.

So as I understand it, in the United Nations, "consensus" is defined as lack of formal opposition. And if there is formal opposition, there is lack of consensus, then normally there's a vote, and then the thing comes out saying so many countries voted in favor and so many countries voted against and sometimes they even list the countries.

Now, obviously, I don't think it's appropriate in this forum that we even start to think about voting. I don't think we should do that.

And so I think that if nobody objects to something, then I think it's proper for you, Chair, to rule that that's consensus and we go forward.

On the other hand, as others have pointed out, this is not, as far as I can tell, a decision-making body precisely because we're not going to vote. And so if there's a lack of consensus, that is, disagreement,



then it seems to me the only way forward is to simply capture that and say, okay, there was a discussion of this issue. There was no agreement. Here's some arguments on one side, here's the arguments on the other side. And then the question comes up, which are those differences -- which of those topics on which there is no consensus should appear at a high level in the report, which should appear in an annex and so on. I think that's a very legitimate question. But I think, Chairman, that we face that when we come to it. You have given one proposal for how to do that. Other people might have other ideas. And I think that's something we could discuss. But, again, as I said -- and many other people made the same thing, we know what the genesis is of this group. It was to discuss precisely these things that happen to be on the screen fortuitously right now. That is: Should there be new mechanisms, or should there not be new mechanisms? So I would find it extremely strange if the body -- the main body of the document did not show that there are at least two, if not three, or whatever, views on that particular topic. Thank you, Chairman.

>>CHAIR FONSECA: Thank you, Richard.

Having heard all of you, I would like to make a few comments. First of all, you may be surprised, I'm very happy about the discussion we had because I felt no fundamental contradiction in the various statements. Although there are sometimes conflicting ways on depicting the final outcome, but, first of all, I think all of us agree that the core mandate, the main focus of our work is to develop recommendations and I would say consensus recommendations. I think this is agreed by all of us, that consensus recommendations should be the focus of our group because this would, indeed, allow us to fulfill the mandate.

By the way, since we are taking the WGIG report as some kind of reference -- it's not mandatory on us to use the same approach but, of course, it's an important reference -- I would just like to highlight that although they have not used the expression "consensus" or "non-consensus" recommendations or statements it clearly emerges from the group in some areas there was consensus, in some areas there was not consensus. And they found a way to reflect it.

As Iran just said, they agreed to reflect those areas of agreement or differences in a way that everyone at the end of the day could accept the report. So it was a consensus report containing areas in which the group had consensus and areas in which the group had not consensus, documented in a way everyone could accept it.

I think this from my view would be a similar -- we could take a similar approach.

Just an example, paragraph 13 says that the WGIG -- first of all, the report starts by saying this report was produced by the Working Group on Internet Governance. So it was the report of the group, not of the chair. And it says, for example, in paragraph 13 that the WGIG established four key public policy areas. So they went, I would say, even one step beyond of what our plenary as a whole is prepared to go today, to delineate what were the areas. For example, issues related to infrastructure, management of critical Internet resources, issues related to the use of the Internet, et cetera, et cetera. This was owned by the group as categories they were as a group prepared to say, of course, this is not the case.

Now, if I turn, for example, to paragraph 36, it says that the WGIG recommends -- it is very strong language, "recommends the creation of a new space for dialogue for all stakeholders on an equal footing, on all Internet governance-related issues." So there is language explicitly allowing us to conclude that there was agreement in regard to the alternative scenarios for institutional framework. Paragraph 51. The group was very also transparent and clear in saying they reviewed different organizational models and they put forward four models for consideration. So this was agreed language by the group. It is not a novelty. We would not be doing anything novel here if we take similar approach in areas which there is no consensus.

My proposal when to follow this is that I think even if this group can make -- I take the language proposed by Mexico, a modest contribution in regard, for example, to maybe reaffirming or giving a new look at some ideas that have been floating around in regard to capacity-building, regarding inclusiveness, especially if we are able at the end of the day to provide some more flesh to this concept and to indicate how this could be concretely done in a way that would assist enhanced cooperation effort, I think we should not be refrained from doing it, even though taking the point that for some, I think this was made by -- a point made by Parminder, Saudi Arabia, and others, that this was not the core mandate of the group in their view. It's not the core mandate in their view to do it. It would be to touch on the institutional framework, to elaborate whether we need or not institutional framework.

So for them it's not, let's say, something central. But if the group as a whole including those parties can agree that by making some recommendations in regard to capacity-building, to inclusiveness, if we can come forward with high-level principles, that kind of thing, that maybe it's a very modest step in regard to the, let's say, overall ambition of the issues. But it is something that can help to further implement enhanced cooperation. I would say we should not refrain ourselves from doing it.

At the same time, it is very clear -- it was very clear from the discussions we have that for some in the room the main topic would remain unaddressed in a way we could not find consensus. So in respect also for these difference of what should be the main -- I think it would be only fair to document areas that are central for some of us -- and to say very clearly as we have been doing elsewhere in the WGIG. There is no consensus here but there are two different views, and the group agrees on how to reflect that.

So the report would be adopted by the group as a report by consensus, by the group, not by the chair. But it would contain areas in which we have consensus, outcomes. And we have recommendations attached to these consensus areas, and in others we document it in an appropriate way, either by putting it in an annex or having language in the report. We have many examples at the U.N. Some parties said that. That's also an approach we can take. There are many ways we can address this. It's not a difficult thing. I know in the room people that are much more knowledgeable than me doing that kind of work. I think it's just a way to have clarity on whether -- what would be the way we should look.

So that's why I wanted to have that discussion with you at the early stage of our fourth meeting. I think we should certainly revert to that discussion at some point. And I'm not sure we would be able at this point to finalize and to conclude.

Definitely, I have the U.K -- I will offer the U.K. the floor. And after that, what I would propose, unless you want to further engage in this discussion is for the moment to park this. We will, of course, in follow-up to what we had decided last time to want to hear views from those who have made new contributions, new inputs. I think it's fair to allow them the opportunity to refer to that. And we will come back in due time to this discussion on the report, whether we -- the group find its appropriate.

I only, if you allow me, take the point that time is running out. It's very important for us as we speak as the days -- those three days we will be spending here to make -- to have clarity that it would be important for us to get out of this fourth meeting with a clear idea of what would be our final outcome. I will be available to assist you. Maybe we can have some -- it was proposed maybe even to have some smaller groups to discuss it. I would be in the hands of the plenary, if you wish to do so.

I recall that at the beginning of our meeting, our first meeting, we decided in principle to have all discussions in plenary. But in case the group decides, maybe we can break up into smaller groups to try to move ahead in that direction. There would be ways to do that. I would be more than happy if -- and I thank Kenya for making the proposal that I could be given the mandate to further elaborate on this proposal. I think that might be helpful for you to look some more elaborate language in regard to what is being proposed. So there are different ways.

So for the moment, I would, after the U.K., maybe park this discussion for the moment and we'll come back to that in due time.

You have the floor, Paul.

>>UNITED KINGDOM: Thank you, Chair. I think we would agree with you that having had this exchange, perhaps now is the time to park the discussion and allow those who made contributions or who have other points to make to have some time for the rest of today.

But we thought that it would be helpful just to -- for all of us maybe to look again at our mandate. You mentioned the WGIG which was a very different group, with a different time, with a different purpose. We think it would be helpful maybe if all of us could just have a look again at our mandate, which is in paragraph 65 of the WSIS review outcome document where it says, "We accordingly request the chair of CSTD through ECOSOC to establish a working group to develop recommendations on how to further implement enhanced cooperation as envisaged in the Tunis Agenda." We have to take into consideration earlier work. We have to involve all stakeholders. We have to submit our report to CSTD. But our mandate is to develop recommendations on how to further implement enhanced cooperation.

I think a number of others said that the WGIG example is perhaps not helpful. It was a very different report with a different purpose at a different time. So if we can maybe just remind ourselves of what our mandate is in paragraph 65 of that document, it would be helpful as we go forward. Thank you.

>>CHAIR FONSECA: Thank you. Maybe we should also look at the mandate that was given to the WGIG. Because the WGIG report is so wide, I'm not sure they refrained to speak to things that were important, while concentrating on the core mandate, of course.

Again, I would now propose that we should for the moment park that discussion and we come back to this in due time. I will seek an appropriate time to refer to this.

I would like to refer to our last meeting in which you may recall we revisited the contributions that were sent to that meeting. We had very extensive discussions on some categories of recommendations, including those referred to institutional framework. And at the end of the meeting, we agreed on the basis of the discussion to request the proponents themselves to revise their inputs. And some of them did so. So we have a number of new contributions, new inputs that are brought to the attention of the plenary. And I'd like at this moment to offer the opportunity for -- initially for those proponents of new contributions to speak to their contributions. And immediately after that, I'll open the floor for general comments in regard to those ideas that are -- have been floating.

So I see Richard Hill. You have the floor, sir.

>>RICHARD HILL: Thank you, Chairman. Yes, so I went back and revised all of the recommendations that I had prepared. And for convenience of the group, I have labeled them here with a D if they were already discussed and without a D if they were not.

And I have to say, in my opinion, these are all well within the mandate. But I also have to say I learned English from an American, my father. So maybe other people who learned English in other areas of the world or from other native speakers might have a different understanding of the mandate. So I understand if people think some of these are not in scope.

The first point I want to make is some people said my recommendations were not within the scope of Internet governance. So I devoted an initial section here where I outlined what I think is the scope of Internet governance based on the Tunis Agenda and follow-up items for the Tunis Agenda. Then I list all the issues that are actually mentioned in the Tunis Agenda in various paragraphs. And, as you can see as you go through, that's on page 3 of this 40-page document.

So, Chairman, we're going to take up two days just going through my document. No, I'm kidding you. You will see it actually covers everything that I come back on with specific recommendations. Then I have another section on the importance of international policies. And I'm making a point which I think really we all know, even if some people are not really willing to discuss it in this forum, that the Internet is an international phenomenon. Every business, whether they're actively using the Internet or not, knows that because they're subject to competition from competitors somewhere else. And most businesses now are using the Internet.

And so you have to face that. It's an international phenomenon. Now what do we do? Do we try to close it off from the rest of the world and have our own little national or subnational Internet? Or do we accept that it's in everybody's benefit to have a global Internet, which I think is the case. And, if so, the question is are the existing rules okay? And, if the existing rules are not okay, then what should we do? And in which forum should we discuss the new rules? And maybe we need rules not just at the national level but at the international level.

Some people mentioned that discussions should be or are in good faith. And I'd like to ask those people to admit or to explain why certain countries are proposing to discuss in the WTO exactly the things that they refuse to discuss elsewhere. And I'll take a very specific example which is spam. Why is spam being proposed for discussion in the WTO? I don't understand how spam is a trade issue. But I'm happy to hear explanations of that. And I don't understand why there was a refusal to discuss at the same level, policy level spam in the ITU, in particular. Because ITU is not sufficiently multistakeholder, which I agree it's not. But then to do it in WTO, which, in my opinion, anyway, is considerably less multistakeholder. So there's some disconnect here.

People seem to know that some issues do need international discussion, but we don't agree on where to discuss it. But maybe one thing we could find consensus on is there is a need for greater -- I don't know if coordination is the right word, discussion, whatever. There is a need for greater something at the international level for at least some issues.

Then, based on that basic principle, I list the issues where I think greater discussion is needed. And then I list specific forums where I think discussion is needed and in some cases more than one. So I think there's coordination, or whatever you want to call it, needed between two or more bodies to discuss these issues.

And I'm just going to run through the titles. And you will see that in some cases I'm withdrawing previous recommendations. In all cases I've adapted them to take into account comments made, for example, not naming specific countries and things like that. And I'll skip the ones where there's a D because those are ones we already discussed.

And so the first new one that I'd like to introduce on page 9, recommendation 23, I think we all agree on transparency and access to data in order to make evidence-based decisions. And so I would like to invite all stakeholders to consider whether we should have a general provision on price transparency in some future international instrument. And I give an example, ITRs of the ITU. I don't think that is going to be a consensus, but you never know.

Then in section 1, I deal with the fundamental importance of data. And, as you'll see, Chairman, there's a lot of text explaining why I think these recommendations make sense, why they're related to our topic, why it is all about enhanced cooperation. And, obviously, I'm not going to introduce all that text. Numerous references. This is not something that I made up. This is something that I discovered elsewhere then incorporated into my thinking. And, if you keep going eventually, on page 15, you get the actual recommendation, page 13, recommendation 2.

So I'm proposing UNCTAD and UNCITRAL, but it could be anybody else. We need to study the issues related to the economic and social value of data and in particular big data and increasing use of algorithms, including artificial intelligence, to make decisions. And we should have model laws, maybe treaties, on personal data protection, algorithmic transparency, accountability, and artificial intelligence. And I think we need to look at the taxation of robots. And the U.N. Conference on Disarmament should take measures with respect to lethal autonomous systems. Now, again, most people think this is not in

scope. Please go back and look at the first section on scope, where I explain what I think the scope is. And then you'll see, at least according to my thinking, this is in scope.

Then I have a recommendation on takedown and blocking. We all know, or at least some of us in civil society see a disquieting trend to more restrictions on freedom of speech on the Internet, more government saying this is bad stuff, for example, because it favors terrorism or hate speech or whatever. Therefore, it needs to be blocked. I don't think that this is desirable. I think we need to be very clear that freedom of speech must be protected, and there are various ways to do that. And I'm proposing that, actually, you could improve Articles 33 and 34 of the constitution of the ITU which applies to telecommunications to improve freedom of speech. And the ITU constitution can be revisited every four years, so it's somewhat easier to revise than other international instruments. I also think recommendation 4 that UNCITRAL should look into the issue of intermediary liability, because we have very different rules now across the world. In some countries intermediaries are liable for content and others they're not and the conditions in which they're liable differs. And that does create a real problem for companies that have to cope with different regimes in different parts of the world. And it's not always easy to do. So I think we need a study of that issue and partial harmonization.

Then, if you keep going down, you get to page 19. I have a recommendation that we need to study the issues of privacy encryption and also the inappropriate mass surveillance which some states are practicing. And that's really a multi-disciplinary issue, so many organizations have to be involved.

I'll just stress one thing about security, which all of us who were active in the area know about, which is the -- there are now well-understood and fairly well-documented market failures regarding security.

The first one is externality. If my PC here is not secure, then all of you in this room are threatened. Because the buyers -- or whatever it is can jump from my PC to your PC because you're on the same network. You have some protection in your PC, but it's not that good. Trust me. The problem is I don't care about securing my PC, because there's nothing valuable in it. But some of you might have something valuable in it, so my lack of security affects you. Another example is a big company that loses the credit cards of its customers. Okay. That's an inconvenience. And who pays for that? Well, I do as a customer because I have to go off and get a new credit card. Maybe my bank doesn't make me pay directly for the credit card. But I have to spend the time and effort to get the new credit card, and the bank is recovering the cost of issuing new credit cards with its credit card fees, obviously. So the lack of security for the online merchant, let's say, that company that lost credit cards, actually affects me. There's an externality. I pay a price for their lack of security.

The second market failure is asymmetric information. As a consumer, it's extremely difficult for me to know which online merchant has adequate security and which one doesn't. For example, I use Paypal. I'm pretty sure that they're okay. I also use other one not for payments, but I don't know about them. So I have other e-mails I use that are not my regular email. I'm careful about which credit card I give them and so on and so forth.

So it's very difficult for a consumer to know, for example, has he got the right antivirus for his PC or not? There's an information problem there.

This is a standard problem that's been known for ages. We have electrical safety standards. We have car safety standards. We have airline safety standards. We have pharmaceutical safety standards and so on. Because it's understood, as a consumer, you have no way of knowing whether this thing that you bought is safe or not. How do I know it's safe? Look at that. Gee, all these little labels say it's CE, underwriters, et cetera. I know this thing is safe. It's a self-certification mechanism. There's no complicated government control, et cetera. But we need something like that more and more for Internet security, particularly when you think of IoT, which is the next area we wanted to discuss. Because this is a real issue in IoT now. In IoT this is no longer theoretical. It's real. Devices are being shipped that are completely insecure, and then they're being hijacked to make significant attacks on companies and perhaps even political processes for all we know. This is an extremely dangerous trend. And I think we really have to say we have to do something. So I was hoping at least something like this would get a consensus recommendation, even if it's not in my language, but some general acknowledgment that, yes, there is a need for greater cooperation on these things.

I discussed the one on security externalities. So we can now move on. I just wanted to mention a very interesting development in this area.

A private sector entity called Microsoft, which I think everybody has heard of, has proposed -- and, as far as I know is still proposing -- that the time has come to adopt a -- what they call a digital Geneva Convention. It's not well-named, but let's not worry about that -- which, basically -- in which, basically, governments would agree not to do certain things that threaten the security of the Internet in particular, not to stockpile viruses. And also they'd agree to inform companies of any viruses that they become aware of so that corrective measures could be taken. So it's not just crazy Richard Hill having such ideas but also some fairly significant players.

So I support that in recommendation 20 on page 26. I'm saying that we should look into that.

Then I move on still on page 26 to the ethical issues of automation including driverless cars. You know, this is an issue. Driverless cars are coming. And at some point we're going to have to know how that car is going to act when something strange happens. Does it decide to kill the occupants or to privilege the occupants as opposed to killing the person in front of the car or privileging the person in front of the car? Okay. You can just say the market will take care of it, but that's kind of a strange way to do it. I do think we need some thinking at the policy and political level.

First, nationally, of course. And then internationally because all of this stuff is going to be international.

Section 8 I'm dealing with the job destruction and wealth concentration that has arisen in the Internet. If you don't think this is real, just look at the references. This is now extremely well-documented.

And, again, you can think about things like Brexit. I don't want to pick on Brexit. I just use that as an example. There are lots of movements in various countries which are, basically, in my opinion, a consequence of these automation issues. Automation is disruptive. It's creative destruction, and that's fine. But it is destruction. People get displaced and you have to think about it and do something about it. When Uber replaces all the taxi drivers, then you have to think about what you're going to do about

the taxi drivers. You can retrain them or whatever. But you have to think about it. And I think this is something that we need thinking of at the international level.

The next section is about platform dominance. And, if you don't think that platforms are dominant, again, I invite you to read the numerous references. By the way, I keep improving these. There will be a version 8. This is version 7. There will be a version 8 of this paper which has additional references, because there's increasing literature on this topic both in business publications like "The Economist," "New York Times," "Washington Post," whatever, but also scholarly studies now which are documenting this.

So, again, I don't think we have a solution here. I'm just saying we have to think about this. We can't just close our eyes and say we're not seeing concentration; we're not seeing job destruction. Because, if you do that, eventually you're going to get strange results in voting in countries that vote and violence or revolution or whatever in other countries. So we have to think about this.

Next section is on embedded software, rather similar. We have to think about this. More and more, decisions are going to be made based on software that is embedded. And somebody has to know what that does. And, again, just to mention something that's going on elsewhere. In WTO, there are actually proposals that say you can't require looking at the software even if it's used for a critical public process which, I think, kind of a very strange proposal to make. Again, that underscores, chairman, the need for coordination. We have people who, I'm sure, in total good faith are making proposals in certain forums which, even if you look at it from a different point of view from the multistakeholder approach that we're taking, we'd say, well, maybe you don't exactly understand what the consequences are of that proposal. And maybe that proposal should be changed so that you avoid unintended side effects of what you think was a good idea. But, if you look at it from a different point of view, it's not such a good idea.

Section 11 is about ccTLDs and gTLDs. I won't dwell on that. Again, if you don't think this is in scope, I invite you to go back and look at the first section where I explain why it is in scope.

And I think that takes us through all 40 pages in record time, Chairman.

And I wouldn't propose really to have long discussion of any of this. If some people think that one or more of these is likely to reach consensus, then I'm happy to sit down with them and work out alternate language which could meet consensus. And, otherwise, we can just leave it as a set of proposals. If you don't like the word "recommendations," Chairman, I don't have any problem to change the wording "proposals" for "enhanced cooperation that did not meet consensus." And we'll figure out some way to put them in a final report in an annex probably. Thank you, Chairman

>>CHAIR FONSECA: Thank you, Richard. And let me, first of all, express my appreciation for you. You have been responsible in the many compilations of documents for very important, I'd say, comprehensive proposals. Every time I see a proposal for you, I have to spare at least two hours to look into it. There are so many cross references. I wish I had the same knowledge of you after many processes, the organizations involved. But I must confess, every time I have to make some research to



understand what you're -- in some of the areas you touch upon. So I really appreciate your contributions.

As we had discussed before, there's an issue of what is in scope or out of scope. So I don't think it would be fair of us maybe not to disallow anyone to come up with some ideas. Because that's the attempt of the exercise to allow for free flow of ideas, to reflect diversity of views, including what is in scope or out of scope.

I prefer to think that all contributions that are being presented to this plenary are put in good faith in the understanding that they will contribute to the objective of our work that is to further implement enhanced cooperation. So this is the view I take. And particularly in regard to your contribution, I'd like to thank you for that.

And thank you for also for your final comments in regard to the way we can address this. Again, I think those are important issues you have addressed. But it requires, certainly, a lot of discussion on so many of the areas. I would tend to think it would be very difficult for the group to engage in each and every one of those.

But just before -- I see we are rapidly approaching our time for lunch. Just before breaking for lunch I have on my list Nick Ashton Hart, Jimson, U.S. I'll give them the floor in that order when I come back.

But are there any particular comments in regard to the presentation made by Richard? I'd like to hear from you any reactions to what was just stated in regard to -- yeah. Cuba. No? Yes. Any particular reactions? Otherwise, I would suggest we break for lunch. I thank you very much for having accepted my call to skip the coffee break. So I'd like to you allow you to go for lunch. Just before that, I see Jimson requesting the floor who would like to speak before lunch. Because on my list I have Nick, you, and the U.S. But, if you want to make an intervention, please, go ahead.

>>JIMSON OLUFUYE: Yes, thank you, distinguished chair. Just in respect to Richard's intervention, to really agree with what you've said about it. It's really robust. And, in fact, the distinguished representative from Iran said it's a process. So we can see there are lots of area that interest in the work we are doing. So also to commend Richard for the depth of research. Thank you very much.

>>CHAIR FONSECA: So thank you. So we break for lunch. We'll be back at 3:00 p.m. sharp. Thank you.

[Lunch break]

>>CHAIR FONSECA: So good afternoon, everyone. I'd like to welcome you back to the meeting. I hope everyone had a good lunch and also time to reflect on our morning session. I'd like to propose to resume where we left in the morning. We are hearing those proponents that made new inputs to this meeting. We heard from Richard Hill on his proposals. Now, I have on my list Nick Ashton-Hart followed by Jimson. I have the U.S. I'm not sure -- no, okay. So Nick and Jimson.

If any other proponent would like to take the floor at this time, he or she would be invited to do so. Otherwise, then, we would move to hearing the plenary on the contributions we have so far on the table.

So, Nick, I give the floor.

>>NICK ASHTON-HART: Thank you very much, Chair. Welcome back, everyone. I hope everyone had a good lunch.

I will be brief. My proposal as promised was to take into the feedback when the first version was discussed at the last meeting, which was in particular to identify how the proposal related to our mandate in the Tunis Agenda, which you will see reflected.

I won't read it out to you or explain in great depth except to say that the objective here is to deal with the network as a platform for communication beyond the subject of what is communicated.

So in drafting this, I deliberately went about attempting to ensure that this would not limit states' behavior in relation to content according to its national legal framework, or anyone else's actually, but simply would recognize that the Internet is now used for communications and the economy in general. UNCTAD's information economy report suggests -- the 2015 edition suggests that about \$25 trillion a year rely on the Internet as its platform. So it is in everyone's interest to ensure that whatever is done in relation to content at the national level, that it does not disrupt the ability of other non-objectionable or non- -- material that is not subject to a restriction of some kind to continue to flow.

And you may say, well, this is kind of self-evident that people would want to do this. But, in fact, it is rather easy to distort the network's functioning without intending to, depending on how you craft the measures that relate to the content that you wish to address. And, in particular, that communications which are simply transiting a given national network should not inadvertently be disrupted by measures taken to deal with content that is destined for or comes from a given national network.

Aside from anything else, it's actually pretty much impossible to know what is within a communication that is simply transiting your country anyway because it's in packets and must be reassembled upon reception. And, anyway, it's obviously in everyone's interest to see that the network performs optimally from a cost and otherwise standpoint.

So I'm hoping that some version of this will be something that we can collectively come to consensus on recommending. Thanks very much.

>>CHAIR FONSECA: Thank you. Thank you, Nick, for your presentation. Let me just in relation to what you have said to comment that I had noticed in a number of contributions the same concern, and I think this was also part of the discussion we had when discussing high-level principles.

I'd like to draw your attention to what is stated in paragraph 12 from the -- maybe we can have it on screen.

The very last item I have conveyed to the group as part of the discussions we had was the need to maintain and grow a global Internet. And maybe the idea should be further improved and, of course, refined. But I tried to bring on board that idea that efforts towards enhanced cooperation should take into account the need to maintain and grow a global Internet. But this is something, as I said, should be revisited later on and will be very happy to consider your contribution and others as well. Thank you.

Are there any particular comments in regard to the points and to the presentation made by Nick Ashton-Hart? I see none, so I turn to Jimson. You have the floor, sir.

>>JIMSON OLUFUYE: Thank you very much, Distinguished Chair. Colleagues, ladies and gentlemen, welcome back from lunch.

Well, I want to be (indiscernible) the chair also make a reference to maybe improvements that have been made to earlier proposals. I do not have an entirely new proposal, but improvements have been made over the intersessional.

During the intersessional, I had the privilege of using the platform and also got very wonderful feedback from my proposal from Professor Carlos Afonso. And on the platform, I did note that I fully agree with these improvements.

Well, maybe for the record, I could just quickly go through the improvement I agree with in reference to my earlier proposals, that one the governments on equal footing should increase their active and sustained participation in the work of the Government Advisory Committee of the Internet Corporation for Assigned Names and Numbers in the management of the critical Internet resources under the purview of that corporation.

And, number two, that on as-need basis, government, business, civil society, technical and academic community should evolve and engage on processes of inclusive cooperation on diverse global public policy matters pertaining to the Internet.

Three, that efforts be made by government to increase awareness of diverse global public policy matters pertaining to the Internet, especially in the developing and least developed nations through existing intergovernmental mechanisms.

Four, that all countries including developing and least developed are encouraged to evolve national multistakeholder mechanisms to address current and emerging regulatory and policy issues pertinent to the Internet.

And, five, recognizing capacity gap in addressing Internet public policy matters in developing and least developed countries, appropriate support mechanisms should be enabled to bridge the gap.

And, finally, six, that the CSTD in line with this mandate -- the mandate reference that has been provided -- and is that the commission was established to provide the General Assembly and ECOSOC with high-level advice on relevant issues through analysis and appropriate policy recommendations or

options in order to enable those organs to guide the future work of the United Nations, develop common policies and agree on appropriate actions.

So that the CSTD align with this mandate conveys a yearly forum where all governments on equal footing can discuss and provide recommendations on public policy matters pertaining to the Internet with the participation of the business community, the technical community, the civil society, and the academic community.

Where in the course of interaction, I could say that I, indeed, favor within the framework of CSTD existing work, working mechanism that during the five-day period, we call maybe one day or two or as it pleases the members, a portion period for discussion on enhanced cooperation. Of course, I do underscore the fact that business and all stakeholders have opportunity to contribute during CSTD meetings.

The other possible option is to have maybe two strategies, apart from the five-day period that CSTD do meet, have two days whereby we could discuss the issue of enhanced cooperation.

So as mentioned in the mandate, this falls within an existing mechanism. It's not a new mechanism; it's an existing mechanism. And that would enable us to consider many emerging technology issues from the scope of enhanced cooperation.

Distinguished Chair, ladies and gentlemen, that is the improvement. Thank you.

>>CHAIR FONSECA: Thank you. Thank you, Jimson, for this presentation. I should say that I reviewed all the new inputs and the old inputs to the meeting when preparing that outline I earlier proposed to you. And I took on board some of the ideas coming from the various papers.

I would maybe just for clarity, for transparency, Jimson, to comment that I found your suggestions very good. However, for example, in regard to increasing participation, government participation, in the GAC, I found that a category of kind of recommendation addressed to bodies that were considered by many in the room that were outside of our immediate purview, just like, for example, some of Richard Hill's proposal, so I refrained from putting that -- to take on board that suggestion.

And in regard to developing national multistakeholder mechanisms, which I think is a very good proposal, but I was just looking at one of the high-level principles that is that enhanced cooperation should be international, I thought there might be some contradiction here. Of course, it's up to the plenary to decide whether there's a way to reconcile the notion that enhanced cooperation would be international with the call for developing national multistakeholder mechanism, that might be a way. But I just -- just to -- not to put for you a document that might seem contradictory in itself, I refrained from doing it.

But as you have seen in my overall proposal, I thought that the idea of proposing that within CSTD a special focused discussion should be promoted annually, I thought that was a very good proposal because, personally speaking, I think it avoids the situation in which we discuss enhanced cooperation over a period of two years and then we stop everything and we just come back to this a number of years

later. So that would enable some kind of sustained discussion. One discussion that could evolve may be to be a very ambitious plan, but maybe in the future to have a multiyear plan in which we discuss every year one aspect. There might be a way to provide some continuing for that kind of discussion. So I really appreciate and commend you for those proposals.

Are there any particular comments in regard to the aspects mentioned in Jimson just making this -- making very clear that some of the ideas will be revisited when we look again to this outline report I have proposed to you? Carlos Afonso.

>>CARLOS AFONSO: Very quickly, regarding the topic that Jimson mentioned that all countries including developing and least developed countries are encouraged to evolve national multistakeholder mechanisms, I would perhaps add to this paragraph, Jimson, saying that this would contribute to their leverage in dealing with the issues in the international context. And in this way, we would make a bridge to our report or something like this. Thank you.

>>CHAIR FONSECA: Thank you, Carlos. I think this is a very good suggestion. We have taken notes. We will come back to it in due time.

Next on my list for presentation of their inputs, I have the U.K. and Timea Suto.

U.K., Paul, you have the floor.

>>UNITED KINGDOM: Thank you, Chair. And good afternoon, everybody.

So our contribution starts talking about the high-level characteristics of enhanced cooperation, and I won't repeat those points. We were very pleased to see both at the last meeting and also this morning that there seems to be some consensus around the characteristics and that this has been quite helpful to us as we take the work forward.

Then the contribution talks about the issue of new mechanisms, and we just set out again the position of the U.K, which is we don't see a need for new mechanisms. We think that they would make the current landscape even more complex and difficult to navigate. And we know that there are many international organizations already addressing international Internet-related public policy issues, and we want to be careful not to duplicate or undermine or confuse that work.

But I guess the main part of our contribution is the ten recommendations that we're putting forward. We put forward ten recommendations to the meeting in May. They were very similar to proposals that came from the European Commission. And I think it's fair to say that in May they achieved at least a degree of consensus, if not complete consensus. And, in fact, they echo and reflect ideas that many different members of the group contributed, ideas around inclusivity, around sustainable development, around recognizing the particular needs and challenges faced by developing countries.

So they had some support, but in May there were also a number of comments made, particularly comments on the drafting. And I would like to, again, thank all those colleagues here who made very wise and interesting and useful comments on the drafting. And some comments, for example, that we

should try to make the drafting positive and not negative. Some comments to bring the language more closely aligned to the Tunis Agenda language, that was very helpful, and also in some places to simplify the language just to make it clearer.

So that is what we have tried to do. We've tried to reflect those comments. And they are reflected, I hope, in the slightly amended draft proposals that are in our contribution. So there are 10 recommendations here around, firstly, consultation and engagement, around making factual information and statistics available in an open way, around transparency and inclusiveness, around the participation of stakeholders from developing countries, around getting a balance of stakeholder representatives in multistakeholder forums, around sustainable development and enabling environment for investment, and enabling environment for innovation, around existing work and developing and improving existing international forums. And, finally, a recommendation about how we best build cooperation on emerging topics, issues presented by newly emerging technology.

So those are our 10 recommendations.

I'm not sure, Chair, how you would like to discuss them. We may, for example, go one by one and take comments on each of them and see if there are still any remaining points that need to be taken into account. But I leave that in your hands, Chair. Thank you.

>>CHAIR FONSECA: Thank you, U.K. I thank you for this. As you have said, contribution that seeks to reflect discussions we have had on these topics. You may have noticed that I imported a lot of your language in regard, for example, in one of your alternative examples for institutional framework. Because I understood the points you made in regards to -- in your assessment there's not a need for any new mechanism. That reflects in a way discussions we have had so far. So I took the liberty to insist it was the most recent language on this. I took the language to import into the outline I provided in order to put some more substance to the proposal.

Some of the ideas you have proposed, as you have said, have been discussed here, not only on the basis of initiatives, proposals made by you, also by the European Union and others, participants.

So I would certainly endorse the view you have exposed that these reflect a lot of work that was invested in that regard.

So those are recommendations that are trying to lead us to consensus, which is we have all agreed that the ultimate objective of our work.

So I would -- in regard to what you have asked, I would be in the hands of the plenary either to discuss these recommendations that are very precise recommendations trying to aim at consensus. Or we can, when we revisit the document I have outlined, come back, discuss the document, and try to bring on board these ideas here. So I would be in the hands of the group. I would certainly support, if the group prefers to look at it immediately or to defer it to a later stage in which we're going to look at the report outlined. So I look for your views in that regard. United States. I'm sorry, I had first ISOC, Constance, and then the United States.

>> ISOC: Thank you very much. And good afternoon, everyone. Constance Bommelaer from Internet Society, one of the organizations from the Internet technical community that is participating to this working group.

To react to your questions about how we can take the work forward, I think your recommendation to try to perhaps discuss the recommendations that were put forward and notably those put forward by U.K. may be the best way to move forward.

What I like about this proposal is it seems to offer a good basis for a minimum of consensus within the group.

And, if we manage to go through the list of recommendations that were put forward, perhaps at a second stage we could then add new topics, new recommendations. But definitely starting with the conversation about the ten or eight proposals that were just presented would be a good approach for me. Thank you.

>>CHAIR FONSECA: Thank you. U.S.

>>UNITED STATES: Thank you, Chair.

Yeah, I agree with my colleague from ISOC. I think that it would be a good use of our time at this point in the meeting to perhaps look at the U.K. proposal, which I think has potential to achieve consensus on many or most of their points. I also think that it would be useful to come back, you know, maybe after we go through this and some other contributions, to come back to some of the proposals that perhaps we didn't get to the last meeting.

We never got to the United States' proposal because I think it was kind of -- there's 10 recommendations in there. And I think one or two is controversial so they were kind of thrown into the second category. But I also think there's some things in there about not erecting barriers to entry into organizations, things of that nature, which have had broad support through this whole process. So I think it would be useful to also discuss and potentially include in our report.

So I think for now going through the U.K. proposal would definitely be a good use of our time. And then maybe later revisit some of the other proposals with potential for consensus and see if we can get there on those. Thank you.

>>CHAIR FONSECA: Thank you. Are there any further reactions? Just for clarity as I give the floor to the European Union of what I was proposing, I was proposing there could be two ways either to address those recommendations right now, the 10 recommendations on the U.K. paper. But I also made reference to the discussion we had in the morning on the basis of an outline I proposed of what seemed from the chair, having read all those contributions, those elements that could lead to consensus. So we could park this and discuss it at that stage. Or we could move and discuss the U.K. proposal right now. I think either way, I think it would be helpful for us to -- because that would provide some more input that would help us when we get to a drafting mode to have a sense of what should or should not go into the document. I see two interventions supporting to address the recommendations of the U.K. paper. If

this is the will of the plenary, I'd be most happy to go along. I have on my list European Union followed by Richard Hill.

>>EUROPEAN UNION: Thank you, Mr. Chair. We thank also the U.K. that took the burden to further elaborate on the recommendations that I said were very similar to the ones we made in the previous session. I think this is a good basis also to continue our discussion, because we should go further on with the things that I believe that was a momentum which was built in the previous meeting of building consensus. And we should not lose that. I think that there are positive aspects that can come out if we go and continue to build on this basis rather than trying to see how we are going to record divergent opinions in the document. I think this is not productive.

>>CHAIR FONSECA: Thank you, European Union. Richard Hill.

>>RICHARD HILL: Thank you, Chairman. Well, I think we have to be fair to all of the submissions, as the U.S. correctly pointed out. They had made proposals which were not yet fully discussed, some of which, perhaps with some changes, could reach consensus. I still think some of the ones I made, possibly with some changes, could reach consensus. So I think you outlined the correct way forward. We park this for now. And then I think the logical way to approach this is, as we build up the final report, either based on your outline or some other outline that we'll determine, we can bring these elements in as appropriate and not just these but also other ones that have been proposed by other people. Thank you, Chairman.

>>CHAIR FONSECA: Thank you. Next on my list is Parminder followed by Saudi Arabia and Russian Federation.

>>PARMINDER SINGH: Sorry, Chair. I just wanted a clarification that are we just getting regional proposals read, or are we discussing each of them?

>>CHAIR FONSECA: I offered the opportunity for the proponents of new proposals initially to present their proposals. And I have invited discussion on the proposals.

The first one was Richard Hill who made a presentation. And I recall he made the point that he might -- he would be willing to engage in the discussion on any proposal if anyone else wanted. Otherwise he would be happy to consider it as part of some kind of annex that would be referenced. So I think we dealt, at least in that first round, this way with the proposals coming from Richard. We have heard them from Nick and Jimson. I think we have some, more or less, clear idea on how we're going to deal with the ideas that are contained here. So now we are dealing -- following the same approach dealing with the proposals from the U.K. So, in regard to the U.K., since they have already -- and UK has proposed to discuss the proposals, which is something that they are entitled to do, and there is some support. I'm just feeling the temperature in the room whether we should discuss it now or follow the -- and hear others and then address these in due time. Do I have a follow-up to this?

>>PARMINDER SINGH: Yes. I have a very short comment to make as a follow-up to the U.K. proposal. Would it appropriate to do it now?



>>CHAIR FONSECA: I'd like to hear others. I have Saudi Arabia and Russian Federation. Now we're dealing with the methodology we're going to follow. So I'd like to hear those parties. Saudi Arabia and Russian Federation.

>>SAUDI ARABIA: Thank you, Chairman. Good afternoon, colleagues. I think it's better that every proponent presented their contribution and we'll have a discussion rather than having -- rather than starting the discussion now on a particular contribution. So first let's hear everyone. They present their contribution. Then we have a discussion.

Thank you.

>>CHAIR FONSECA: Russian Federation.

>>RUSSIAN FEDERATION: Thank you, Chair. We also would like to support the approach to each and every contribution. Actually, we have the intention to discuss the proposal made by Richard. But we were a bit lack of time before the lunch. So that's why we couldn't do this, unfortunately. But, if we started to do like this, then it's better to hear everyone and then to discuss. Thank you.

>>CHAIR FONSECA: Thank you.

Canada.

>>CANADA: Thank you very much, Chair. I think my preference would be for us to -- if our goal is to leave here with a draft report, ideally, I think that we need to start looking at areas of consensus. And, certainly from Canada's perspective, there are a number of elements in this particular contribution where I think we could already put that on paper and have that secure.

I also hear the points of view that, indeed, perhaps we need to give a fair chance to everybody to present their contribution.

So, if that's the way we want to go, then I think I could live with that. But, certainly, when we finish presentations of a contribution, our next work should be what are the consensus items. And let's consolidate those and get them secure. And then, if we need to discuss other items, we should move from there. But, obviously, I think if we were to start focusing specifically on the 10 recommendations here, we could probably already have a number of recommendations in our report. And I think that would be very good for the outcome of this working group. Thank you.

>>CHAIR FONSECA: Thank you, Canada, for your wise words. I would suggest -- and, of course, offer the floor for anyone else. But we could then finalize a round of presentations. And then we move to those to discuss those who require further or where there will be interest to engage in further discussion here on particular aspects of the contributions.

So I -- if you can, U.S., yes?

>>UNITED STATES: Thank you, Chair. I think -- one thing that's concerning now is the timing.

I mean, we're at the fourth meeting. We have, I think, one more opportunity after this to meet. I really worry -- and no offense to my friend, Richard Hill. But I think that, if we pursue like this morning where we spend several -- a lot of time talking about discussions, which we're even admittedly unlikely to garner consensus, I don't know what that benefits this group right now.

I think that everybody should be realistic about what we have ability to accomplish and try to focus on the contributions, the recommendations, that really have a chance of getting consensus and withhold a lot of the other ones -- you know, we'll talk about them. But I think right now, understanding the time constraint that we're under and the ability that we need to create, elaborate on, and negotiate a document that we can all take from this meeting and perhaps have time to look at before we're expected to come back and negotiate and agree to text, I think it would be very useful to spend this time on those proposals that broadly have support and are likely to gain consensus and withhold some of the other ones for now. So go through all the recommendations. I think we would do that for two days. And I really don't know where we would be.

The U.K. proposal, just looking at it, I think it's a good one to start with. I'm not saying that other ones we shouldn't do. Let's just start with one, see if there's consensus, and try to start building this document that we've been tasked to create. Thank you.

>>CHAIR FONSECA: Thank you. But, just for clarity of what we are doing, we are listening to those who made new contributions. They are not so many papers that were presented. We heard from Nick who made a contribution, from Jimson, from Richard Hill. We heard from the U.K. I would say that beyond these there are only contributions coming from Carlos Afonso and a joint contribution by Saudi Arabia. So what I'd like, just to close the first round of presentations of proposals, to offer the opportunity for those proponents to briefly present theirs. And immediately we move to discussion on factual text that could lead us to consensus, if you could agree.

Canada, do you want to take the floor again on this? Sorry? Cuba? Yes, please.

>>CUBA: Thank you, Chair. Very briefly. Because, like my colleague before me, I think time is of essence here. I agree with you to finish this round, because you introduced the word "briefly." Because, if we don't do it briefly -- if it was my way of doing it, I think all this should be saved because this was part -- all these contributions in your proposal. What I will do is, going by the topics in the proposal thinking on a draft document, and everybody -- if everybody's contribution is already captured in your proposal, that's the way of doing it. If we do it the other way around, in the end we have to come back to the proposal. And I think that your proposal, as everybody said, is a good starting point. You can ask, if somebody has some proposal or some issue that is not reflected in your proposal or in one of the paragraphs, then do it there. But we have to move through your proposal or through a starting skeleton or whatever. But we have to keep our mind in the end document. And that end document -- I don't want to repeat the story, but everybody knows the difference between perfection and good enough. It has to be good enough. Because this is not the end for Internet governance. This will go on.

>>CHAIR FONSECA: Thank you. I don't see a point prolonging this. I have on my list Timea to present the paper proposed by ICC BASIS. And then I'll just briefly turn to Carlos Afonso and the joint contribution made by Cuba and Russian Federation and others, if someone would like to move immediately, we can move to discussion of actual text.

One thing I was -- and referring to the document I had proposed before, upon discussing actual text, I'd like just to draw the attention that, in that case, I had already tried to capture the idea. And maybe, when we discuss the text, we can even agree that that can be imported into some kind of draft let's say zero report. Not something committed at this point, but I think that can give us more clarity on what we mean. So Richard Hill, please.

>>RICHARD HILL: Yes, I fully support that. Sorry, I apologize. I was not here when Nick introduced his paper. We were at a briefing on the WTO eCommerce agenda.

I had a question of clarification on Nick's paper. Shall we take that later, or shall we take that now? It's a question for clarification.

>>CHAIR FONSECA: Which paper, please?

>>RICHARD HILL: The one presented from Nick, the proposal from Nick.

>>CHAIR FONSECA: I would say let's finalize the first round, then we come back to this because we will have to come back to the U.K. paper. We will come back to any papers that were introduced and we clarify any points. So with your indulgence, can I turn to -- Nick, do you want to make a point before that? No? Okay. Thank you.

Okay, Timea, you have the floor.

>>TIMEA SUTO: Thank you, Chair. Thank you for our opportunity to present our comments and to think about our previous submissions and revise them. I'm happy to present them really quickly. And then as my colleagues have asked to consider their recommendations, I'm happy to go back and discuss the U.K. proposals one by one in an effort to -- as my colleague from Canada has referenced as well, to try and see if we can find some of those recommendations that we can see as early consensus and start working on those areas where we can find consensus.

So on our recommendations, just a few quick words. Firstly, in our recommendations, we echoed what we've said many times before, that from the perspective of the private sector, enhanced cooperation is not a mandate. It's a method of operation and ongoing activity and a culture of cooperation between stakeholders, including relevant organizations, guided by the objective of information sharing, creating more awareness, and where appropriate, coherence in more programs and continuing collaboration.

Well-established processes for enhanced cooperation has been initiated in the past years and continue to be initiated through outreach through and between relevant U.N. agencies and also relevant multistakeholder and technical organizations within and outside the U.N. remit. Such cooperation includes all stakeholders, and all recommendations should aim to improve these methods of

cooperation in a manner that could be applied by different stakeholders across different organizational configurations.

A way to do this would be to start from the characteristics we've agreed on two meetings ago in January and see what recommendations we could make so as to encourage the appropriation and incorporation of those characteristics as working principles in the already-existing enhanced cooperation processes to make them more open, inclusive, transparent, effective, et cetera.

We believe that keeping recommendations at the level of principles gives us the required flexibility for them to be easily picked up and implemented by different stakeholders in different parts of the world facing different challenges.

On this premise, we cannot agree to the creation of a new mechanism or a venue or organization to implement enhanced cooperation, which we believe is already well underway in many different venues.

Creating a new mechanism with a new forum does not add any clarity. Rather, it has the potential to add confusion between it and current mechanisms into whose mandate the establishment of any new mechanism may overlap. Any new mechanism will add costs not only to the need to provide a secretariat but to members from whatever stakeholder group who need to participate. And additional cost will be incurred with the need to work between with any new mechanisms and existing agencies.

At the same time, new mechanisms raises the question of expertise. There has been an array of topics raised in previous meetings that touch on Internet-related international public policy matters. But the question is: Would the issue experts come to the Internet experts or vice versa? So before we are going into discussing these recommendations, I would like to propose that we take a step back and look at the bigger picture frame within which our work is being developed and see which are our global goals. And I believe that the 2030 agenda for sustainable development is the current context for which the working group should keep in view.

The 2030 agenda does not set a goal for Internet policy but rather notes in Resolution 70 -- or Article 15, "the spread of information and communication, technology, and global interconnectedness has great potential to accelerate human progress, to bridge the digital divide, and to develop knowledge societies."

So much work is now going on across many agencies in existing fora to link or at least consider how Internet and ICT policy issue discussions relate to reaching the important national and local goals through meaningful Internet connectivity. These goals on health, education, water, resource management, partnership or any others need to be considered.

Agencies and international discussions not typically Internet focused are now grappling with how public policies related to the Internet will impact the way of meeting their global goals by touching human rights, privacy, or security as well as skill development, literacy, or delivery of government services. This context highlights how these issues are transversal and how they've broken well beyond the frame or silo aimed to contain them in the earliest days of development.

These cannot be fit into a mechanism, institution, or process. The enhanced cooperation already underway across these activities should continue to be developed and encouraged so the relevant expertise and input can be shared rather than housed or hoarded.

So our recommendations should continue to support this work and be framed so that we can contribute the collective effort to advance the 2030 agenda and the global goals. And we believe that keeping to the characteristics that we first agreed to and recommendations that would highlight those characteristics is the best way forward. Thank you.

>>CHAIR FONSECA: Thank you, Timea. As we have agreed then, I will not ask for any reaction now. We will wait for the second round of consideration of these new inputs.

I have no further requests for the floor from those proponents of new inputs.

Just for the record, there were new inputs proposed by Carlos Afonso and those who joined contribution by Saudi Arabia, Russian Federation, Pakistan, and Parminder.

As I explained also by Juan from Cuba, these have already -- you have already access and you have, I hope, had opportunity to review. So I understand there is no need for introduction here.

Parminder?

>>PARMINDER SINGH: Thank you, Chair. I would not go through the proposal, which I take that people have read it. I was wondering if Russia would introduce it. But I agree if it's not being introduced -- I just wanted to add two things quickly to it. There are two elements which have not been added to it because it was produced quickly perhaps. And I think -- thought I should put it on record.

One is that we would have liked to mention that it should have -- that institutional mechanism should have a very well-supported research and analysis link attached to it because the knowledge production part is one of the most important part in this area and it should be done within U.N.-based institutional systems. So we would like to add that line to it, that it should have a well-provided research and analysis link.

Secondly, all the proponents do agree that all stakeholders would have a role in that mechanism and how that role has to be structured is also an element which we want to put in the proposal. I have been advocating the OECD model as the manner in which stakeholders could agree. And a lot of people seem to agree to that model among the countries which spoke -- discussed this. But there's no proposal in common right now.

These are the two elements I wanted to put on the table as to be added to the points which have been mentioned because both are separately very important for us. And that's all. Thank you.

>>CHAIR FONSECA: Thank you. Thank you very much for this.

I would now then in line with what we had agreed come back to the recommendations contained in the new contribution documents as necessary. It's not an obligation to discuss each and every

recommendation contained in the documents, of course. I -- on the basis of the discussions we had before, I would assume that we -- and also in light of the discussion we had in the morning -- let me just refer to the discussion we had in the morning because I think it was useful to the extent that we are -- now that we are approaching the end of our work, that we can visualize how we want to address all the contributions, the contributions that -- around which we can achieve consensus.

I think there was -- as per the discussion we had, there is consensus that only those areas of consensus should lead to recommendations. So the recommendations that we are asked to develop will address areas of consensus, and we try to elaborate on this.

On the other hand, as from the chair, on the base of my proposal, I would certainly reaffirm the need to address in the report in the appropriate way, in a way that would be acceptable to everyone, proponents and non-proponents, those areas of dissent and to make the final way to refer to it.

So this would not occupy a lot of space in the report. The WGIG, for example, the approach was to in one paragraph, one single paragraph, to refer to a background document and say that some issues that were not consensus went into the background report, although the WGIG recognized the particular importance around the institutional framework and developed some paragraphs in these. But making it very explicit, there was no judgment on those proposals. There was not -- it was just for the sake of documenting the discussion. So I would suggest this.

That's why in that light, if this can be agreed by the plenary, I think that would help us to address all the proposals coming from the table. When we heard the first set of proposals from Richard Hill -- and I will offer him the floor, of course, to talk to his document -- that my understanding -- and I think maybe the prevailing understanding is that this would fall in the category of important issues that are addressed there but to an extent and with depth that could not be entertained by the group at this point. I would say those are important things that should be in a way captured in a document -- in our documents that could be referenced and accessed but would not make it as part of the consensus of the group of recommendations. So that would be a way to address it.

So with this, I would invite you to consider the recommendations contained in the new document and also in previous documents, as the U.S. has said. Maybe even recommendations contained in previous documents that were not -- we had not time as yet to consider. I think that would be the appropriate time because we'll be looking to language that could wishfully assist us in preparing the report.

And by doing this, I would like to invite you to consider the outline I proposed on the basis of everything that was said and written until now. I tried to import the ideas, the core ideas, the concepts that could make it into the report either in one form or another. So I'd like to test this with you so we can have a better understanding of what should make it to the final report and in which form.

So just if I will follow the order, the same order, in which we have considered the new documents, I would -- I see Richard Hill has requested for the floor. I will offer you the floor again.

And now just for clarity, we are revisiting the new inputs from that perspective of discussion that might be in regard to those contributions.

I have Richard and then I have Parminder and Canada. Yeah, Canada had requested first and then Parminder. But, first, we'll hear Richard Hill.

>>RICHARD HILL: Yes. I support your way forward, Chairman. But I think we really have to be fair to everybody. As everybody recalls, I think we had a subgroup that tried to identify recommendations where we thought there would be consensus, and it turned out there wasn't. But there were many recommendations that were not in that group and that have not yet been introduced or discussed. So I don't think we have time to go through them individually.

On the other hand, I would hope that everybody here would look at all the recommendations and try to identify ones where they think there might be consensus. In the case of the ones I presented, I'm not proposing to run through the document again but the ones that were marked with a D, delta, at the end were modified based on inputs from the group.

So it's conceivable that the revised version would attract more support, even perhaps consensus, as compared to the original version.

So I would really trust my colleagues to take a look and see if there are any of those that you could support, let me know. And then we can get a small group together and try to work out consensus language. A couple people have come up to me and said, yes, I think we can support that. But I'd like to see if some of the people who are rather skeptical about that approach also support that and then we could try to work them out.

I think we should do that for all of them, Chairman, and not single out some particular ones as being deserving long discussions here in plenary and others not. Rather, we should try to identify ones where we think there's sufficient consensus, get the proponent to work with other people to come up with a proposal that could then be quickly approved in plenary.

I still have the question for Nick, but I think you want me to take that later when we come to Nick, right? Yeah, I'll take that later, yeah.

>>CHAIR FONSECA: So I thank you, Richard. I think it's a very constructive proposal. I would then invite comments on the proposal that was made by Nick. But before that, I give the floor to Canada and Parminder. I think you have maybe some more general points.

>>CANADA: Thank you very much, Chair. Yes, indeed, they are more general in nature. As Richard has just mentioned, I do think that we need to give time to the people who had recommendations in Group 2 to make a presentation of these at this time before we launch into discussion of each individual proposal and their merits. I think it would just be fair. And so I would very much support that.

But in terms of after that, once we need to start thinking about our report, I don't recall this morning we had agreed to work on the basis of this draft document. I think that we need to keep in mind what

our mandate is here, in terms of our report is only to produce recommendations. So I would take a blank sheet and then have proponents put forward their recommendations in their word if they think that they have a chance of achieving consensus and then work from that. Because, I mean, I appreciate the work that was done in trying to summarize everybody's recommendations into the draft report. But I'm not sure that they're always completely faithful to what the proponents had intended.

For instance, there are many of the points that were in the U.K. presentation that we heard just now which I think are probably better in the U.K. format than in the summarized form here. Therefore, my proposal would be for us to start with blank sheet possible recommendations and then we put forward the ones that we think are likely to achieve consensus, like that are in the words of the proponents themselves. Thank you very much.

>>CHAIR FONSECA: Thank you, Canada. And I agree with you. If you look at the document I have proposed to you, usually I do not propose text. I'm highlighting topics. For example, I'm saying we need a paragraph on capacity-building, we need a paragraph. So we have to look into actual language. I think by doing exactly what you said, we will have an idea of actual language is the one that is more appropriate to address this.

And, as I said, all the other -- where there is some further language added in my text, it was just to provide context. So everything here is up to -- I would only invite the group to try to have in mind the final goal we have. I have made an attempt offline. But, of course, this is totally subject to your assessment.

I think as we move the discussion of the actual proposals by U.K. and others, we'll achieve exactly what you are saying. I think this is very much in the sense of everyone's mind that we should be doing. So thank you for your comments.

Should we then move to the U.K.? Do you want to take the floor on this? Yes, U.K. followed by Richard Hill and Parminder. >>UNITED KINGDOM: Thank you, Chair. We certainly agree that we need a level playing field and all those who have given contributions to this meeting need an opportunity to present them and discuss them.

But we were just looking at the instructions we were given for this meeting on the CSTD Web site. It says, number one, to reflect on the discussions held during the third meeting and refine and consolidate the proposals; and, number two, to carry out intersessional work to refine the proposals. Well, this is exactly what we have done, as you asked, exactly.

We listened. We made proposals. We got some very useful feedback, and we've made changes and refinements. The proposals got a good degree of consensus but were not fully approved of. We hope now that they can achieve consensus. And I would like an opportunity to go through each of them one by one. I can very briefly explain the changes. I can remind people what comments were made and how we have tried to take account of those comments. And I hope then we will have a solid body of, I hope, 10 recommendations ready to go into our reports. And this will be a great step forward. So I would caution against spending too much time on process, discussing outlines of reports when what we



really need to be doing at this meeting is establishing where the consensus can be found. If others want to discuss their proposals, that's absolutely fine. But I hope this afternoon, the U.K. will have a chance to go through our proposals one by one and explain them and get any further feedback to see whether they reach consensus. Thank you.

>>CHAIR FONSECA: Thank you. This is exactly what I intend to do. If you collectively allow me to move it to that. Because what I'm trying to -- we had a first round of presentations. Now we are having some discussion on the contents. We had a proposal from Richard to discuss his contribution. So unless there are -- and I think following up on Richard Hill, I think it would be appropriate if interested parties to partner with him to try to further develop some ideas to see if, at a later stage, we can revert to the plenary and discuss these and in case their response would make it to the report. And, if I'm interpreting right what you have said. So we have addressed, I think, the contents that was in Richard Hill's proposal. My intention is to move the contents of Nick's proposal, Jimson, and then U.K. And then we'll have plenty of opportunity to discuss from Timea and the joint proposal from Saudi Arabia and others. And so I think we'll cover all the ideas contained in those reports. But to do that I count on you that we should be moving towards that. Otherwise we'll be discussing process indefinitely. Parminder?

>>PARMINDER SINGH: Thank you, Chair. Actually, I, along with Canada, had asked for this general comments before we get into this specific proposals. And my comment was with regard to an observation made by you saying that we accept it as a consensus that only what has been by agreed by consensus will be called a recommendation. I want to speak to that, because I don't think -- I don't agree to that consensus. Because that would -- consensus which the chair said was that we would only accept as recommendations what is consensus.

Now the problem with that is after that Canada already pointed out that the mandate of this group is done in this manner that it would give recommendations. Soon we'll have a situation where people would say we had a consensus only those things which had a consensus will go as recommendations. And the group only has to give recommendations and therefore -- so I need to comment that this is not a consensus right now.

We may say that we have agreed -- we've been talking since the morning is that we should be talking about what would go in the report. And we agreed -- probably there was some agreement that there are issues which are by consensus. And, as the Chair had pointed out, there is a core issue of whether certain mechanisms are needed or not needed. And that particular issue would go in the report. And I do not know how the WGIG handled it. I don't have that copy of it. But there are ways to say these things. On this issue there has been a few views which should be discussed further. This is a recommendation even while we are putting alternate views. And we need this kind of a thing within the report, not in a background paper which will have all kind of things which are not there for disparaging. But that's a different level.

And clear paragraph on institutional mechanisms or not is to be in the report. How we frame it is something we will get into. But I don't want it to be excluded by having said that only consensus is a recommendation and later on saying that only recommendations are supposed to be the mandate of

this group and that paragraph goes. Because that paragraph is central. And to this I must add that a lot of people are saying we are consensus about like things. So they're going to the report. Now let it be made clear, there is no consensus that there would be a report without mentioning clearly a paragraph on institutional mechanisms.

But that's also -- that consensus has not been formed. So I know it's always much easier to defend the status quo by saying that consensus is not for nothing. But in reverse there's no consensus to have a report saying things without saying something in sufficiently elaborate text on the core issue of institutional mechanisms.

Some of us now agree that, if there is a disagreement, that could also be framed in a manner that can positively be put forward, which is fine. We have come half way. That's okay. But to say that that whole portion could disappear and there could still be a report is not acceptable. And there's no consensus that, just by going and saying that things should be transparent, evolutionary, and so and so, that could be a consensus document. So the consensus also operates in reverse. And there's no consensus to make a report without one full paragraph which is elaborate enough on institutional mechanisms. Thank you.

>>CHAIR FONSECA: Parminder, I think the points you made are important, but I think we should at this stage allow for some more discussion on the actual text before us in order to in a later stage to assess what is consensus or not.

Our bottom line is that we need a report, not a chair's report, but a report of the group.

So we are looking at a kind of language that would say the WGEC agreed to that or recommended to that. That's why I think we see some consensus. But, if there is a way that the group finds acceptable to represent areas in which -- that would be fine. As far as the group itself as a whole agrees to represent the issues like that. So it's up to all of us collectively to think about it. I think maybe it's pretty much at this point to say exactly what is there or not. I certainly would encourage to have more intensive discussions on areas which in previous rounds we were rapidly approach consensus. We'll do that on the basis of a few proposals to be discussed yet and on a proposal that were presented at early stages. So I look forward to move to that after listening to Richard.

>>RICHARD HILL: Yes. I think that's a good approach. I just wanted to support what Parminder said and put it perhaps a little bit differently. I think there's some confusion here between the mandate of the group and the structure of the report. This mandate doesn't specifically say we should do a report, but I think everybody understands we should do a report. The report should --

>>CHAIR FONSECA: It says.

>>RICHARD HILL: Sorry? Oh, it says we have to produce a report. Okay. Good. Even if we didn't, we have to produce a report. I'm glad it actually says that. I don't see that the report should contain only recommendations. As you pointed out, the report at a minimum has to say what was our mandate and we met so many times and here are the people who participated in the meeting and, et cetera. The fact

that we have to do produce recommendations, consensus, if possible, does not exclude putting other things in the report. So I think we all understand that nothing is agreed until everything is agreed. So I think we should proceed as you say and see what we can come up with for consensus recommendations with language that captures discussions on which there was not consensus. And then we'll see whether we can all agree with a report or not.

>>CHAIR FONSECA: Russian Federation. And then I'll turn to -- we'll be following up. Yes, Russian Federation.

>>RUSSIAN FEDERATION: Thank you. First we need to support that it should be the group report. This is the way we need to focus our work in order to move forward.

And we think that the table of contents is very important stuff. It is not about only the list of recommendations. It should contain the ground of our discussions of several meetings. And we discussed a lot of things like high-level characteristics. We discussed the format. We discussed the scope and focus area. So this should be -- put an end to the report.

Regarding the list of recommendations, I think we need to be fair to everyone here. We need to treat equally all participants, distinguished delegates, or a country, or multistakeholder participants. We should treat everyone equally. And, if we discuss the recommendation. We need to discuss all the list of recommendations without any prejudice in advance to say this is the candidate for consensus. That's the issue for discussion. We need to discuss each and every how it is presented during our meeting. We really need a chance to present our proposal. In order to do that, I need to say that it's not -- it's a joint proposal. It's a joint contribution. And I bring the brief information about this contribution. However, I see the room for others also to present and to focus what they think is most important. So can you please put the text. As we said before, the first -- the very important point is the proposal itself. So that's why we propose the structure -- draft structure of the report. And let me point that background is very important. Because recommendation 4 for UNGA is probably not understandable. As Cuba said, it's the long lasting process. It's not easy to find solution to everything and, you know, just to put it as one recommendation to UNGA and to be implemented. We understand that it's the long story. And without background, it will not be clear our position. So we put the background. We include the relevant references for Tunis Agenda and the resolutions which we think is critical important for understanding of the enhanced cooperation. And in order to put recommendation, we need to -- it's not the issue in the back room. It contains with the agreed text in the international documents. So we need to step forward from these particular barriers of Tunis Agenda and UNGA resolution of WSIS 10 years imitations -- go further.

So another important point is that enhanced cooperation is the scope thing. And we cannot say that it's easy to be handled by one particular body or one particular institution because we contain a list of issues. So this is the list of issues. And we cannot say that this particular international organization handled all these points like Internet, information security, intellectual property rights. Lots of subjects are containing. And it's not easier that all governments participate in GAC of ICANN and will solve all issues. It is not possible because of the limited mandate of ICANN. So only some parts of the issues can

be solved in one organization. In other parts, other issues can be solved in another organization. It's complicated stuff. That's why we presented it like this. Going further. So another is the high-level characteristic which we more or less agreed. Then that international organizations to be involved or to enhance cooperation, because it's in the Tunis Agenda. It's how the international organizations should be involved. And this is the proposal on different levels of the content and to focus area. What particular organizations can be involved.

And, coming to the recommendations, we see that there is very important point. We are missing the very important element is the (indiscernible) element of this. How all this organization can be working together in order to address cross-cutting issues, as it said in resolution 70/125, in relation to international public policy issue has not been adequately addressed. So we then have recommendations on this particular very important element which is missed. And we see it as a governmental format, which is missed, actually. And we do not really detail on the type of it. We say audit or mechanism or, like chair format, as institutional frameworks also can be called institutional framework.

So it's not so detailed how it will look like. Because it's also their room for understanding. And we believe that this is not so easy to agree in this group right now. That's why we put it like this. So we think that U.N. General Assembly should consider reasonability of establishing a U.N. body or mechanism for intergovernmental format of the continuation of enhanced cooperation in international public policy issues pertaining to the Internet and wide relevant U.N. agency to -- for essential tasks -- are responsible for essential tasks associated with the Internet to create and support an environment that facilitates this development of public policy principles. And, if we go up, you see more than that, more specific ways how this institution can look like or what it could look like. And you see it could be U.N. body -- could be U.N. organization, a community or standing open working group with support from the U.N. secretariat. So there is a number of proposals in here.

And that's -- this board mechanism should establish and develop international norms and public policies with a view to ensure coordination and coherence in cross-cutting Internet-related global issues.

And you see that it should also -- would develop appropriate relationship with relevant existing policy bodies inside and outside U.N. Also technical and non-technical. There is also the third regarding IGF, how it should be positions over IGF. And the idea is that it should be close association with IGF. However, it should be separated from it.

So, well, afterwards you see that, if found appropriate -- can you please scroll it -- to begin with a committee or an open working group, the comparative advantage or advantage of this hosting in appropriate U.N. organization like UNGA, ITU, CSTD should be discussed. So this is the way how we see this solution. And I just welcome other participants of this contribution to add their voice. Thank you.

>>CHAIR FONSECA: Thank you, Russia. And I thought I had gone past that stage of making the presentations, but I was told by the secretariat that you had raised your flag. I apologize for not having seen it. So I want to offer this opportunity for all proponents to make their presentation. That's why I

think -- although we had already engaged in a second round, I think it's only fair that you have this opportunity. Would Saudi Arabia like to complement, please.

>>SAUDI ARABIA: Yes, thank you. As we said in the morning that the contribution was submitted by a number of countries, it's coming out from the core mandate of enhanced cooperation. This is the departure point we should be taking into account when developing such a report or developing a recommendation is to focus on the issues that are united by UNGA and WSIS+10 and in 2003 in Tunis Agenda.

So in short, as was said by Russia, in whatever is going to clear the venue, the institutional framework for government to develop international public policy issues. And we look forward to the discussion. Thank you.

>>CHAIR FONSECA: Thank you. We will -- as we move in the order of the discussion we had in the first round, we just heard about comments on the contents proposal from Richard Hill. We'll hear in regard to the proposal made by Nick, Jimson, U.K., Timea. And then we will revert to your proposal.

We just make clear that we're going to have some substantive discussion on this. We are just moving in the same order we have done for presentations.

But just for information of the plenary, as I have said, I have reviewed all the inputs to this meeting, including this joint contribution. I found it was very important because I think that reflected on the part of the proponents of a new institutional body, let's say state-of-the-art of the discussions and they tried to reflect on the points that were made. I think this may be -- is the most elaborate proposal so far. And that's the reason why I imported many of its elements into my own proposal for an outline document in regard to the alternative scenario, like I had done in regard to the U.K.'s proposal for the call for no institutional body. I did the same in regard to your joint proposal.

But, again, my impression -- and I stand to be corrected -- is that this is an issue that is not to be solved by us here. So I would certainly encourage -- I would not deter, stop any discussion on this if the plenary wished to do so. But it is my responsibility as the chair to say that I don't think it is -- we would be making good use of our time to further discussing this conflict between institutional -- the institutional body or not because we have had extensive discussions. I don't -- well, in my opinion, we'll not be able to bridge the gap.

That's why in my outline in the morning we had gone through this. I tried to propose a way forward in how to document it properly in the report. But we'll revert to this when we discuss the proposal in a few minutes.

May I then without any further -- move to and seek reactions in regard to the proposal that were made by Nick Ashton-Hart in his document. Yes, I see Richard Hill.

>>RICHARD HILL: Yeah. I had a question for clarification. Then depending on the answer, I may or may not come back. So this is the actual recommendation, I believe, which is on page 3. It starts as a

chapeau, "The working group recommends that all stakeholders," blah, blah, blah. And then there are two bullets, "measures within content communication online must not negatively," blah, blah.

And then the question I have through you, Chairman, to Nick is the second bullet which I will read, "Such measures do not apply to or have any impact on any communication which does not originate from and is not destined for a natural legal person under relevant territory or within the jurisdiction of a sovereign a communication is merely transiting through."

So is the implication of this -- I'll give a concrete example because it's always easier to understand concrete examples. Is the implication of this that if a child abuse Web site hosted in, let's say, Belgium is accessed in, let's say, France but it goes through some communication facilities or servers in, let's say, the U.K., then the U.K. legal authorities would not be able to intervene to intercept, block, the child abuse material as it transits in the U.K.? Is that the implication of this proposal, or do I misunderstand it? Thank you.

>>CHAIR FONSECA: May I turn to Nick, if you wish to -- or ready to respond.

>>NICK ASHTON-HART: Thank you, Chair. And thanks for the question, Richard.

The reality is that there is no way for in this hypothetical example the U.K. to know that the communication contains child pornography or any other content because it's simply packets in transit with a header identifying its source and its destination. So unless the U.K. could reassemble all of those packets to know what the content was, it would have no way to know.

I suppose if you wanted to suggest that packets from a given source to a given destination were known to contain content of some kind then you could do something about that. But you would -- that would be an extraordinarily unusual circumstance requiring real-time mutual legal assistance responses and all kinds of infrastructure that does not exist in law enforcement. But in any case, yeah, in point of fact, you can't know what a packet contains unless you can reassemble them all. Thanks.

>>RICHARD HILL: Well, Chairman, I feel the question was not answered. Nick tried to explain why it would be impossible for the authorities in the U.K. to know whether or not the material contained child abuse material. I happen to disagree, but I can discuss that offline with Nick. I can see lots of ways where they could know.

That wasn't my question. Let's not worry about whether it's possible or not. Let's worry about what is the implication of this provision. Is the implication of this provision that you would not be -- the authorities in the U.K. could not intervene, even if they knew, or is that not the intent?

>>CHAIR FONSECA: I'm a bit lost here. I'm not sure if we should -- should -- maybe this should be taken off line. In case there is some conclusion, we would be happy to hear in plenary again. I see some kind of ping-pong, but yes.

So my intent here -- and I think the intent of all of us is to look into those issues through the eyes of -- in what form and what kind of language could make it to the report. So I certainly invite you to look at all the items we are discussing under this lens.

Yes, Richard?

>>RICHARD HILL: Yeah, that's fine. So then I would say that pending further clarification, which I'm happy to do off line, I could not possibly support this proposal because I don't understand it yet, nor its implications. This is definitely to me not a candidate for consensus recommendation, although I have no problem with it being included, referenced in some way, of course.

>>CHAIR FONSECA: Thank you. I would be happy to hear the outcome of the discussion you can have off line on this. So I think we need to -- it would be important for all of us to be -- to the extent we can put anything in the report to be very clear about what we mean. So I think if any further clarification can be given, that would be very much welcomed. And we can certainly revisit it in plenary at a later stage.

Yes, I have U.S. and then Parminder.

U.S.

>>UNITED STATES: Thank you, Chair. I think we would have some concern with this proposal based on a scoping question. And I think that there's this issue with a lot of the proposals into this group where our task from paragraph 65, which I have got a feeling we might be going back to a lot, is to develop recommendations on how to further implement enhanced cooperation, "enhanced cooperation" being about the development of international Internet-related public policy.

This proposal -- and I don't want to get into the merits of the proposal itself -- I think would constitute a public policy which is not, as I understand it, our purpose here. I think this has been discussed, being discussed in other places. And I think that those are the more appropriate places.

I think our task here is to develop recommendation on how those conversations, those discussions are happening and not get into specific public policy debates or issues. Thank you.

>>CHAIR FONSECA: Thank you.

Parminder.

>>PARMINDER SINGH: Thank you, Chair. And I exactly fully support U.S.' point. That's not the purpose of which we are gathered here. It is about how public policies should be developed and not particular kinds of public policies. And I work in this area, and I have hundreds of concerns about what Internet should be at a fundamental level, what the Internet should be, what would be the primary principles which should inform policy on the Internet. This is one of them, which Nick has proposed should be one of the primary principles we should inform policy-making. I have principles on justice, equity which are

fundamental. But I don't think those are -- we can make a testament of all those principles as a part of our report.

>>CHAIR FONSECA: Thank you. Thank you very much.

I would -- as I said before, in case this can be rephrased or further clarified, would be happy to entertain at a later stage.

May I then seek comments in regards to the proposals made by -- contained in Jimson's latest contribution? It is presented by the author, by the proponent, includes a few proposals including the creation of a new home -- or not a new home but a focused discussion at CSTD. It also is about some instructions or recommendation in regard to participation at the GAC and so on and so forth.

So can I invite some comments in that regard? I see Richard Hill. I see Saudi Arabia.

Richard, you have the floor.

>>RICHARD HILL: Yeah. Maybe I'm being optimistic here. But I think that this proposal with some bilateral or multilateral work could be combined into the more comprehensive set of items that appears at the end of the joint proposal from Saudi, Russia, and Parminder because that bit at the end gives a set of scenarios that says, well, you could do this, you could do that. And this is just one more scenario. This is one more, we could do this or we could do that. So I think this proposal could usefully be combined at the end of the Saudi-Russia-Parminder proposal, of course, only if all the proponents agree. If they don't agree, then it would have to be kept separate. Thank you, Chairman.

>>CHAIR FONSECA: Yeah.

>> SAUDI ARABIA: Yes, thank you, Chairman. I think you invited some of the issues relevant to this proposal during the recent round of discussion. I mean, calling that all governments may increase their act of sustained participation in the GAC, which is only deal with numbering and naming of the Internet, there's something different of the mandate that we are looking for, to develop international public policy issues by government, not to participate in an advisory capacity in naming and addressing issues. So the scope here is larger than what our colleague Jimson mentioned.

For issues of discussion, I think we already have a discussion forum. There is IGF we can discuss. And CSTD every where -- every year, every annual session, there is a session to discuss the implementation of WSIS. So forum of discussion already in place.

But what we lack, as you mentioned, is where governments on equal footing develop international public policy issues. So this is the core issue that we are facing in here. Thank you, Chair.

>>CHAIR FONSECA: Thank you, Saudi Arabia. May I recall that this particular proposal regarding to CSTD to provide for yearly discussion at CSTD was something I incorporated in my proposal to you as areas that could lead to consensus, of course, yet to be (indiscernible) because, first of all, it does not -- I think as Saudi Arabia said, it does not create something totally new but it provides some focus for the



discussion. So it provides for this discussion to be taken up on a yearly basis. I fully understand for some of the group, that might be seen as a very modest step when that does not address the core mandate as some have been saying.

But, anyway, it would be added value in regard to what we have now from the perspective of discussion on enhanced cooperation goes on for some time, then fades away, and resurfaces as so. At least it could be a way to keep it on our calendar as something important.

I think for most of us, enhanced cooperation is something that comes up at every year when the General Assembly at the ICT4D repeats the sentence that they are two distinct processes emerging from WSIS IGF, and enhanced cooperation should be pursued separately and then no one does anything about that for the whole year until the next GA.

So the idea here would be to provide some yearly home for discussion. So I think with some discussion, some elaboration, that might, if the group finds, be something that could be entertained, that this is from the chair's perspective something could be maybe entertained.

We -- at this point, we are not deciding, we are not in a drafting mode. We are just collecting views, of course. But I would certainly encourage some further discussion on these elements.

I see a number of plates up. I have the U.K. I have Canada, the U.S., Parminder, and Jimson. So, U.K., you have the floor. And Cuba.

>>UNITED KINGDOM: Thank you, Chair. And thank you to Jimson for bringing forward these ideas and presenting them.

There are many good things here, which we would support. And, in fact, many of the ideas particularly around supporting developing countries, for example, are ones which echo comments and ideas in our own proposals.

We're not convinced about the idea of creating a new session of CSTD. Of course, we already discussed WSIS at CSTD every year. In addition, there are many other forums discussing these issues. Adding yet another forum to us does not seem to be helpful. It actually causes duplication. It's yet another meeting in the already very complicated landscape and complicated diary which would not necessarily bring any clarity.

So we think there are some good ideas here, and we would be happy to look at them. But as we said in our contribution, we're not convinced that we need yet one more additional mechanism as well as all the others that we already have. Thank you.

>>CHAIR FONSECA: Thank you. I have next on my list Canada, followed by U.S. and Parminder.

>>CANADA: Thank you, Chair. Maybe this is more a process question, but I'm hoping that at some point we will be able to go through each of the specific recommendations. Like my U.K. colleague has said, there are some things in there that I would be ready to support as recommendation but there are

other elements that I am not. So is it your intention that we -- as we start looking at areas of consensus that we start taking these point by point? And are we doing this now or are we doing this later?

>>CHAIR FONSECA: Thank you, Canada. We should be doing it now. Actually, I think you're right. We are looking at the paper as a whole. It contains different ideas. So I think it might be appropriate to address each and every one so we can have a very clear understanding of where there is some degree or not of consensus. I fully agree with you.

So I have a few other people who have requested the floor. But in line with that comment by Canada which I fully agree, can I just maybe request Jimson to introduce one by one the proposal so we can have a round of discussion on each proposal. I think that might be helpful for us. Otherwise, we will be going back and forth all the time.

Jimson, please.

>>JIMSON OLUFUYE: Thank you, Chair. Well, like I said before, I'm very comfortable with the improvement made on my recommendations by Carlos. And if the secretariat don't mind, I would like Afonso's submission or improvement to be displayed because I'm fully in support of that improvement. And on the basis of that, the first recommendation is that "Governments on equal footing should increase the active and sustained participation in the work of the Government Advisory Committee of ICANN in the management of the critical Internet resources under the purview of that corporation."

>>CHAIR FONSECA: Thank you. Thank you. In that regard, may I just recall Saudi Arabia has expressed opposition to this for the reasons that were stated. Just for the record, there was one particular reaction to this. Are there any further reactions to that first proposal?

I'm not sure if this expresses support or rejection. I tend to think there is not overall support for that. I may be wrong. I have the U.S., Cuba, Russian Federation, Parminder.

>>UNITED STATES: Thank you, Chair. I believe the work the GAC was discussing at WSIS+10 as an example of enhanced cooperation that's been positive over the years. I think WSIS+10 outcome document referenced a lot of this progress that's been made. I think this is a good recommendation. I don't want to get into line edits. But I think, generally, it's something we can work with in the final report.

>>CHAIR FONSECA: Thank you. Cuba.

>>CUBA: Thank you, Chair. I take an opportunity not only to respond to this proposal but in general for what we're doing here. Because we are almost over the two -- the first day of only three days of work.

And I think we're going backwards.

>>CHAIR FONSECA: Can you make a comment on the proposal? Otherwise we'll be losing time.

>>CUBA: I don't hear you. What?

>>CHAIR FONSECA: Would you speak to that proposal directly? >>CUBA: That concrete proposal. Yes.

That is like saying we should all participate more in the e-commerce activities of UNCTAD. Not many of us are coming here. Okay. That's good. We should be have good health. That is good. But that's not what is asked from us, from our constituency, from our countries, from the people who are waiting for us. And I think that we're delaying. Chairman, if we go in this level of detail, we won't have not even a draft at the end of this meeting and then certainly not in the next. Because we need to have some draft, some skeleton draft. And we are going -- and I'm going to tell you --

>>CHAIR FONSECA: Yes, thank you.

>>CUBA -- briefly, briefly what I think is the core of the matter. The core of the matter is very easy seen. Here now, as Richard said, here now there are two views.

>>CHAIR FONSECA: Juan, let's not do that. Russian Federation, please.

>>CUBA: When can I do it?

>>CHAIR FONSECA: Not now.

>>CUBA: You tell me.

>>CHAIR FONSECA: Yes, I'll tell you. Thank you. Russian Federation, please.

>>RUSSIAN FEDERATION: Yes. Actually, it will be a repetition, but I'm happy to make a comment for this proposal. We cannot support things proposal first because we do not think the governments are only (indiscernible) in the ICANN capacity.

Secondly, we do not see the point of enhanced cooperation inside this. Because it's a critical Internet resources, yes. But what about international public policy issues? We're talking about enhanced cooperation. We don't think it's relevant and do not support it. Thank you.

>>PARMINDER SINGH: Thank you, Chair. I was almost not making a comment on it. But following the two earlier submissions, these kind of things can stand in the larger collage of the conditions. And you'd have less problems if you say we should participating more in WTO's e-commerce as well, which is Internet. And second support Russian's comment. Enhanced cooperation is about public policy. And to say that public policy is meeting in advisory capacity is going at hitting at the heart of political arrangement of this world over centuries. Policy is not advisory. Policy is coercive, is top most strongest element of everything. So you don't make public policies in advisory capacities. You give advice in advisory capacity, which is fine. But they cannot recall public policy. So there is this kind of jam, which is problematic. But these kind of things can still stand in a larger collage. So my comment is not very particular on that particular point.

>>CHAIR FONSECA: Thank you. Canada and then Richard Hill. Canada.

>>CANADA: Thank you very much, Chair. So, on that particular paragraph, I'm a little bit torn. I do think that for enhanced cooperation to work effectively as a mechanism, more participation is necessary. In terms of the particular here where it's focusing specifically on ICANN, my reading of paragraph 69 of the Tunis Agenda is that we're talking about international public policy and not the day-to-day technical operation, which is indeed perhaps more ICANN jurisdiction in this case.

So, if we could take this and make it more about, for enhanced cooperation to be effective in all of the fora where international Internet-related public policy take place, we invite governments to take part in more active discussions or something to that effect. Not just specifically for ICANN, but for all of the other foras where it's taking place. ITU, UNODC, UNESCO, everywhere, WTO, OECD. We've all talked about that. So I would rephrase it so that it's not focusing specifically on the day-to-day activities of Internet governance. Thank you.

>>CHAIR FONSECA: Thank you. I have the last speaker on this to be Richard Hill.

>>RICHARD HILL: It's actually a process question, a suggestion that applies to not just this particular one but to all the ones here and all the ones we're going to look after.

In order to be fair to everybody, chairman, and give everybody adequate time, I would simply suggest that you ask a first question is there any opposition to the exact text on the screen. If anybody raises a flag, then it's not consensus. And I think the proponents can work with other people to improve it. And I would agree with the way forward on this suggested by Canada, but I don't think we should do that here and now. I think the proponents should get together and work that out and come back. Then you go very quickly through all of them and see if any of them are accepted exactly as proposed. That's fine. We have a big win. We go out and we buy some champagne. If that's not the case, the concerned parties should get together and try to work out some text that might fit. Thank you, Chairman.

>>CHAIR FONSECA: Thank you.

I will duly suggest and turn again to Jimson to introduce recommendation number 2.

Just to maybe relate to the work we have been doing elsewhere, in relation to high-level principles, this is one of the high-level principles we have accepted that refers to the deeds of enhanced cooperation have to be responsive to innovation. Maybe this is somewhat addressed in the second paragraph. But I turn to Jimson, please, for your comments or introduction, again.

>>JIMSON OLUFUYE: Thank you, Chair.

Well, I will note that what was said earlier. So I really appreciate input from Canada.

On two, that on need basis, government and business, civil society, technical, and academic community should evolve and engage on processes of inclusive cooperation on diverse group of public policy matters related to the Internet. But, in view of what Canada proposed that time, I see some point of convergence even with this. Thank you.

>>CHAIR FONSECA: Thank you. May I invite comments in that regard? Richard Hill followed by Parminder.

>>RICHARD HILL: Yeah, I could not support this as written. On the other hand, I think it could be turned into something useful just along the lines Jimson just said. But, as written, no.

>>PARMINDER SINGH: Thank you, Chair. This is again an example of it is right, but how does it fit into the whole thing? I'm not against needs-based engagement. Let's say there's a cyberattack of huge proportions in this world. There should be immediately consideration and collaboration. I couldn't say there shouldn't be need-based solutions on public policies. However, agreed to this that on need basis the stakeholders should come together would also mean there is no need for cyber attack standing arrangement. All these negative expressions have this problem that they say more than what is written up there. It becomes difficult to accept it. We are talking about a standing organism. And then comes another point which is on needs basis, this should be done. We're perfectly fine. Because we all know that standing mechanisms can never be sufficient and there can be very new context. And then there should be -- I mean, there is a big humanitarian crisis, there is a new opportunity. And then people should convene a conference like NETmundial. And they should do that and would recommend doing that. It says also there is no need for standing arrangement, which is not acceptable for us. So it hangs there.

>>CHAIR FONSECA: Thank you. Are there any other views in that regard? I tend to see that those are not mutually exclusive options. But I take your view, and it's noted. Russian Federation, please.

>>RUSSIAN FEDERATION: Just to remind me that we have the certain paragraph of the Tunis Agenda, which is 33 -- 35, yeah. 35 -- which has that wording policy authority for Internet-related public policy issue in the sovereign right of states. They have rights and responsibility for international Internet-related public policy issues. So this sentence is the example of it's right and wrong at the same time. Because, yes, they all should come together in the points of need.

However, it should be the room for states for international public policy issues for reactions on this need. And this should be also addressed by our group. And how it is now, we cannot support. Thank you

>>CHAIR FONSECA: Thank you. I assume Jimson has taken on board all the comments. And maybe we can at a later stage come up with some revised version that might be acceptable to everyone. I thank you all for this. Can we turn to recommendation number 5. Number 3. Tried to jump/

>>JIMSON OLUFUYE: Yes. Thank you, Chair. That effort has been made by governments to increase awareness of diverse global public policy matters that lead to the Internet especially in the developing and least developed nations true existing intergovernmental mechanisms.

>>CHAIR FONSECA: Mm-hmm.

>>RICHARD HILL: Again, I think this one could be fixed, but it needs tweaking. Editorial. I think we should stick to the convention of only inviting governments. That's just editorial. I have a problem with

the last bit. Why restrict it through existing intergovernmental mechanisms? There are non-intergovernmental mechanisms that are very useful. Everybody knows I don't like the IGF, but it springs to mind here why would you try to exclude the IGF just because I don't like it? Other people like it, so it should not be excluded. And why just existing? Suppose that there's some new intergovernmental mechanism, then we should do that, too. For example, sorry to hammer it. I think the fact that WTO is now discussing things that were traditionally -- Internet governance is a good example of where there's a new intergovernmental mechanism. So I think it could be fixed, but it needs some work.

>>CANADA: Thank you very much, Chair. Again, thank you to Jimson and Carlos. I agree with Richard that I think this is a good idea. But I would also not restrict it to governments. I think all stakeholders have a role in this respect to increase awareness of these issues.

I also would not restrict it to specific existing fora, not that I would hope that we create a new fora. But who knows what happens in the future. I think that just increasing awareness over all -- and all stakeholders have a role in doing that -- I definitely think that would be a recommendation that we'd be happy to see. Thank you.

>> Very quickly in the Tunis Agenda, the issue of capacity-building is already tackled. It is not the issue that we're missing now. We have paragraph on capacity building --

>>CHAIR FONSECA: Sorry. The paragraph we're looking at now does not address capacity-building. We're focusing on industry.

We are coming back to this. Thank you.

I would say the same as before. I think, on the basis of discussions we have had, maybe we can look again at these topics in revised form. I thank you for this.

Can I ask Jimson for paragraph number 4, recommendation number 4?

>>JIMSON OLUFUYE: Thank you, Chair. That all countries including developing and least developed encouraged to evolve national multistakeholder mechanisms to address current and imagine regulatory and policy issues pertaining to the Internet.

And this will provide necessary linkage to international discourse on the subject matter. That last sentence was the improvement Carlos proposed in early afternoon. Thank you.

>>CHAIR FONSECA: Thank you.

As you have rightly pointed out in a previous round, I myself indicated that I did not incorporate this, although I think it's positive because other parts could be in contradiction with the high-level principle that the enhanced cooperation be international. But I think, with the addition proposed by Carlos Afonso, there would be a link that would maybe make the tweak in that regard. So I -- what I said is that, by developing multistakeholder national mechanisms, individual countries would be best equipped

to participate in international enhanced cooperation efforts, which I think is totally in line with -- and that would be part of our recommendations later on.

Cuba. Yes, please.

>>CUBA: Thank you, Chairman.

No, we cannot accept any in this document that -- any recommendation for internal policy mechanisms. This is international, public policy creation. So non--- (indiscernible) many countries here won't accept that as well.

Recommendation for internal mechanisms for policy making internal of the countries, no, that's outside the scope of this or any U.N. mechanism.

Okay?

Thank you.

>>CHAIR FONSECA: Thank you, Cuba. I think your point is very clear.

I think we should not forget we are dealing with virtual reality, but we're anchored in real reality, political reality. Therefore, some ideas might not get the support that would otherwise be given. It's fully taken on board. I have on my list. United States and then Canada. U.S.

>>UNITED STATES: Thank you, Chair. I was just going to note the U.S. had a contribution similar to this, but I think also was -- you know, sensitive to the point raised by our Cuban colleague. So we'd be happy to take this offline and try to bring back a proposal that threads the needle.

>>CHAIR FONSECA: Thank you. This is very helpful. May I just ask you for -- I have been told by secretariat that for transcription purposes we would kindly ask you every time you take the floor to say your name. So it will be duly reflected in the transcription. So, Canada, you have the floor.

>>CANADA: Thank you, Chair. Chrystiane from Canada.

I understand Cuba's point on this. But, when I see this proposal, I see it more in a capacity-building perspective. How are you going to build up the expertise for international Internet-related discussions if you're not able to do it at home, basically. I am also -- just last week we had the open consultations on over-the-top services on the ITU. And I was just struck by the contribution that we had by Brazil. And how they worked is they really went out and did a full consultation domestically in a number of instances. And then they brought this to the international fora. But it was done through a domestic national process. And to me that so well illustrated how effective enhanced cooperation should be and how this translates to the discussions we're having here today. So I kind of -- I understand what Cuba is saying, but I'm kind of sad that there is not a way that perhaps we can use this in terms of, like I said, a capacity-building perspective. If you cannot build that expertise at home as a stakeholder, it's kind of difficult afterwards to go to an international fora and then expect to have something meaningful and relevant to say because you cannot talk about your own experience. If there was a way for Cuba to help

us rephrase this so that it wouldn't be -- I don't want to say offensive, but so that we could make it work in the capacity-building perspective, I think that would be another good recommendation. Thank you very much, Chair.

>>CHAIR FONSECA: Thank you. I will give the floor to those who have asked. But I maybe prefer not to prolong this discussion. I take on board the offer made by the U.S. to work offline with Cuba and others on this. And, in case there can be some success, they could be reverted to plenary. Thank you, Richard. I see -- thank you, Juan. I think this is a good omen for the rest of our work.

Let's move then to Recommendation Number 5. Jimson.

>>JIMSON OLUFUYE: Thank you. This is Jimson Olufuye. "Recognizing capacity gap in addressing Internet public policy matters in developing in least developed countries, appropriate support mechanisms should be enabled to bridge the gap."

>>CHAIR FONSECA: Thank you. Thank you. May I just -- I would invite comments on these. I see that Richard Hill has asked for the floor.

Just before that, I know we are not focusing on the outline I had proposed to you before. But just to recall that paragraphs 14 through 18, I tried to organize some of the ideas that in my perspective could lead to consensus and this is one of them. So, first of all, I was making a point that we need paragraph 4 in regard to capacity-building, then one that would focus on the need of evidence-based good information sharing to make that possible, and then that could lead to identification gaps allowing to develop appropriate solutions. So that part is exactly what is being targeted here.

I just wanted for the record to say this is an idea I thought could make it to our report. But I'd like to hear views in that regard, starting with Richard Hill. Please.

>>RICHARD HILL: Yeah, Chairman. This probably is going to get sensitive, but I'm saying things that actually other people have said. For sure we have a capacity gap. There is absolutely no question about it. And for sure we have to encourage that to be filled. But we also have other gaps. And in particular, I think as everybody knows in this room, we have a connectivity gap, an access gap. The cost of connectivity in developing and least developed countries in relative terms is much too high. So I don't think we can make a recommendation regarding the capacity gap if we don't tackle some of the other things.

So this could be fixed probably if we put something in, like, recognizing that there are gaps in addressing Internet public policy matters including capacity gaps, lack of accessibility, et cetera. Now, I know some colleagues will say, "Oh, well, accessibility is not enhanced cooperation." Well, I'm sorry it is. Because if you can't get on the Internet, then you can't read the RFCs, then you can't do emails, then you can't access the policy-making mechanism. For example, we do a lot with video conferencing. If you don't have the bandwidth, you can't do the video conferencing and you are locked out. This is not theoretical. This happens all the times in the groups that I work with.



So, again, I think this could be fixed but it has to be much more general and not focusing just on capacity from my point of view. Thank you, Chairman.

>>CHAIR FONSECA: Thank you, Richard.

We are not now in a drafting mode, but I would say that building on what you have said, that maybe if we say recognizing there are gaps, including capacity gap, that could be acceptable. It's just for the thought because I think Jimson on the basis of this discussion will want at some point to come back to this.

Parminder.

>>PARMINDER SINGH: Thank you, Chair. I don't have any particular objection to this phrasing or talking about capacity gaps. But I remember it was U.K. which read out the mandate of this group in the morning. Then I noticed that word "implement." The mandate was and is to further implement enhanced cooperation. And the wording "implement" in English given to us by the great nation of U.K. is implement and implement is not to tell people what to do but how to do it. Now, we are talking all those things which are written in high-level summit papers. It's written in Tunis Agenda sometimes much better than how we are writing it. It is written in WSIS+10 documents. That's not our main job. Again, I would say we would still have that padding in every report. The padding is different from the core issues. The sooner we go to the core issues, the better. I should still say that not enough this implements -- implement is our -- how to implement is our mandate, not what to do. Increased capacity should come --

>>CHAIR FONSECA: May I -- I'm sorry to interrupt you because I think we have agreed to look into the recommendation contained in the paper. Later on we decide what will make it to the report or not.

Again, do you have any comments in regard to recommendation number 5 first on this?

>>PARMINDER SINGH: Okay, sir. The problem is we have already got, for example, high-level characteristics which were discussed in the last meeting. It was that time said, Are you against inclusiveness or not? Now we are seeming to say this is what we write in the report. I'm against writing them into a report.

So I cannot be held to just telling you whether I agree with this or not. My agreement is about it going in the report in the manner it goes to the report. So I agree with many things here. But my point is relevance. And the relevance is that when you say there should be increase in capacity, for me what is relevant and the mandate is, how are you recommending that the capacity would be enhanced, tell us how because that's the mandate of this group. That's a relevant point at even this point of this particular recommendation. Thank you.

>>CHAIR FONSECA: Thank you. I turn again to Jimson for introduction of Recommendation 6.

Saudi Arabia, do you want to speak to Recommendation Number 5? Yes, please.

Just a minute, Jimson, I come back to you in a minute. Yes, Saudi Arabia.

>>SAUDI ARABIA: Yes, thank you, Chairman. I think I did this during Recommendation Number 3. As I said and Parminder highlighted, capacity-building has already been captured and it was in Tunis Agenda and was blessed in the document. We should put a caveat for our recommendation. UNGA paragraph 65 mentioned -- from 69 to 71, so any recommendation to be drafted or to be looked at should fall in those three paragraphs. Otherwise, it's outside of the mandate and we shouldn't waste time. So we should first develop the recommendation that is relevant to paragraph 69, 70, 71 of Tunis Agenda. Thank you.

>>CHAIR FONSECA: Thank you, Saudi Arabia.

I would really ask colleagues -- because if each -- for each and every idea, each and every recommendation we start discussing all the theology behind this, we will not get anywhere. Let's try to focus on the actual language. And then in a later stage we will see what will make it to the report and in what form. Otherwise, I'm hearing from many of you a call that we should be more expedient; but at the same time, you are making comments that are prolonging discussions. So I'm in your hands. I cannot force the discussion. But I would plead with you, let's focus on each idea. We still have a lot to cover in regard to recommendation contained in the U.K. paper and then we move to the joint paper. I want to give ample opportunity for everyone and the same fair opportunity. But let's do it one at a time. Please, let's do it like this.

Yes, please, Jimson, Recommendation Number 6.

>>JIMSON OLUFUYE: Thank you, Chair. Well, maybe if you will permit me before going to 6, just to note that in 5, in respect to how we have something talking about appropriate support mechanisms, where there are a number of support mechanisms through a governmental arrangement, a non-governmental arrangement currently supporting the bridging of gaps in developing countries. So just by the way.

Then Number 6, That the CSTD in line with its mandate, which is in asterisks, convenes a yearly forum where all governments on equal footing can discuss and provide recommendations on public policy matters pertaining to the Internet with the participation of the business community, the technical community, the civil society, and the academic community. Thank you.

>>CHAIR FONSECA: Thank you. We have already heard a few reactions to this. I don't think we need -- those who have intervened already, I think some important points were made. Let me just comment in that regard that from the perspective of the chair, this is not calling for the creation of a new mechanism. It's calling to -- it's providing some focused work that is already mandated to CSTD on a yearly basis to revisit WSIS+10 implementation by requesting CSTD yearly to devise a way to focus on the discussion of enhanced cooperation.

As we have said in the beginning, that could be even in the context of the meeting itself without changing the meeting since one and a half day is dedicated to WSIS+10 implementation. Maybe half day

every year should already be dedicated to this. So that would be, let's say, an easy way to address that and to find some home for a yearly discussion. So I would certainly agree to the idea that this is not creating something new but rather it is providing some more focused discussion and allowing for the issue not to be forgotten after we discuss it for some time.

But I look forward to comments. I have Parminder, you are seeking floor on this, and then Peter Major.

>>PARMINDER SINGH: Thank you, Chair. And thank you, Jim.

First is a question seeking clarification. When you say "provide recommendations on public policy matters," what are you suggesting as the method or means of providing these recommendations? So this is a question which you can clarify.

And what I want to add is that can the mandate not just be giving recommendations on public policy matters pertaining to the Internet but also keeping on doing the unfinished task of this group on how to further implement enhanced cooperation? Because on one side is institutional evolution and on the other side are the actual public policy issues, so whether we can add to its mandate how to implement further enhanced cooperation. And, second, what are the means of giving these recommendations? Thank you.

>>CHAIR FONSECA: Thank you. I will, of course, turn to the proponent for clarification. But from my view, I think that that language seeks to make a link with the ultimate purpose of enhanced cooperation as interpreted by the proponents. I think the idea -- I'm trying to interpret what Jimson said, but I offer him the floor. He is to maybe put it in a more action-oriented form.

Please, Jimson.

>>JIMSON OLUFUYE: Thank you, Chair. This is Jimson speaking.

I would like to thank Parminder for that feedback. Well, I believe we do know that the CSTD have a mandate, and the mandate is on the Web site. I will just recall it now. Said, "The Commission was established, the CSTD, to provide the General Assembly and ECOSOC with high-level advice on relevant issues through analysis and appropriate policy recommendations on options in order to enable those organs to guide the future work of the United Nations, develop common policies, and agree on appropriate actions."

I think this is the implementation's side of the proposal, the how. The CSTD meets in one of the assisting framework. They discuss the focus on enhanced cooperation issues; and they pass recommendation through the assistant channel, ECOSOC, and then the General Assembly. And then as the General Assembly decides, then final implementation evolves.

So the assisting track of implementation is the emphasis here, and I think it should be fully engaged. Thank you.

>>CHAIR FONSECA: Thank you, Jimson, for this clarification.

Yes, Canada. I'm sorry. Peter Major was before and then Canada.

>>PETER MAJOR: Thank you, Chair. I fully agree with your assessment of the meeting and the mandate of the CSTD and the time we are spending on the WSIS issues. We are spending about one and a half days. And I would like to remind us that this is not the first time this proposal came up, and we have had in the past some instances of a one-day consultation on enhanced cooperation. It was in 2012, back-to-back to the CSTD meeting. And we had one consultation in 2010 in the United Nations General Assembly, also back-to-back to the General Assembly meeting.

Now, as for the procedural part, I would imagine that this would be a good way to put in perspective the new issues of -- which require enhanced cooperation to be included in the draft resolution of -- the ECOSOC draft resolution which is going to be drafted by the CSTD itself to include these recommendations which may come up during the consultation, if any. I should stress this word "if any."

So as you said just recently, Chair, the UNGA resolution has some paragraphs about enhanced cooperation which are being reiterated each year.

I'm sorry to say that we are in the CSTD almost in the same position. We do have a chapter on enhanced cooperation in the ECOSOC resolution, which I happen to chair many times, and we kind of copy-paste what we had before.

And now it's time, it's an opportunity to come up with something new. And it may be only a small step but it's a significant step in the future.

>>CHAIR FONSECA: Thank you, Peter, for your very illustrative comments. Thank you for providing some of the background to that discussion.

I have on my list Canada followed by Cuba, Carlos Afonso, and Parminder.

So, Canada.

>>CANADA: Thank you very much, Chair. Chrystiane from Canada for the transcription.

So, clearly, this is not a recommendation that we would support. But I know that you said, Chair, that this is not a new venue but it would be a new mechanism in a particular venue. So we would have reservations with regards to that.

But I would like to ask questions also to Jimson because I'm not clear from what I've heard to date. Would this day of discussion, would it be focusing specifically on enhanced cooperation or on various topics of international Internet-related public policy?

If it's the latter, I think it would be almost a waste of time to do this because neither you nor I, for instance, are expert on child online exploitation. That discussion is much more effective taking place in INTERPOL. So I fail to see what value we would have at CSTD to spend this time on this discussion. So if you wouldn't mind clarifying what you have in mind in terms of the types of recommendations and the topics, that would help -- that would help us along. Thank you.

>>CHAIR FONSECA: Thank you. I think maybe let's hear all comments, and then I revert to Jimson.

Next on my list is Cuba followed by Carlos Afonso and Parminder.

Cuba, you have the floor.

>>CUBA: Just to say that this is a very -- in my view, this is a very valuable recommendation. And, of course, then how this will be implemented, it will be another thing. But I was going to mention precisely the question that Chrystiane just made. Because from the intervention from Peter, there was this notion that day will be to discuss enhanced cooperation. No, enhanced cooperation is the process for doing Internet-related public policy. So in this day or in this process -- because I think it's a process -- you could go not only there just to talk there. It would need to have an intersessional or whatever process off line, is to propose as Jimson very aptly said through ECOSOC and to the UNGA any concerns that any member state has regarding Internet-related public policy issues, even without recommendation. Because it's valid if a country, as Chrystiane said, if they don't have the expertise to come with a solution but they really can come with a concern.

I will give you an example of something that is happening in least developing countries but also in developed countries. This new sharing between coach and economy, like, for instance, Uber and Airbnb is having problems with normal jobs in the hotel and taxi and trade unions is having problems with that. I heard recently in the City of London there's some controversy related to that. Those are things related with public policy in the Internet that are not taking care anywhere. That's why I mention this. I want to mention cybersecurity because people will say that's been held elsewhere. I think it's valid also to bring here topics of cybersecurity. But that is another matter here, so I will not mention. Internet is creating so many new things that are not addressed anywhere that can raise concerns to -- valid concerns to the people in charge of making public policy for their people. And they need a place where they can ask or at least mention their concerns. Now it's artificial intelligence and with many things. Where we do take concerns that our country has with artificial intelligence. We need this place. Maybe in that place, if something has to go from that place to INTERPOL, maybe ECOSOC, this has been raised. So it will be discussed in ECOSOC or it will be discussed elsewhere. But we need a place where countries and governments can and all stakeholders, because we want to be present there, can raise any concerns and be taken care in due process. Full international community. I think that is a very valuable contribution of Jimson. And I really support his -- this contribution and also the explanation that he made about the mandate of CSTD.

>>CHAIR FONSECA: Thank you. Next on my list is Carlos Afonso followed by Parminder, the U.S. and Saudi Arabia. Carlos.

>>CARLOS AFONSO: Okay. Very quickly.

I don't have plenty of words that my friends -- just I am comparing the recommendation that Jimson did with your summary on paragraph 13, which you propose -- you selected three alternatives. I think Jimson is talking about the first one in perhaps a more formal way, an improvement on the alternative 1, if I'm not wrong. So we could already maybe join the two. That's it.

>>CHAIR FONSECA: Yes. You are right. The language I replicated in my own proposal is not exactly the one proposed by Jimson, although I was inspired by his proposal when presented by alt 1. Basically, just for clarity, I was thinking when I made my documents, that, in regard to CSTD, there would be two options: Either to use the ideas in existing format as explained by -- it usually takes one and a half days dedicated to WSIS+10. So, basically, I think outline of the focus on proposing to use part of that time to dedicate part of that time to enhanced cooperation as such. At this point, I will not say enhanced cooperation discussions, but to enhance cooperation. And alt 2 would defer to something extra, something that would go beyond this that would provide for additional days to the existing format.

So for alt 1 -- and I think also in line with what was proposed by Jimson, I think we'll not be talking about no new mechanism or not even no new institution and not even a new mechanism. Because, we are basically talking about arranging the agenda in a way that will allow us to discuss enhanced cooperation in a dedicated way. But I thank you, Carlos, for highlighting this.

Next on my list are Parminder, U.S., and Saudi Arabia. Parminder, you have the floor.

>>PARMINDER SINGH: Thank you, Chair.

As I said, it's a promising start to try to identify one focal point in the U.N. system which could start fulfilling the mandate of enhanced cooperation which is to enable governments to develop public policy issues, public policies pertaining to the Internet.

The problem to have a half day or one-day forum is that we should go back to the task. The task is to develop public policies. And to develop public policies in one day is very difficult.

As Peter Major said, we have been cut and pasting the same paragraphs on enhanced cooperation for many years, which does not give much confidence that public policy development can be done in that period.

Now, I know there are differences. And these things move slowly. But the organism should be appropriate to the function, and the function is so complex that one or half day is not going to be sufficient.

It could in time develop more real mechanism of work and so on. But you should recognize you're talking about making public policies. And that in an area which is the fastest moving area of public policies, in many, many years is a transitional phase like industrial revolution was. And demands of public policies are so huge, intense. And half a day is not going to do anything for it. We have been cut and pasting enhanced cooperation part of it. So we need a little more mechanism. We don't have a problem where it is located. We can have it less layered, and later on the evolution can take place. But I was trying to put the whole thing in context.

As to whether we are discussing public policy, that's the main task. We're going to discuss actual public policies. Not discuss public policies, actually make public policies because that's a demand of the mandate. And we need discussions to make them. But, finally, we should be able to make public policies. But one of those things would also be the evolution of enhanced mechanism itself. Because

we know that it has to go forward. And that would, in my understanding, be a mandate. So I'm just trying to, by saying this, trying to construct in my mind what this mechanism could be and how well it could work. In that spirit, I'm contributing these suggestions to Jimson's proposal.

>>CHAIR FONSECA: Thank you, Parminder. I think those are very interesting comments. Just to make one comment on my own that, if we agree, hypothetically, to dedicate every year one day or half a day to enhanced cooperation, it does not mean that this would be the only occasion. It will be addressed by CSTD. You may think there's an intersessional meeting. There is a process that would, basically, provide for a year, whole of the year work on that topic. That would request comments, input from stakeholders from governments that would (indiscernible) converge to these dedicated sessions. So it's just not only that particular moment, but rather some work that would be done behind that. As is the case for the other issues addressed by CSTD. Otherwise, we would not be in a position to come to CSTD in spite of the fact we have two or three days dedicated to negotiation here. But I think your point is also taken.

Let me turn to United States followed by Saudi Arabia and Iran and Turkey. And I think after that I will revert to Jimson for further comments. So U.S., you have the floor.

>>UNITED STATES: Thank you, Chair. As I kind of foreshadowed earlier, I would go back to paragraph 65 of WSIS+10 on a few occasions, which is to -- this working group is to develop recommendations on how to further develop enhanced cooperation as envisioned in the Tunis Agenda. So, in the Tunis Agenda, there was a discussion about the appropriate roles and responsibilities of different entities within the WSIS follow-up and review process.

For CSTD it was very clearly stated that the role of CSTD is to support ECOSOC in the follow-up and review process. And they have a very key role in that that I think is important and should not be overshadowed. And, frankly, I think that it's a big task every year for them to do that. And so I wouldn't want to add to that.

Second, Tunis Agenda also created IGF, which was listed as the appropriate forum within the U.N. system for discussions of Internet-related issues. So, for those reasons, I think it would be very hard for us to agree to a proposal that the parts from those two -- not authorities, but at least the two venues and what their designated tasks are within this process. So I think we're starting to confuse things and put things on CSTD that were never meant to be part of CSTD. With a note -- and I know many people here are familiar with CSTD, has a whole other responsibility related to science and technology issues, which is very critical and other discussions within the U.N. system. And I'm really worried that this would overshadow that.

So, for those reasons, I just don't think that this is a proposal that we could support. Thank you.

>>CHAIR FONSECA: Thank you, U.S. I take your point. But may I -- since I also endorse this proposal. I agree with you the role of CSTD is to support ECOSOC. But, as has been stated by Jimson, part of the support by ECOSOC in the GA is to formulate recommendations. So these already mandate formulate recommendations. We are not asking anything new, because that's already part of the mandate. We're

just providing some focus. And the proof of that is that the GA asked this group to be established through CSTD. And this group is tasked to make recommendations. So I don't see any contradiction allowing or suggesting that CSTD is to provide recommendations. Because this is already part of what it's been doing in all its operations. So I think it should also be taken into account.

Let me turn to Saudi Arabia followed by Iran, Turkey. And I see Lea and Timea. Okay.

So let's take all of those in the order they wish to speak. Saudi Arabia, please, you have the floor.

>>SAUDI ARABIA: Yes. I'm looking at the mandate of CSTD. There's the general mandate what Jimson mentioned. And there's a specific one for WSIS issues. So, with review and assist progress at international level for implementation to share best practice from a dialogue and so on.

And there is no specific one to develop international public policy issues. So, if it is the case that we would change the mandate and we would increase the membership to bring all government on board the CSTD, this can work out. But, with the current mandate and with the current structure, it's limited commission by election. So I'm not sure how equal footings will happen in CSTD when discussing such international public policy issues. Thank you.

>>CHAIR FONSECA: Thank you, Saudi Arabia. Again, my understanding is that the GA is sovereign to make any decisions. If the GA has entrusted CSTD to develop recommendations on further implementing enhanced cooperation can also entrust CSTD on a yearly basis to do this or that, I think that's something the GA's competent to do. But let's not prolong this. I turn to Iran followed by Turkey, Lea Kaspar, and Timea.

>>IRAN: Thank you, Mr. Chairman and good evening, colleagues. Let me first thank Jimson for this recommendation. This is important. When we look at the CSTD mandate and the public policy, we see important issues related to this linkage between the CSTD mandate and public policy.

In the public policy, Mr. Chairman, we need to consider the necessity of enabling governments for commitment. There are rules in the public policy international related to the Internet. One of the important issues in the enabling governments for commitment, the rule in the public policy is the exchange of information and experiences between the governments and the stakeholders and also the capacity-building and the transfer of technology to developing countries.

So in process our public policy international in related to Internet, all countries have equal responsibility and remit of discrimination. And we should consider these elements in related to this recommendation that we have received from Jimson. Thank you

>>CHAIR FONSECA: Thank you. Turkey.

>>TURKEY: Thank you very much, Chair. We also support Jimson's proposal on that CSTD (indiscernible) yearly forum to avoid application concerns, we can find ways to solve problems. For example, we can apply a test if be a subject is being handled in an inclusive and transparent manner, for example. We can state that there's no need to bring this issue to this yearly forum. And we can leave it



to the other expert. For example, if child protection online is the subject, we can leave it, if it is being handled in a transparent, inclusive, and other parameters we can define, then we can limit it to this expert union. And, if it's not, for example, if it's spam, is it being handled in a transparent and inclusive manner? If the answers are no, then we can bring such subjects to this yearly forum. And Jimson's proposal is very flexible in that it's -- it is -- he is proposing that this year forum will only provide recommendations, not a binding decisions. So we support his proposal. Thank you.

>>CHAIR FONSECA: Thank you for your intervention and your comments. Lea.

>>LEA KASPAR: Thank you for Jimson for putting your proposals out there and for the ongoing discussions. I think, in assessing the proposal and the recommendations that it entails, it is important to think about the function that the exact institutional solution is meant to be fulfilling. And this is in line with the comments I made earlier today in my morning intervention. I think, along the lines and in the spirit of moving our discussions forward, we, as a working group, should be taking on as a starting point assessing any recommendations should be the consensus views and the consensus -- the areas which -- where there's agreement on the functions that any institutional arrangement should be addressing. And, in assessing this proposal, I think we should take a similar approach. That certainly -- I think it's an interesting proposal that I would certainly be interested in reviewing it in light of the elements or areas of consensus which perhaps the chair has already identified in his outline in the document presented earlier this morning. And, looking again at whether this institutional arrangement as presented in this proposal would be appropriate to address the functions that we as a group identified and agree on should be addressed through this process.

So yes, thank you, again. Looking forward to continuing the discussion. Thank you.

>>CHAIR FONSECA: Thank you. I have the last speakers on my list are Timea followed by Parminder.

>>CHAIR FONSECA: Thank you. I have -- the last speakers on my list are Timea followed by Parminder.

>>TIMEA SUTO: Thank you, Chair. Just to be very brief, we are not in a position to support this proposal. This is not to say that the work of the CSTD is not valuable. The CSTD is the right venue for the work it does now but not as a new mechanism for enhanced cooperation. An annual negotiation on public policy issues with the range of the topics presented here is out of scope for it. It's a drain on its already very limited resources. And it would present limited access for all stakeholders. So those would be my main points. Thank you.

>>CHAIR FONSECA: Thank you.

Parminder, would you take the floor on this.

>>PARMINDER SINGH: Thank you, Chair. Coming in after Lea's point on first identifying the function, which as she said she made earlier in the morning as well, I don't really understand because the function is perhaps the most clear part of our mandate. Tunis Agenda identified the function: Public policy-making, making -- governments developing international public policies related to the Internet. I think it couldn't be a much clearer description of the function.

And they told us, this is the function. Tell us how to implement this function. Tell us how to do it.

So I'm not very clear why we would be going back to trying to understand and agree on the function. And if the function is being spoken of these intermediary things about transparency and other characteristics, those and other functions, function is development of public policies by governments in the Internet area. And we need to identify a mechanism which would implement that particular function. And, therefore, we should be looking at implementation. And both implementation clearly follows a function, which has been given to us, and implementation are precise things and not qualities of things so this is how we should actually be focusing our work. Thank you.

>>CHAIR FONSECA: Yes, Peter.

>>PETER MAJOR: Thank you, Chair. I just want to react to the concerns about the participation in the work of the CSTD. While, you are part of this working group, which is a multistakeholder working group which reflects the policy of the CSTD and the CSTD secretariat to ensure the broadest participation possible in the U.N. system. And in the regular or annual meeting of the CSTD, observers can attend the meeting with WSIS or ECOSOC accreditation and the participation is really quite broad. And observers can take the floor after the member states -- and when I say "member states," it is not only CSTD member states but the member states of the U.N.

So, basically, I think if we have some concerns with participation, I think this should be kind of neglected. Thank you.

>>CHAIR FONSECA: Thank you. Other comments? I see no one else requesting the floor. So I will turn back to Jimson for any comments you may have in that regard, to Recommendation Number 6.

>>JIMSON OLUFUYE: Okay. Thank you very much, Chair. I would like to -- this is Jimson Olufuye. I would like to begin by really appreciating everyone that has spoken, and I'm highly encouraged and believe that eventually we can have consensus on this.

The CSTD has responded to the concern raised by ICC-BASIS in terms of limited access. I can recall that I have spoken in the CSTD sessions a number of times myself, two or three. And it was open, and everybody listened. In fact, I think in 2010 I had the privilege of speaking through remote participation, and I was quite impressed with the way the private sector was listened to carefully. And my views were reflected even in the outcome document.

So in terms of limited access, as the Chair said, I don't think there is that kind of limitation. It is the best opportunity for -- just as we see in this working group for all stakeholders to be heard on the issue of making Internet public policies.

The responsibility, the function, Parminder said it clearly, is public policy. And public policy is the global set. And we have Internet public policy. So Internet public policy is a subset of the policy generally. So that is within the scope of the CSTD itself.

So now I will speak to the question raised by Chrystiane. I think it was answered by the distinguished delegate from Turkey that talked about, yes, we recognize a lot of things happening at different fora, a lot of things happening. We know that. And it's a question of, okay, if it is working very well in this other fora, well, there's no need to bring it forward to this new -- to this new structure. Then there's no need. And that means it's been resolved this way.

But new things that is not yet resolved or some countries that want somewhere they can go to permanently in terms of addressing some particular Internet public policy issue, then they can come readily to the CSTD wherein we have a section devoted to enhanced cooperation.

So enhanced cooperation is like a vehicle that convey the content, the message, the message of all this public policy activities or matters, maybe on artificial intelligence or robotics or whatever. So bring any new discussion and we discuss it, debate it.

In fact, there are also opportunities for intersessional activities before then. And I believe just like we saw in our own intersessional, we have opportunities to use platform 24/7, year in, year out. Papers could be delivered, and there could be debate that evolve using the technologies that we're discussing.

And when we meet, maybe half day or one day as the CSTD with the timing, then it's a question of focused deliberation that covers areas that are not yet discussed every other place. And that recommendation can go to ECOSOC and then to GA, and then we could have a resolution for the nations.

So this is my thinking concerning this on the question of is it enhanced cooperation or Internet public policy. Internet public policy needs a vehicle, and enhanced cooperation is that process. And it would be housed in CSTD. Thank you.

>>CHAIR FONSECA: Thank you, Jimson.

I would at this point certainly encourage that on the basis of everything that was said that -- and I think that relates to all the points, all the recommendations, that some further refinement could be tried, maybe contact with those who have intervened.

So I would certainly be very reluctant and saddened if some of those ideas would be dropped at this point. I think they should deserve some more refinement and should be looked into by the group at a later stage. I would like to thank you again and all those who intervened.

I think, indeed, it might have been helpful to hear the points that were made. I must confess, I thought we would be moving a little bit faster than we have done because just for your -- as we are approaching the end of the day, just for clarity of what we are doing tomorrow, I intend to resume the discussion on the contents of the new contributions that were proposed to us. Next on the list would be the one proposed by the U.K. And then we will address the ten specific recommendations. Then we will look into the paper that was proposed by ICC-BASIS. Then we'll look at the joint contribution by Saudi Arabia, Russian Federation, Parminder, Cuba. And there is also contribution from Carlos Afonso, if he wants to address. We'll be ready for that.

After that, we will take stock of the work and decide on the next steps. We could either continue to look into individual contributions, including those from previous rounds that we did not have time enough to discuss.

As it has been said, we have previously divided the proposals in three groups. We have looked into two groups. There is one category including a few proposals that were not looked at. Maybe we can selectively and on the basis of the interest of the proponent to look into those remaining proposals. However, I think at this point -- and I would really invite you that we should focus on the kind of draft report that we would need to consolidate at our very last meeting.

I have heard from some of you that it would be very important to ensure the success and very effective participation in this very last meeting. It would be very helpful for some of you if we could get out of this meeting with at least some draft, although initial, or something that could be a few days after this meeting put together by me and the secretariat on the basis of the discussions.

So I would think that in those two remaining days we should, of course, revisit the remaining of recommendations as appropriate but then resume this discussion on the report. And wishfully, hopefully if we can by the end of the meeting or agree that a few days after the meeting a first draft would be circulated for your consideration, I think this would be very helpful for all of us.

So before adjourning for today -- yes, Richard Hill, you have the floor.

>>RICHARD HILL: Just a quick point. The paper from ICC-BASIS, maybe it's my rapidly diminishing mental capacity, I actually don't see specific recommendations there. I see things that could be recommendations. So to speed things up tomorrow, if maybe through you, Chairman, we could invite ICC-BASIS to come up with actual text of recommendations, which we could put on the screen and we discuss. Because there's a lot of general considerations but I don't see little boxes, Recommendation 1, 2, 3 like the other papers. Thank you, Chairman.

>>CHAIR FONSECA: Yeah, thank you. I think you're right. And I invite, as I have been doing with all the proponents, to when you introduce your paper, you should consider that at this point we want to look at actual language regarding recommendations. So if you want to select portions of the text as referred to recommendations or reformulate consistent with what you have been doing, I think that would be very helpful for us.

So thank you. The meeting is adjourned for today. Look forward to meeting you tomorrow at 10:00 a.m. in the same room. Thank you.