UNITED NATIONS COMMISSION ON SCIENCE AND TECHNOLOGY FOR DEVELOPMENT

Working Group on Enhanced Cooperation

**Amendments/additional recommendations to document
"Compilation of recommendations contained in contributions from WGEC
members and Observers to the two guiding questions agreed during the first
meeting of the WGEC"**

Submitted by

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Recommendations from Saudi Arabia to the WGEC

The WGEC is charged with making recommendations on how to further implement enhanced cooperation as envisioned in the Tunis Agenda, taking into consideration the work that has been done on this matter thus far. Some WGEC Members appear more intent on ignoring the Tunis Agenda and developing a new interpretation of enhanced cooperation based on their own ideas and agendas. Saudi Arabia rejects this approach and stresses the need to apply the mandate of the Tunis Agenda as written and agreed and according to the instructions in the UNGA resolution.

A. Recommendations related to the implementation of Tunis Agenda

The recommendations related to section A are central to the mandate of the WGEC. UNGA has recognized that Art. 69-71 of the Tunis Agenda form the core mandate regarding enhanced cooperation.

A1. From Art. 69, there is a need for enhanced cooperation to enable governments, on an equal footing, to carry out their roles and responsibilities in international public policy issues pertaining to the Internet. The Tunis Agenda recognized in Art. 35 that policy authority for Internet-related public policy is the sovereign right of States and that they have rights and responsibilities for international Internet-related public policy issues.

There is, however, currently no process or mechanism which enables governments, on an equal footing, to carry out their roles and responsibilities regarding policy authority for international public policy issues pertaining to the Internet. We must, therefore, conclude that the process for enhanced cooperation as mandated by the Tunis Agenda has not been implemented.

A2. Since current arrangements have not evolved to support enhanced cooperation as mandated by the Tunis Agenda, there is a need to create a framework and mechanisms as per Art. 61. These should be under the UN umbrella and could be incorporated within the scope of an existing UN organization which has responsibility and experience with implementation of the WSIS outcomes, such as ITU.

A3. From Art. 70, it follows that, once the enhanced cooperation mechanism is in place, enhanced cooperation should include the development of globally-applicable principles on international public policy issues associated with the coordination and management of critical Internet resources. Relevant international organizations responsible for essential tasks associated with the Internet were called upon to contribute to creating an environment that facilitates this development of public policy principles.

However, because there is no enhanced cooperation mechanism, globally-applicable principles on international public policy issues associated with the coordination and management of critical Internet resources have not been developed. We must, therefore, conclude that this element, also, of the Tunis Agenda mandate related to enhanced cooperation has not been implemented.

A4. Once the framework and mechanisms for enhanced cooperation have been established, the agenda should include the development of globally-applicable principles on international public policy issues associated with the coordination and management of critical Internet resources, in consultation with the relevant international organizations responsible for essential tasks associated with the Internet.

A5. In accordance with Art. 71, a number of relevant organizations were asked by the UN Secretary-General, in 2006, to provide annual reports on the process towards enhanced cooperation. The reports generally focused on the increasing degree of collaboration within the non-governmental multi-stakeholder community. They did not address any coordinated process for enabling governments, on an equal footing, to carry out their roles and responsibilities regarding policy authority for international public policy issues pertaining to the Internet and for developing such public policy in consultation with all stakeholders in their respective roles. We must, therefore, conclude that this element of the Tunis Agenda mandate related to enhanced cooperation has not been fully implemented.

A6. The efforts of some Member States, including Saudi Arabia, to point out that enhanced cooperation according to the Tunis Agenda has never been implemented has resulted in three review exercises since 2010 to address the issue, culminating in the WGEC. In spite of the WSIS outcomes, implementing enhanced cooperation has met stiff resistance from some members of the Internet community who support the status quo. These entities have so far blocked any mechanism for the development of international public policy. It is necessary and appropriate for the WGEC to articulate that international public policy is not the antithesis of innovation, openness, organic mechanisms and multi-stakeholder models. Nor is it a bid for government takeover of the Internet or the path to fragmentation of the Internet. Instead, international public policy is intended to develop coordinated and consistent paths to facilitating the resolution of many of the issues that plague the current Internet (such as those listed in Recommendation B1), to protect against unilateral control of Internet resources, and to ensure that decisions related to the Internet are made for the benefit of all mankind and not for the benefit of a few.

B. Recommendations related international public policy issues and possible mechanisms

B1. A number of international public policy issues were identified by WGIG. These and others were reflected in the Tunis Agenda and many were summarized in ITU Council Resolution 1305. Subsequently, transition to IPv6 has emerged as an important issue. It is difficult to prioritize issues, but they can be placed into tiers of roughly comparable priority. The following list is not all-encompassing but can form the basis for the start of an agenda by the enhanced cooperation mechanism once it is established.

Tier 1:

- Administration of the root zone files and system.
- Security, safety, continuity, sustainability and robustness of the Internet (including the future internet, which may be an evolutionary or clean slate approach to the development of the Internet).
- Combating cybercrime.
- Dealing effectively with spam.
- Issues pertaining to the use and misuse of the Internet.
- Respect for privacy and protection of personal information and data.
- Protecting children and vulnerable people from abuse and exploitation.

Tier 2:

- Multilingualization of the Internet (including email, search engines and native capability).
- International Internet connectivity.
- IPv6 transition.

Tier 3:

- Contributing to capacity building for Internet governance in developing countries.
- Developmental aspects of the Internet.

B2. Following is a recommendation for implementing enhanced cooperation to enable governments, on an equal footing, to carry out their roles and responsibilities in international public policy issues pertaining to the Internet.

Enable enhanced cooperation via an intergovernmental Body under the UN umbrella and funded by the UN. ITU would be an appropriate host organization for this Body. Final policy decisions would be made by Member States. The Body should meet twice yearly (including remote participation). Standing committees studying particular issues should meet regularly via electronic means and physically as needed. Support the Body and committees by a permanent secretariat.

There should be balanced representation (by region, developed vs developing countries, and gender) for the vice-chairs, committee chairs and committee members.

There will be a need for a number of very important formal processes and procedures, but these can be defined and addressed once the basic decision has been made to establish the Body.

B3. Following is a recommendation regarding the relationship between enhanced cooperation and the IGF.

Enhanced cooperation and the IGF have been recognized by CSTD, ECOSOC and UNGA as two distinct processes which may be complementary. Indeed, the Tunis Agenda by deciding to establish the IGF after the enhanced cooperation process, clearly foresaw that an essential element of the IGF mandate is to provide a multi-stakeholder policy dialogue to enhanced cooperation. (See Art. 72)

In practice, the various committees of the enhanced cooperation Body might sponsor IGF discussion, on their particular policy issues under study.

C. Recommendations related to the role of stakeholders

C1. Following is a recommendation regarding the roles and responsibilities of the different stakeholders, including governments, in implementation of the various aspects of enhanced cooperation. The stakeholder groups and their roles are those defined in the Tunis Agenda (See Art. 35), which is the guiding document in the mandate of the WGEC.

A platform for global public policy and oversight is the responsibility of intergovernmental organizations. We have specifically suggested that this be ITU.

Development of the processes related to the functioning of the enhanced cooperation mechanism is the responsibility of governments.

Final international public policy decisions are the responsibility of governments.

Implementation of international public policy decisions is the responsibility of all stakeholders.

C2. A recommendation for implementing enhanced cooperation to enable governments, on an equal footing, to carry out their roles and responsibilities in international public policy issues pertaining to the Internet is provided in Recommendation B2.

C3. Following is a recommendation on how enhanced cooperation can enable stakeholders other than governments to carry out their roles and responsibilities. It should be noted that the WGIG Report gives a fairly comprehensive assessment of the roles of the various stakeholders, many of

which are related to supporting international public policy development or being driven by international public policy.

The private sector:

- Research and development of technologies, standards and processes (conforming to international public policy).
- Consultative contribution to the drafting of national laws and participation in national and international policy development.
- Promoting capacity-building.

Civil society:

- Awareness-raising and capacity-building.
- Promoting various public interest objectives.
- Articulating perspectives of marginalized groups.
- Engaging in policy processes.
- Helping to ensure that political and market forces are accountable to the needs of all members of society.

International organizations:

- Development of technical standards and related policies (conforming to international public policy).

The technical community and academia:

- Interaction with and within all stakeholder groups, particularly in the areas of stability, security, functioning and evolution of the Internet.

C4. Following is a recommendation on the role of various stakeholders in promoting the development of local language content. This is related to the issue of multilingualization identified in Recommendation B1. Local language content is a priority for many countries and for civil society in order to achieve universal inclusion in the digital society. These are the key stakeholders and their roles:

Governments:

- Develop international public policy to promote the development of local language content (following establishment of the enhanced cooperation mechanism).
- Provide incentives and funding for research and development and for businesses aimed at local content development and dissemination.
- Collaborate with other countries on regional and common programs.

Civil society:

- Champion the cause of local language content.
- Support and enable widespread access to local language content.

The technical community and academia:

- Research and development related to translation, search engines, multilingual email, and other algorithms to speed, simplify and enable local languages.

The private sector:

- Provide existing content in new languages.
- Develop new content pertinent to the language and the culture of the users.
- Distribute the content.

C5. Following is an observation on the national capacities to be developed and modalities to be considered for national governments to develop international Internet-related public policy. Recommendations C1, C2 and C3 discuss the structure and processes to be developed for enhanced cooperation and consultation with all stakeholders.

It should be noted, first of all, that no matter how efficient any nation is at developing domestic public policy and associated regulations and legislation, at addressing Internet-related issues, and at collaborating among organizations with complementary responsibilities, this will be ineffective in addressing trans-national and global issues unless a suitable intergovernmental mechanism exists to bring all nations to the table on an equal footing and unless all parties approach such issues from the perspective of good will and cooperation.

Regarding national capacities, some of the key issues to be addressed (such as security, privacy, cybercrime and spam) will require significant levels of international cooperation.

Art. 35-36 of the Tunis Agenda break down the roles and responsibilities of each stakeholder.

D. Recommendations related to developing countries

D1. Following is a recommendation on making the role of developing countries more effective in global Internet governance.

The role of developing countries is, in fact, one of the public policy issues reflected in Recommendation B1. It boils down to three critical factors and it is their implementation that will likely be the primary focus of the public policy formulation and debate:

- Providing a platform (the enhanced cooperation mechanism) for developing countries to participate in global Internet governance on an equal footing.
- Capacity building via training, education and technical support.

- Financial support for capacity building, internal development related to the Internet, and participation in Internet governance (including remote participation).

Recommendation B2 has suggested UN funding, remote participation and balanced representation for the vice-chairs, committee chairs and committee members in the enhanced cooperation Body.

D2. Following is a list of international Internet-related public policy issues that are of special relevance to developing countries.

- International Internet connectivity: This includes affordability, mechanisms and strategies to ensure that national traffic remains local or regional, and differences in the cost of carrying traffic.
- Multilingualization: This includes local language content, search engines and multilingual email.
- Spam: Besides its impact on productivity, spam wastes a large percentage of available Internet bandwidth. This can be particularly damaging in countries with limited resources and bandwidth.
- Over-the-top applications: Though OTT provides more choice for consumers, it does syphon revenue from facilities-based service providers. This can be a particular problem in countries with minimal infrastructure and financially struggling service providers, and fair and balanced policies must be developed to ensure continuous and affordable service availability in these countries.
- IPv6 transition: Most developing countries have limited fixed line infrastructure and communication is primarily via wireless technology. IPv6 is much better suited to mobility than IPv4.
- Contributing to capacity building for Internet governance: This includes financing, training and support. Developing countries must be involved in the development of international public policy and must be able to represent their interests in the evolution of the Internet.
- Developmental aspects of the Internet: This includes programs aimed at the populations of the developing countries and improving their quality of life.

E. Recommendations related to the barriers for participation in enhanced cooperation

E1. Following is a recommendation and observation on overcoming barriers that remain for all stakeholders to fully participate in their respective roles in Internet governance.

Among the various stakeholder groups identified in the Tunis Agenda, it is only governments who are unable to participate in their role in Internet governance. There is currently no mechanism for them to undertake that role on an equal

footing, which is the development of international Internet-related public policy. Enhanced cooperation was intended to provide this mechanism and the process toward implementing enhanced cooperation was to have begun by 1Q2006.

So far, implementation of enhanced cooperation has been blocked by a collaboration of entities who want to maintain the status quo in their own interests and who refuse to support the multi-stakeholder model defined in the Tunis Agenda.

The struggle to implement the WSIS outcomes has reached the point of creation of the two WGEC, whose purpose is to make recommendations to implement the mandate of WSIS regarding enhanced cooperation as contained in the Tunis Agenda.

The barrier to implementation of enhanced cooperation may be overcome if the WGEC makes recommendations truly in line with the intent and spirit of WSIS.

E2. Following is a recommendation on how enhanced cooperation can address key issues toward global social and economic sustainable development.

Recommendation B2 describes how enhanced cooperation can be implemented via a Body and indicates that a number of very important formal processes and procedures will need to be developed to manage the functioning of this Body. The processes will address the details of how issues are introduced, studied, debated, agreed, disseminated, adopted and implemented.

The first key step is to establish the Body, its place in the UN family, funding, secretarial support and high-level processes. Additional details will follow from there.