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DAY 2

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Working Group on Enhanced Cooperation

Geneva

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[Gavel]

>>CHAIR FONSECA: So good morning, colleagues. I'd like to welcome you to this second day of our meeting. I hope everyone had a good night's sleep so we are refreshed for today's discussions.

Just to sum up what we are doing now, for clarity, we are revisiting proposals that were considered by a subset of our group and that was identified by those members as recommendations that could be prone for consensus.

So we are doing this now.

As I have indicated at the beginning of our discussion in that regard, I would invite all those who think that other recommendations could also fit under this category so we could have that kind of discussion now, this first reading of anything that could lead us to consensus.

We are basically looking for some kind of early harvest in regard to things that could be easily agreed and set apart as elements for the report, even if not exactly as recommendations. We should, of course, come back to this, but we are engaging in this for the moment, as a result of the interchange we had at lunchtime yesterday and in the light of the interest that many of you have expressed to discuss the -- what many think is the main issue for this exercise, which is the framework.

So immediately after we finish this first reading of those consensus-prone recommendations, we move directly to recommendations that are -- that would have an impact on the framework, so it is something different, of course, from what was proposed by this small subset, but that would help us to focus on possible consensus elements and then move directly to the most controversial ones, which I think -- in the light of the discussion we had, I think that would address concerns that we'd look at possible early harvest things and then we move to real important and controversial aspects that should also be in the report.

Of course consensus or no consensus, we should see about that.

So I would strongly request you not to reopen discussion on the procedural aspects. We have been following this procedure. I'm not reopening discussion on this, please. I would urge you, in order for us to have substantive discussions and to make good use of our time, that we move directly, we resume from the point we left yesterday and we try to be as quick as possible so we can finalize that list of consensus-prone recommendations and we move to what many of you have expressed would be the issue of most concern that would deal with the framework.

I have been working with the secretariat to identify in the recommendations that were sent by you and observers those texts that refer to framework interventions. This -- we have a document that highlights in the interventions -- in the recommendations those that this will be. I will ask the secretariat to distribute to all of you in a few moments, but we are not doing it now.

Now we are revisiting those -- that list that was mentioned as Category 1, provisionally. Don't be too much concerned about that issue of "category." We're just looking at text that could possibly lead to consensus and then we move to these framework kind of recommendations.

So with this, I just would like to consult whether there are any requests for clarification in regard to that before we move.

If not, I would then suggest we resume from where we left yesterday.

We had just revisited Recommendation Number 58 so we move now to 59, and we go on through 63, 65, 69, 70, 74, 78, 85, 87, 88, 92, and uncategorized 4, and this will exhaust the list of recommendations for that.

Of course if someone wants to add to this list, there will be an opportunity to do so. I understand some of you have a small number of recommendations that they think those also would fit under this category, so we would move immediately after that, and then immediately to the framework.

So please, I'll ask the secretariat then to project Recommendation 59.

This was proposed by Bill Graham from the Center for International Governance Innovation. I'm not sure if he's in the room or if...

I'm always offering the opportunity for the proponent to make some introductory remarks and provide some context if they think it's necessary, but I -- if Bill is not in the room, I think we could just have a quick reading of the proposal and open it for comments.

So basically he is proposing to -- finding concrete mechanisms to bring all stakeholders together in productive work to anticipate what public policy challenges are likely to arise in the field of Internet governance.

Are there any comments?

I see Anriette.

>>ANRIETTE ESTERHUYSEN: Thank you, Benedicto.

That recommendation was included in the report of the Global Commission on Internet Governance, of which I was a member, so it's really -- it's part of a suite of recommendations in the commission's report that actually emphasizes the importance of the role of governments and -- in the Internet governance process, but in the context of the multistakeholder approach.

So I'm not going to defend it, in particular, but I do think it makes sense and it's the outcome of that particular process, work process.

>>CHAIR FONSECA: Thank you for this clarification.

I have Cuba next.

>>CUBA: Chairman, I think this recommendation is -- it's very specific. It's like trying to build the birdhouse before we are -- even build the foundations for the building.

I think it's ahead -- maybe it's a good idea, but we still don't have a mechanism, we still don't have a process, so to begin asking governments to do things, I don't think this is the time for that. It's my view. I'm -- thank you.

>>CHAIR FONSECA: Thank you. Saudi Arabia?

>>SAUDI ARABIA: Thank you, Chairman. Good morning, colleagues. We believe there is a mechanism currently that's bringing all stakeholders, which is IGF. IGF is meant to be a platform or an arena that all stakeholders will come, discuss issues related to Internet governance and public policies. A forum of discussion is available. But a platform or a mechanism for development, this is a missing part. So especially focus on the development part. Thank you.

>>CHAIR FONSECA: Thank you. I think there's no consensus to take on board this recommendation, as it is drafted now. I -- for the purpose of this exercise, this is already clear. We have maybe to consider how we'll address this.

I will turn to Canada and then to the U.S.

>>CANADA: Thank you very much, chair. And good morning all colleagues.

I would argue in favor of keeping this. Indeed, I'm quite familiar with the work of the CIGI and the report of the commission. This is about mechanisms to bring stakeholders together presumably in existing fora, among other places, where we can do this. So I don't think it calls for the creation of anything new. It just calls for us as member states to ensure that we have -- that we put in place the means of bringing people together who are concerned by a variety of issues related to Internet public policy. So I would be very much in favor of keeping something like this in our report. Whether or not we need to redraft it in some way, shape, or form, you know, perhaps. With that consideration, maybe move it to Category 2 in terms it's not an immediate approval. But certainly the essence of it is an important point. Thank you very much.

>>CHAIR FONSECA: Thank you.

U.S. followed by Richard Hill.

>>UNITED STATES: Thank you, Chair. And good morning, everyone. I think -- I think this recommendation will be like other recommendations where we are continually plagued by this

challenge that they are not framed in an appropriate way. I think a lot were recommendations, again, to this working group, not recommendations coming from the working group.

And this one is an example. I think there's a lot in here that we could agree with in a final report. I think that it does need to be modified to put it in terms of a recommendation.

So just one proposal I would make on all the recommendations we look at is instead of just no consensus in our interventions or pointing out why we disagree but maybe offering in that just some constructive criticism as it goes back to Category 2 or 3, that the drafters can look at that criticism -- constructive criticism and maybe come to the next meeting or further meetings with an updated version. Just because I think otherwise we're going to go through this again at some future date and we haven't really moved the ball at all. So that would be my recommendation. Thank you.

>>CHAIR FONSECA: Thank you.

And just for clarity and for all of us to be fully aware, this is exactly what we are trying to do. Both myself, my team, and the secretariat, we are taking notes of everything. So because we think as we have discussed earlier, we are discussing elements that maybe at this point some of the group or the group as a whole does not identify as an element that should be there in some way but when this will be seen together with the other parts of the discussion and be drafted and be presented together with other elements, it should be seen in that light. So we are -- we want to make good use of this discussion, not just -- as you said, just eliminate from the consensus part but also to add some element that may assist us later. Yeah, thank you for this. And we are -- we are taking that in mind.

So I have Cuba -- No, I'm sorry. I have Richard Hill and then Cuba and United Kingdom.

>>RICHARD HILL: Thank you, Chairman. Well, it seems to me that this one actually fits in with all of the ones on institutional mechanisms, new bodies, et cetera. So I suggest you move it into that category and then we come back to it when we look at that whole set of proposals. Thank you.

>>CHAIR FONSECA: Thank you. Cuba.

>>CUBA: Yes, because I want to explain because from the intervention of other delegates, it seems I didn't explain well what I said before. And this is also valid for many things that will come.

I think that we are in no position to endorse any kind of commission or group that is going on. I'm not judging. Maybe it's the best group in the world, but it alters the Broadband Commission there. We should not ask or endorse to send that. Maybe in the future if governments or whatever in sovereign way agree to send information to this and to that, well, that's their prerogative. But we don't have the mandate or it's not appropriate in this U.N. thing of government to endorse it, private commission or whatever, even if it is public. ITU has many annual reports on this. Should we put here that we have to send to them? Or the Broadband Commission. La CEPAL has very interesting things in Latin America. I don't know. It's not that those reports are not good or useful. But it's not our task here to ask governments to send reports to something that has not been agreed, you know, that is not procedure. I don't know if you understand.

>>CHAIR FONSECA: I --

>>CUBA: For instance, we have to report in Cuba to ITU because it's a mandate because of being a member. Sometime I think it's clear --

>>CHAIR FONSECA: I think you are addressing something that's not on the table now.

>>CUBA: What?

>>CHAIR FONSECA: We are not discussing the intent to send to anyone else any discussion. We are discussing text, what is developed there, yes. We are not concerned about where the text was developed. We are looking to the idea here. We are not discussing the --

>>CUBA: Okay.

>>CHAIR FONSECA: -- in relation to what we are doing to any other body. We are just discussing the particular text we have before us. I'm sorry. Just for clarification.

U.K.

>>UNITED KINGDOM: Thank you, and good morning, everybody. So to follow this idea of understanding what the issue is so that we can make progress, we really just have a question for clarification to Cuba and Saudi Arabia. Our understanding is that Cuba and Saudi Arabia are not opposed to the idea of bringing stakeholders together to anticipate public policy challenges. The reason they are blocking this suggestion is because it doesn't call for an intergovernmental mechanism. That's the only reason that they don't support this now. That's my understanding. It's a question for clarification. But just to understand what it is about this recommendation that they object to. Thank you.

>>CUBA: We are talking about 61?

>>CHAIR FONSECA: No, I'm sorry. We are talking about 59. I will revert to you, but I want to give the floor to people who have asked for the floor before.

No, no, 59.

So I have Parminder, Saudi Arabia, and Richard Hill. Do you want to take the floor?

So, Parminder.

>>PARMINDER SINGH: Thanks, Chair. Good morning to everyone. I take this opportunity to respond to the U.K. delegate's question about -- it's not about blocking. And that's been true of the issues which we have dealt with. We are not clear about their context, their standing.

And even Anriette, who was part of this commission which from whose report this sentence has been taken, just now clarified that this was a part where they were talking about a government's role in public policy making. And that belonged along with it. So even there it was a part of that bigger thing.

And standing alone, we do not know what to do with it. There are many things we like, but we don't see the reason for them to be in this report in this shape. So that's not blocking any sentiment which is expressed in that sentence. And I would make it very, very clear.

Now, for instance, it says "finding concrete mechanisms." I don't know -- we were told to find mechanisms by U.N. because UNGA is busy and a general body. And they told a specialized group over four years to find mechanisms. And what are we telling to whom to find mechanisms is not clear. We need to be more clear about what are you trying to say. I don't think we should after spending so much time making general recommendations which does not make clear sense.

We are supposed to find and suggest mechanisms. So if somebody has a mechanism, even for particular purpose which follows that phrase, we are ready to look at it. But as it stands, as Saudi Arabia clarified, I don't see how IGF is not what this sentence is already talking about. So I don't know if the intent is to find another IGF.

So the issue is lack of clarity and not disagreement on the sentiment of that particular recommendation or if it could even be called a recommendation. Thank you.

>>CHAIR FONSECA: Thank you. I'll give the floor to the others who have requested it, which are Saudi Arabia, Richard and Anriette. But I want to close discussion on this after that because I think it would not be helpful at this moment to prolong in the absence of discussing some other paths that will follow this that can shed some more light in regard to everything that has been said. I think we are in a way anticipating the discussion mechanism, framework which are intended to do after that.

So with your indulgence then, I will then offer the floor, again, to Saudi Arabia -- Richard, you withdrew -- and then Anriette. So Saudi Arabia, please.

>>SAUDI ARABIA: Thank you, Chairman. Well, we as the Saudi delegation, we don't block any proposal. We respect all proposals. However, I raise a question, that looking at Paragraph 72 from the Tunis Agenda, which is about IGF, it's identical to this recommendation and it's calling for having a concrete mechanism. So what difference, 59 from 72 which was drafted 10 years ago? We already have that mechanism of all the stakeholders coming together to discuss public policy issues related to key elements -- I'm quoting -- of Internet governance.

So if our U.K. delegate thinks that we are looking at the recommendation as nonsense or for the sake of blocking that because we don't have institutional mechanisms until now, no, this is not correct. We respect all recommendations, but let's also respect the mandate. We have a clear paragraph on enhanced cooperation. If any recommendation that falls under the enhanced cooperation paragraph, we respect them all. Thank you.

>>CHAIR FONSECA: Thank you, Anriette?

>>ANRIETTE ESTERHUYSEN: Thank you, Benedicto.

I do think this is a valuable recommendation. I think that -- just in response to Saudi Arabia, I think this does not refer to the IGF, and I think it's also my view, and I hope the view of this working group, that Internet governance is growing in complexity and impact, and therefore, the idea that there's any one mechanism that's going to address all the challenges -- and I'm diffusing -- I'll be quick, Benedicto, and I think -- I mean, I'm not opposing specifically the idea of a governmental mechanism. We'll do that at another stage.

So I think mechanisms is important, and looking at the scope of the problem in a long future -- or long-term future-oriented way I think is useful. So I do think it's a valuable proposal.

And, Benedicto, I just wanted to suggest, would it be helpful if we created a parking lot for recommendations which we feel need to be not thrown out but require some redrafting?

I'm just saying this in response to the U.S. input as well.

>>CHAIR FONSECA: Thank you, Anriette.

We intend to do it and we are maybe not being explicit about this. We are taking notes and making sure we, in our notes, reflect what I would suggest at the end of this I can work with the secretariat just to give you an idea of what we think would be the follow-up in regard to each recommendation, and that can be, of course -- receive your input if you agree with that approach, so we can have clarity on what will follow, what will be the next stage in regard to each recommendation.

So I wanted to close discussion on this, but I don't want to -- I see Japan and Nick. I would urge you to be very brief and, please, I would ask others not to react at this point because we are coming back to this in another context. But -- so I give the floor to first Japan then Nick, who have asked for it.

>>JAPAN: Thank you, Chair. Just briefly, we Japan also supports the idea of the -- maybe I guess my reading of this is maybe it says maybe stakeholders should consider how best to build cooperation on emerging topics. This is my reading, because it says "what public policy challenges are likely to arise," so maybe -- I'm talk -- my reading is it's talking about some future emerging topics and if such emerging topics arise, maybe stakeholder should consider how to best to build cooperation. This is my reading. Thank you very much.

>>CHAIR FONSECA: Thank you. Nick?

>>NICK ASHTON-HART: My intervention was more of a point of order than anything else. It just seems to me, Chairman -- good morning to all -- if we're trying to identify items which have consensus, we're doing it very slowly. Is it possible that we could just proceed and at the point anyone has an issue with something that's supposed to be in this section, we simply say, "Well, there's an issue. Let's move on."

>>CHAIR FONSECA: I'm sorry, Nick, we have a procedure we're following at this moment, please, so I do not want to reopen discussion on this or we'll be losing time, certainly, by that.

>>NICK ASHTON-HART: My point is to try and save it. If one intervention says it's not a consensus item, we can move on.

>>CHAIR FONSECA: No, no, I'm not reopening discussion on this. I'm sorry. Very -- I apologize, I had not seen the flag from Russia. I'll give you the floor to comment on this. But please, let's then move to the next item after that.

>>RUSSIAN FEDERATION: Thank you.

Actually, we always say that all stakeholders should participate. However, Tunis Agenda give us the clear vision that different stakeholders have different roles and responsibilities, so here we do not see such understanding in this particular recommendation. It looks like all of them should do the same role. But it is not. It's actually the main idea how -- what mechanism could be agreed in this working group to address different roles and responsibilities of different stakeholders in the public policy challenges, so we cannot say that it's a consensus. Thank you.

>>CHAIR FONSECA: Thank you. We are moving now to Recommendation 63, which was proposed by Jimson.

Would you like to take the floor to make some introductory remarks, Jimson, in regard to Recommendation 63.

>>JIMSON OLUFUYE: Thank you, very Distinguished Chair, and distinguished colleagues, good morning.

Well, this recommendation takes the purview from the needs of all stakeholders to look within, first and foremost. And looking within meaning that charity begins at home. That is, in a local setting, we need to exemplify enhanced cooperation. And that is why we came up with this recommendation that all countries, including developing and least developed, are encouraged to evolve national multistakeholder mechanisms to address current and emerging regulatory and policy issues pertaining to the Internet. So thank you.

>>CHAIR FONSECA: Thank you. And just before opening the floor for comments, I'd like to just recall that we had some discussion on an issue similar to this referring to what national countries should do internally, and I think in that context, it was decided not to take it as a recommendation outright, but rather to see how that would fit into a more general framework for discussion.

So I'm just trying to recall because I -- I anticipate there will be no consensus in accepting it in its present formulation, but rather, the idea that is here is worth -- has value and should be in some way reflected in the documents.

I -- yes. I see the U.S.

>>UNITED STATES: Thank you, Chair. Just to clarify because I don't know if others made that intervention, but the U.S. intervention was just that named countries specifically should not be referenced in the report. Thank you.

>>CHAIR FONSECA: Yes, indeed, this was in the U.S. contribution. Thank you for recalling.

Parminder?

>>PARMINDER SINGH: Yes. I understand the chair is referring to not the U.S. observation that named countries should not be referred, but the fact that our mandate is to deal with Tunis Agenda as described -- with enhanced cooperation as described in Tunis Agenda, which only deals with international public policy issues and not national-level mechanisms. No part of the Tunis Agenda where enhanced cooperation is referred to deals with national mechanisms, so welcome that this input is -- it does not belong, in my view, to our mandate.

>>CHAIR FONSECA: Thank you, Parminder. And I will then move into another item.

But just for clarity, my understanding as the chair is that those kinds of recommendations are addressed to national countries, they are not aimed at assisting countries in developing their national policies but, rather, to assist them in preparing themselves to participate in international public policy debates.

So in a way, there might be some relationship, but we should formulate and articulate it in a different way, and also in the light of discussions we are having in other areas of these debates.

I think this -- this was, as I interpreted, the sentiment of the room and I see you nodding. United Kingdom?

>>UNITED KINGDOM: Thank you, Chair. Well, I think we said yesterday that our task now is only to decide if these recommendations have consensus or not. We're not getting into a discussion about the recommendation itself. So I'm not sure we would agree that this is only suitable for preambular language. From our point of view, we think this is a very valued recommendation to support the development of enhanced cooperation processes and we just wanted to put that on record. Thank you.

>>CHAIR FONSECA: Thank you. Yes, I think this is also fair, your intervention, and also reflects what you have said before, and I think I fully agree with you. We are engaged in an exercise to see if the present formulation could be accepted as consensus, so I think we are in an exercise where we are deciding to revisit it either -- and maybe even as a recommendation in a revised form or to move it to somewhere else in the text.

So I think this is understood as well.

65. This was proposed by UNESCO. I wonder if someone from UNESCO would like to introduce it or -- since we have it on screen, the recommendation for how to support member states in ensuring that their Internet-related laws, policies and regulations involve the participation of all stakeholders and are aligned with international human rights and the principles of openness and accessibility.

I think it very much covers the same kind of situation we were addressing before. I'm not sure there would be some value in having more comments in regard to this or if we could take on board the same kind of approach we had in relation to similar proposals.

Would -- yes. I see Anriette would like to comment on this.

>>ANRIETTE ESTERHUYSEN: Benedicto, happy for you to do that. I just want to say why I support this recommendation. And I think it's because it describes the layers of engagement and cooperation that should be behind cooperation between governments. So I think, you know, behind any good government are informed and active citizens, so I think -- and I think that -- that describes that. So I don't think it precludes, you know, any particular difference that people might feel stakeholders have. I just think it's a useful recommendation with regard to that building block layer that we need for enhanced cooperation to succeed.

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

>>UNITED STATES: Thank you, Chair.

I'd also support this proposal. I just note that it's based on the Rome principle, the universality principle from UNESCO, which was a result of a long Internet study that came up with this recommendation and was supported by all the UNESCO member states. So I think it has a lot of standing internationally and would be a good addition to our report. Thank you.

>>CHAIR FONSECA: Thank you. I have on my list Nigel Hickson and Parminder and Cuba.

>>NIGEL HICKSON: Yes. Good morning, Mr. Chairman. And just to say that we fully support this recommendation as well. I think it's the essence of what we are discussing here and we'd like to see it go forward. Thank you.

>>CHAIR FONSECA: Thank you. Parminder?

>>PARMINDER SINGH: Thank you, Chair. My initial comment, of course, would be in line with what I've said earlier, that this refers to national levels. In this case, it clearly refers to national level, unlike the earlier explanation by the chair that it could be building capacity for the international, and in that case, if the "international" word is added, that still works, but here it is about national laws.

And I agree with Anriette that all this builds into the system at which international public policies are made but that's the old architecture problem that tertiary issues cannot be sorted out before the central ones are addressed. We can move around the fences as long as we want, but play won't begin till we step on the playground which we are avoiding to do till now.

And it's like saying when people are trying to elect a government that there should be participative consultative mechanisms of policymaking which there should be, but before that, there should be a government to take note of these outputs of those consultative mechanisms and here we are talking about that particular public policy mechanism to which all this would contribute and it's difficult to address those contributory elements before we address the primary one. Thank you.

>>CHAIR FONSECA: Thank you. Cuba? Mic?

>>CUBA: Chairman, this recommendation has two problems. I don't think that it should even be in the report. I'm surprised. You know, many experienced experts here know that the subject of human rights is very well covered in Tunis and also in the resolution of December 2015. And the -- it's -- for instance, in the Resolution 2015 is a whole section that begins at Paragraph 41. That's been the result of extensive negotiations that comes even from the -- part from the Tunis and even before from the Geneva part, and you know that they were very delicate and very complicated negotiations.

I think that we should -- here it also goes against the principle of not repeating things that are already in the summit documents. That's one of the principles we're doing here.

And also -- and then if you want to do it, we will have to begin a very -- and repeat a very difficult and delicate negotiation because you know that issues are really critical in that, and you please read the section in the document. Of course in Tunis it's also as well, but this is a more recent document, the one of the WSIS+10 of December 2015 from Paragraph 41, 42, and 43. All those principles that are good. We are not saying that those are not valuable, but already there, with the appropriate balance and the appropriate context.

So -- because to put it like that in here.

And also, the second problem is that it has a reference to national laws or national regulation. That is clearly beyond the mandate of this working group or its report. So that's it.

>>CHAIR FONSECA: Thank you. So we are closing discussion on this particular recommendation as of now. We take on board the comments that are made. Again, for the purpose of what we are doing, we see there's no consensus in regard to the way it is formulated here. There are some strong objections on the part of some, some concerns on the part of others. We will -- again, this will be part of the overall synthesis we'll provide to you, but I think that this -- maybe we should request the proponent to revise in the light of what was said and we can come back to this, but I would -- I think this is in a category that is even beyond Category 2, for the moment. I don't see much way of getting to a consensus on this at this point in time.

But let's move on and then certainly this is only the first reading. We'll have to come back on this at some point.

69 was proposed by India. Would Indian distinguished representative like to make some introductory remarks?

Thank you.

>>INDIA: Thank you, Chairman. So it's, again, on capacity-building, so first to be made on the participation of end user through (indiscernible) and which may be through fellowship and by establishment of remote hubs in the respective (indiscernible). Thank you.

>>CHAIR FONSECA: Thank you. I open the floor for comments on this. Again, this was just for -- for your information. I know we are not working under -- we are not considering the categories that were

proposed initially by the chair, but just for the sake of maybe providing some context that was identified by myself and the secretariat initially as belonging to the category of recommendations addressed to what individual countries should do in order to be best equipped to participate in the discussion of international public policies related to the Internet.

So in a way, I ask myself whether that would not fall under the same concerns that were expressed in regard to other proposals with the same purpose would apply here, and I would tend to think this should be also revisited in the way to think how this could be addressed in the report, but I don't anticipate there will be consensus at this point in time.

But I look for your feedback, because again, this is very important for the chair and for anyone who would be participating in a subsequent drafting exercise to have a sense of the room whether this is correct or not. Yes, I see Jovan. I welcome you to these discussions, Jovan, and I offer you the floor.

>>JOVAN KURBALIJA: Thank you. Thank you, Benedicto. Good morning, everybody. My first intervention during this session, and it comes on capacity-building or even capacity development initiatives, which is the language of -- which is used in development community. They use more "capacity development" than "capacity-building."

And I would like to support India's proposal in introducing capacity-building into the recommendations. I would like to suggest that we follow what's going on in the development field and extend capacity-building from primary individual capacity-building towards institutional and system capacity-building. And I think IG community has done great work. Organizations like U.N. of family, ISOC, ICANN, we contributed modestly also to this field in individual capacity-building. There are fellowship programs, ambassador programs, and other activities.

But what is lacking now -- what is lacking now is the building of institutional capacities. And I don't know if we should introduce it here or strengthen this recommendation, but that should be highlighted. Individual and institutional capacity-building as a concrete recommendation.

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

What is occurring to me is that in the context of the report, we'll -- I think all of us will agree to have some text referring to capacity-building or capacity development, as you have said is maybe the best expression for this. And at some point, we'll want to come together and have some kind of focused exercise on this particular topic so we can make sure the language adopted reflects a wider, let's say, pool of opinions so that would later on be considered by plenary.

Again, I think what we're doing here, certainly the way it is drafted here is not consensus, but I think it's helping us to design the future stage of our work with regard to what's at hand. And I thank you for providing those ideas that would help to provide some more precision in what are the developments in the discussion as of now.

So with this, if you agree -- well, there is also Recommendation 70 coming from India. But I think the discussion we have had also covers 70. I offer you the opportunity if you want to comment specifically on 70.

>>INDIA: Thank you, Chairman. This is based on Anriette's recommendation. It's enable end user to come forward and participate in public policy discussion. This text explains how this may be done. So one important point is to introduce a formal process on Internet governance in educational systems and institutions right from the school levels. So they may have a basic idea about the Internet governance. That will enable exchange to participate in discussion on various public policies, too, as a less technical (indiscernible).

>>CHAIR FONSECA: Thank you for this clarification.

If there are no further interventions on this topic, I would suggest in light of discussion we have that we could move in the interest of time so we'll have later on enough time to consider some -- oh, I'm sorry. Mexico, yes. Please, Mexico. I also welcome you to this meeting. I offer you the floor, Madam.

>>MEXICO: Thank you, Ambassador. Good morning to all.

Yes, I just wanted to say for the record that we think capacity-building is a key issue. We should include recommendations in this regard because as far as we have seen, this lack of capacity-building avoids many countries to really work in an accurate way on all the Internet governance issues. So I understand -- I understood what you said about this. But just want to say that we should keep this reference to capacity-building in a way because I think it's a very key element on the process as a whole. Thank you.

>>CHAIR FONSECA: Thank you, Mexico.

And Peru.

>>PERU: Thank you very much, chair. Good morning, everybody. Just to support the intervention made by Mexico in the sense of how important capacity-building is in particular for developing countries, as well for least developed countries, we believe this is a cross-cutting issue along the multistakeholders. It's not only a matter of building capacity in the government, within the government officials; it's also something that spreads towards all the parties that are involved in the process. Thank you.

>>CHAIR FONSECA: Thank you.

Yes, thank you for this.

And I also have Russia. I apologize because sometimes I do not see your plate because I have this screen in front of me. So, Russia, please, you have the floor.

>>RUSSIAN FEDERATION: Thank you.

We, of course, support the idea that capacity-building is an important point. However, we'd like to remind you that we believe that the important point is the scope and focus area of enhanced cooperation. So it's not just the important point. It's one of the points of scope and focus area of enhanced cooperation because capacity-building is the point. Security in use of ICT is important point. We have a number of important points. And it should be reflected somehow in our output document as the subject of these specific issues. Thank you.

>>CHAIR FONSECA: Thank you. Richard Hill. After that, I'm closing the list, and I will just try to sum up and provide for some suggestions to move forward.

>>RICHARD HILL: No, just a process question because the screen had changed. You're doing 69? 7-0, okay, because the screen had moved around. That's fine. No problem.

>>CHAIR FONSECA: So from my perspective, I think these discussions show this is an important topic, one that should be retained in the document and probably as a recommendation. But what my suggestion would be that as we finalize our work and we have an overall -- my suggestion would be for those who would be interested to come together. And we will devise a way to do that, to provide unified text that could be later on seen in the context of the overall report.

So I don't think for the moment we should prolong discussion on this, but I think this is clearly identified as a key issue for many of us. I would say maybe for all of us.

I think we just need the right way to reflect it on paper, in a way that is acceptable to everyone. And it takes into account the other dimensions of the discussion.

So with this, I'd like to thank you and suggest we move to 74, which was proposed by the European Union.

I give the floor to -- for introductory remarks, please.

>>EUROPEAN UNION: Thank you, Mr. Chair. In this recommendation, we are talking about flexible and future-proof technologies. And in our opinion, there is an issue regarding the fast pace at which the Internet is moving and how we could cope with this fast pace by doing policy.

In this sense, our recommendation is that in particular, inclusive and sustainable development goals should be incorporated in our policy making.

>>CHAIR FONSECA: Thank you. Thank you for this introductory remark. I look for the room for comments.

Parminder.

>>PARMINDER SINGH: Thank you, Chair. The first issue with these recommendations are that they are talking about recommendations "should be." They are meta-recommendations. It could have been meaningful in earlier stages of our work guiding our work. But at the stage of recommendations, making meta-recommendations don't have a very clear intent or shape. Recommendations should be

probably -- I understand, refer to the recommendations of this group. So we are talking about recommendations.

So if somebody says that mechanisms of enhanced cooperation should be so and so, then I can understand that. But recommendations should be the issue, first of all. That's one comment.

Second comment is about technology-neutral phrase, is highly contested in WTO and related to trade discussions. It has a huge number of implications, which if one wants to, I can get into. But it has been contested that how, therefore, the local policy space gets reduced about taking technology policy-related decisions. So that is not as neutral as that phrase actual looks on the screen. And that should be a problem.

But the rest of it, to say that enhanced cooperation should be so and so, I am fine with that. Thank you.

>>CHAIR FONSECA: Thank you. I have a few requests for the floor.

Switzerland and Peru first. Peru, Switzerland, and Russian Federation.

Peru?

>>PERU: Thank you, Chair. I think we have to make a difference between what is a recommendation to the working group and what is a recommendation that should be made by the working group. It seems to me this is our recommendation for the working group in order to guide how the recommendation should look like. I believe our Cuban colleague refers to this point before. So thank you.

>>CHAIR FONSECA: Thank you. I think that goes very much in line with what was said by Parminder, that maybe if we think about recommendations, we should say "mechanisms" or "actions" or something like that. I leave it to European Union to comment later on, if you wish.

Switzerland.

>>SWITZERLAND: Thank you. And good morning to everyone.

Just wanted to intervene to express our support to this recommendation. In fact, a very similar recommendation was in our initial submission to this working group, I think, back in December or in January. So it's not a surprise that we support it.

At the same time, we have evolved with the discussion. And as Parminder and also Peru mentioned, this might be more kind of a meta-recommendation.

I think it's still of value. But probably it could be placed somewhere in the chapeau, like informing, guiding the recommendations of the working group because I think it contains a number of elements which could inform the specific recommendations we can help with later on. Thank you.

>>CHAIR FONSECA: Thank you, Switzerland.

If I may just comment that the second part for me is very clear, should also include sustainable development goals are incorporated. I think a number of inputs have made the call for any recommendation to be linked to the fulfillment of Agenda 2030.

But in regard to the first part, I think there is an additional issue that was raised by Parminder. And I'd like maybe even on the part of -- maybe of the secretariat or some research could do. I would like to have some authority with regard to the expression "technology neutral." If this is something that within the U.N. context is something that if we provide it to our colleagues, it will not be a surprise for them or raise issues about not being a concept that is fully understood.

Maybe we should just -- I make these comments also -- maybe to provide some food for thought when European Union will comment again on how these issues could be addressed adequately.

I will turn to European Union and then to Cuba. Please.

>>EUROPEAN UNION: I think the comments of the colleagues, Parminder, are fair. And in this sense, we agree with all the discussion so far, that this can be -- the phrasing as it is, it is as you stated a recommendation for recommendation, should be changed. So we welcome and we will do a redrafting, if necessary, in this sense.

With regard to the second one, again, we are looking for a -- how we could capture the future-proof issues, and we welcome any feedback from Parminder and others that would like to do so.

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

Cuba.

>>CUBA: Thank you, Chairman.

Your explanation and the delegate from European Union, Parminder, is clear. I only want to mention another thing that we should be careful with in our work, not to use language that is very specific for one language. This is supposed to be in all six languages of United Nations.

So expression like "future proof," maybe it's coined in English. But, for instance, in Spanish, we don't have an equivalent expression for that. So it's better instead of putting expressions like that with quotes to put the concept, technology that withstand the pass of time or something like that.

I'm making this comment here because it may apply to some other part of the document. Thank you.

>>CHAIR FONSECA: Thank you, Cuba. This is very helpful, I think.

Pakistan.

>>PAKISTAN: Thank you, Chair. While drafting the comments made by Parminder and Cuba as well as Peru, that what this recommendation is actually for. But I am prompted by the comment made by representative of the European Union that how future proof a mechanism could be.

A recommendation could be actually -- and we think it goes into the heart of what we have proposed. That is, if we have a mechanism, if we have an institutional set, then it will automatically be future proof because it will evolve in itself. It will guide its own work. And as long as it remains, all the issues that have been discussed over there will evolve themselves.

So I think we would be very welcoming that any mechanism should be future proof and that could be ensured only with respect to having an institutional set of -- that we suggested. Thank you.

>>CHAIR FONSECA: Thank you, Pakistan. And also for bringing on board what we have identified in other parts of the discussion, that we want to discuss this also in the light of the discussion on institutional framework and all of that.

So we are, I think, closing discussion on this for the moment, taking on board all the comments that were made. And, of course, we are -- we are here finalizing part of this and then we move to institutional framework and also we had some discussion on high-level principles.

I think by tomorrow morning we decided to discuss -- I think we might have a more improved idea of the organic nature of what we want to do. So I thank you very much for this.

Let's move then to 78. 78 was proposed by Iran. I would like to offer to the distinguished representative from Iran the opportunity to make some introductory remarks, if you wish.

Iran?

>>ISLAMIC REPUBLIC OF IRAN: Thank you, Chairman. This is 71, right? Excuse me, Mr. Chairman.

>>CHAIR FONSECA: We are following that list of recommendations that were considered to be potential candidates for consensus. So after 74, which was the one we have just concluded -- I'm sorry, I'm sorry. 74, we discussed 74. Now we are moving to 78. 78 which was proposed by you.

>>ISLAMIC REPUBLIC OF IRAN: Thank you. Mr. Chairman, thank you very much. And good morning, colleagues.

As you see, 78 -- excuse me, 78 is referring to the Tunis Agenda, 69. And I think it's clear because the 69 article reference the need for enhanced cooperation, to enable governments on equal footing. And I think it's very clear for everybody.

So just we wanted to -- attention to colleagues that there is no discrimination about the governments and to carry out their roles and responsibilities. Thank you.

>>CHAIR FONSECA: Thank you, Iran. The U.S. has requested for the floor.

>>UNITED STATES: Thank you, Chair. Just in response to this one, I think it's -- as we've discussed at the last meeting and at this meeting, anything reaffirming the Tunis Agenda, we would look to put in the preamble as kind of setting our mandate and overarching and not in our recommendations. Thank you. And I think this fits into that category. Thank you.

>>CHAIR FONSECA: Thank you. Parminder?

>>PARMINDER SINGH: Yes. I think these are some general points on which we should develop agreement. However, the only mistake perhaps Iran has done is to say Paragraph 69 Tunis Agenda in brackets. There are many other sentences here about stakeholder participation which actually reflect -- even transparency and stuff is there in Tunis Agenda, which has not been mentioned with bracketing the paragraph of Tunis Agenda, and therefore we can say they should also not be repeated. However, while we agree that we cannot paste the Tunis Agenda into our recommendations, some parts of Tunis Agenda which refers to enhanced cooperation mechanisms and what it should be would very well be repeated in the sense that we are elaborating some of those parts, and a very specific part cannot be excluded just because it has come into Tunis Agenda. So this rule cannot be used. If the issue is specifically about what we are trying to do, language from Tunis Agenda cannot be avoided, actually. We have to go further on it and elaborate it.

So I don't think, one, it should be a common rule; two, it cannot be a strict rule; and it should be something shaped for the purpose, and the purpose is to elaborate some language of Tunis Agenda which specifically refers to the nature of the mechanisms. And this language is clearly about that whatever you set up should be of this kind.

Now, we cannot set up something and not say that it will be of this kind because it has already been said in Tunis Agenda, so that's a bit of an extreme interpretation of a general rule which otherwise is welcome. Thank you.

>>CHAIR FONSECA: Thank you, Parminder, and if I -- I think we -- it is understood this is something that should be there in the document. I think you have indicated something that has, for some time, also been -- I have been reflecting on this as well, because even when we were discussing the high-level principles, maybe all of those are already in the Tunis Agenda but we were making the point that we should emphasize some of them again in a different drafting.

So I think as maybe you have said, it's not -- we cannot write in stone some rules, but we can have an open mind.

But I think the general idea and the sense for the meetings I feel from you is that what is already there provides a general framework for us. We shouldn't -- we couldn't -- should not repeat it in the exact words they are as something that we are proposing, but maybe we are providing some more guidance or some more detail or interpreting it in a way that is innovative in some way or consistent with the -- I think this is something we should do.

So for the moment, I will close discussion on this. We should revert to that in the light also of discussion of other items here.

Could we move then to 85? 85 was proposed by Timea Suto from ICC/BASIS. Yes, please, for introduction.

>>TIMEA SUTO: Thank you, Chair. And good morning, colleagues. So we think that it is important to recognize the context within which we are working together and the collective goals the global community has set for development, which is an important part of the frame of this activity.

The 2030 agenda for sustainable development is the global framework for our work. The 2030 agenda of the U.N. General Assembly notes in Resolution 71, 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. This is what enhanced cooperation is for, across all the activities where it is underway as well as where it is to be further developed. And in fact, the 2030 agenda recognizes the important role of all stakeholders in setting an objective for Internet policies and actions to support the agenda, sustainable and includes -- the agenda of sustainable and inclusive development. This was also recognized in Paragraph 12 of the outcome document of the UNGA WSIS+10 review.

So for this reason, we note that the recommendations we are here to make should consider the work of this working group as it contributes to a collective effort to advance the 2030 agenda and the global goals. Thank you.

>>CHAIR FONSECA: Thank you for these introduce remarks.

Can I have some feedback on this? Cuba?

>>CUBA: Chairman, as I said before, I think we should concentrate with our task at hand. If we -- it's not that -- there's a lot of issues and a lot of statements that are really valuable, but do we have to put it all in this report? I think there's a phrase in English -- I was criticizing phrases, but they have a phrase that this is like a Christmas tree where you hang everything. Because for instance, I refer everybody to go to the document from the WSIS+10 in 2015. We have Paragraph 12 that states the same thing, and I should encourage -- take the opportunity, Chairman, maybe the secretariat, maybe we should do it, we should screen all the proposals to that one. Not even Tunisia. That is the most recent. And we could put in the chapeau that we rated it and here it's very well written in 12. Do we have to repeat it again?

We can do it nothing. It's nothing wrong. This was agreed by all member states present here. This was agreed. We can put it. But I think that dilutes our report that we report as a concrete task that it was given in this same document.

So to repeat to the May -- to the mandate that we were given the same thing that is in the same document that gave us our mandate, it doesn't make more sense to me.

Please understand me, I'm not against. Of course how can I be against aligning this with 2030? How can I be against some other concept of human rights that is very well here in more than six paragraphs beginning in Paragraph 42?

Of course we all agree on that. But what I'm asking us to think, if we really need to repeat all that here in this that is very specific. Because otherwise, the same criteria that has been applied for parts of the

Tunis Agenda that are really relevant for the -- for the -- for this report, how can not we apply it to the rest? Thank you.

>>CHAIR FONSECA: Thank you, Cuba, and I -- my recollection is that many inputs that were sent made a call for a link to -- for some reaffirmation of the link of the work of WGEC with the document of the 2030 agenda, but as even ICC/BASIS is introducing, and now Cuba has reminded us, there is a specific paragraph so that -- so this is not something -- a new recommendation that would emanate from the group. It's, rather, let's say, some kind of desired framework we are working on and maybe should be -- it certainly should be reaffirmed in some part with the document but not in the format of a recommendation. This is what I would conclude at this point in time.

And again, this would be deferred and we are making an observation and we will follow up to you with our observations in regard to all the paragraphs stating how we think these should be addressed in the light of the discussions to follow also in other parts of our work.

So with this, I'd like to thank you. Yes.

>> (Off microphone.)

>>CHAIR FONSECA: I will -- I want to be respectful of the time we have assigned to ourselves. We, in principle, should have now a coffee break so I'd like -- we are already five minutes late, so I'd like to break for coffee now, but I would urge you to be very diligent to be back in 15 minutes because I think we should -- and I see we are on the right track for that to finalize our work of revisiting those recommendations that were identified as prone for consensus before breaking for lunch.

I hope that even before breaking for lunch, we can initiate discussion on the framework, and we will have the full afternoon for that.

So I would urge colleagues to make sure that we make good use of our time. But then now, I suggest we break for coffee and we'll be back at 11:35. Thank you.

[Break]

>>CHAIR FONSECA: Well, I will call the meeting to order. I would suggest we should resume our work.

[Gavel]

>> The only way.

>>CHAIR FONSECA: I learn from...

[Laughter]

>>CHAIR FONSECA: So thank you, colleagues, for our -- we are back from our 15-minute break. I welcome you back and I will suggest we resume our work.

As I have said at the beginning, my expectation is that by the end of this morning's session, or even before that, we can finish the review of those proposals that were seen as prone for consensus. I think we are almost there. I hope we can do it in a rather quick pace.

There are some of you who have indicated that they think that some of their proposals that are not categorized can also be added to this. I don't think there will be a huge amount, and I think we can, even with this, finalize by lunchtime or even before that.

So I would invite you then to consider Recommendation 87, which was proposed by Iran.

I would like to -- then to offer the floor for Iran for introductory remarks in relation to Recommendation 87.

Please, you have the floor.

>>ISLAMIC REPUBLIC OF IRAN: Thank you, Chair. Sorry, I didn't settle down myself.

Could you please tell me which number? Eighty- --

>> (Off microphone.)

>>ISLAMIC REPUBLIC OF IRAN: 87. Wait just a moment.

May I, Mr. Chairman, ask you to go to the next one and then back to this one?

>>CHAIR FONSECA: Sure. No problem.

>>ISLAMIC REPUBLIC OF IRAN: Thank you.

>>CHAIR FONSECA: So the next one is 88, coming from Mexico, saying the recommendation should have to be flexible and resilient enough to be implemented in different fields at different levels.

I would offer the representative of Mexico the opportunity, if they want, to make some introductory remarks.

>>MEXICO: Thank you, Chair. My colleague, following the meeting in Mexico, is going to present that, so I will give him the floor. He's on remote participation. Thank you.

>>CHAIR FONSECA: Yes. Yes, please, if -- you can go ahead, please, our colleague from Mexico, for introductory remarks on Recommendation 88. Please go ahead.

>>MEXICO: Thank you, chair and good morning, colleagues. Currently, we know diverse spaces, mechanisms and fora where all the stakeholders collaborate in a fairly manner. But we don't know when will emerge new spaces or new mechanisms, even if they'll be promoted by an specific stakeholder. That's why we propose that our recommendations should be flexible and resilient enough to be implemented in different, fields and levels by any actor.

>>CHAIR FONSECA: Thank you for these remarks. I will open the floor for comments.

I think in regard to what we have been doing so far, that particular recommendation seemed to refer to characteristics of the recommendations that should be adopted by us. I'm not sure it should be read as our recommendation, per se, but I look for comments in that regard.

I think that fits under a category that we have been examining in a few cases that indicates some kind of characteristics we want for the recommendations, and I'm not sure but maybe it was even discussed under the high-level characteristics.

Can I have any comments in that regard?

But I think this is the kind of language we should not be discussing now as recommendation but, rather, considering as -- and trying to identify the right way to reflect in the document possibly as characteristics for the principle that should govern us.

But I'd like just to check whether this is the sentiment of the room as well.

Well, I see none so I tend to think you agree with my interpretation, so we thank Mexico for this and we'll be following up on that suggestion in that format.

Would Iran be ready now to comment on 87? I'll give you the floor.

>> (Off microphone.)

>>ISLAMIC REPUBLIC OF IRAN: Thank you, Mr. Chairman.

This recommendation comes from our initial contribution referenced to answering Question 1.

We have delivered our contribution on seven paragraph, and this recommendation is Paragraph 6. Not the complete of the paragraph, but...

Mr. Chairman, when we talk enhanced cooperation and the government responsibility, especially on the international public policy, we should consider the cultural diversity and local languages, because this is a very important issue that the countries and the societies actually face the problem, and -- when they are going to, for example, internationalize something like the Internet.

So I believe that this case has reflected in the several paragraphs of the Tunis Agenda, we should consider these issues and I believe that it should be included in the outcome of the enhanced cooperation -- Working Group on Enhanced Cooperation and also that -- as an input on element as the characteristic of the Working Group on Enhanced Cooperation. Thank you.

>>CHAIR FONSECA: Thank you, Iran, for those introductory remarks.

Can I ask for comments from the room? I'm not sure if this refers already to language coming from the WSIS outcome documents of -- even from WSIS+10. Maybe we can -- I think it will be part of this homework that was -- is being assigned to us to check whether that kind of language is, in a way, reflected in a previous document and how this could fit into the document in the appropriate way but I -
- yes, I have Congo.

Please, you have the floor, sir.

>>CONGO: Thank you, Chair. I -- in my point of view, I know each country or each part of the world's people, you find some particularity, so according to this recommendation, I think we have to take it into consideration. This is very, very important for different cultures and traditions. I think it is right to take this recommendation.

Thank you very much.

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

>>UNITED STATES: Thank you, Chair.

In general, we support the notion of promoting local content, multiculturalism, traditions, things of that nature. I'd just note that I think the chair alluded to, this was discussed at WSIS+10. It is in the WSIS+10 outcome document, Paragraph 24, which I think has some good language that we should look at.

I've noted that there's been some interventions previously that issues that were addressed in the WSIS+10 outcome document that clearly are kind of -- were discussed and there's some paragraph that addresses them should not be -- you know, doesn't need to be addressed in the work here, and so I just think we need to be consistent with that approach, if that is going to be our approach. Thank you.

>>CHAIR FONSECA: Thank you. Anriette?

>>ANRIETTE ESTERHUYSEN: Thank you, Chair.

I think, yes, if this was about local content on the Internet, I would support this, but we're talking about Internet-related public policies and enhanced cooperation around that, and therefore international agreements and international frameworks. International human rights standards, for example, become really important for us to make sure that our processes are consistent with.

And I think this -- this can potentially create some tension with -- between adhering to that international public policy-related layer, where international agreements and standards have to be foremost and more specific national or cultural concerns in policymaking.

But with regard to content on the Internet, yes, this would be -- and accessibility of content, this would be important.

And maybe here we can -- Iran might want to redraft this to talk about accessibility in local languages about information related to specialty-related public policy.

>>CHAIR FONSECA: Thank you. I thank all those who have made interventions. I take on board comments made that in regard to language, there are some -- maybe started by Paragraph 24, we should have a look at it and also taking on board comments just made by Anriette also. We want to make sure that we address this issue in the appropriate light, under the appropriate light, so I would certainly endorse the idea that we -- certainly for the purpose of what we are doing, there is no

consensus as it is formulated but we could revisit it on the basis of a revised proposal, taking into account those -- the exchange we just had.

So with this, I'd like to thank you and suggest we turn to Recommendation 92, coming from DENIC, which is the German ccTLD registry .DE. I'm not sure we have in the room someone from DENIC. I don't think it is the case.

But basically it calls for publication of best practices as a good instrument to enhance issue-based cooperation among governmental and nongovernmental stakeholders.

Can I have comments in that regard?

I recall that we had some discussion on this. I think when we were discussing -- I'm not sure -- the proposal by the European Union. But I look for your further comments in that regard.

Yes. European Union?

>>EUROPEAN UNION: Thank you, Mr. Chair. This is a more practical presentation of the recommendation we made regarding the best practices one, the recommendation on the best practices. It refers particularly to publications. So it's a down-to-earth approach.

>>CHAIR FONSECA: Thank you.

Parminder.

>>PARMINDER SINGH: Thank you, Chair. Apart from the fact that publication of best practices would be quite benefit to the main issues and can be included peripherally, apart from that, the fact of highlighting these kind of things and saying, okay, let's accept this in absence of other issues which we have been talking about is that there are some words which actually connote recommendations or elements which goes to the possible institutional frameworks. Because, for example, somebody says "enhanced issue-based cooperation" would normally mean that there should be something non-issue based cooperation. And that non-issue-based cooperation is institutional cooperation. And normally what -- when -- I have read a lot of reports about how Internet governance should be done. And when people say that policy responses should be issue-based, that normally means there is no need for any setup to address policies. But as an issue arises, as earlier comment yesterday from the Japanese delegate, stakeholders and others would spontaneously come together and address it. So that issue-based cooperation normally means that.

And I think that's in my very limited view a fanciful notion of doing any serious public policy work ever. And public policy is never at national levels or subnational levels or at international level actually get done in (inaudible) getting people together who would do it.

So the issue-based, there is a problem which actually goes against institution-based cooperation. And that is my substantive issue with this recommendation. Thank you.

>>CHAIR FONSECA: Thank you, Parminder. And this also reminds us to that -- and I think particularly in regard to this, this should be seen in the light of the discussion we are having just after that on framework. In a way, I would suggest that obviously there's no consensus here as well. But I think there's some exchange that can help us later on to try to address this issue. I don't see a point in prolonging discussion on this particular recommendation. I would suggest we turn to the last one on this initial list. Of course, we are adding here some other elements that you may think could be discussed in a rather rapid way with regard to consensus. But we are moving now to uncategorized 4.

This comes from the U.K. And as we have discussed before, it unfolds in different topics. In an attempt to be -- of fairness in regard to those proposals, I'd like to offer the U.K. the opportunity to comment on them, if you wish, one by one. Or maybe you can have some general statement and then we can focus one by one, as you wish, to make sure we give the same treatment we gave to other individual contributions. Thank you.

>>UNITED KINGDOM: Thank you, Chair. We think it would be best if we go one by one.

So our first recommendation is that enhanced cooperation processes should follow best practice in terms of consultation and engagement. For us the process towards enhanced cooperation needs to involve all stakeholders. So consultation processes, engagement with stakeholders is very important. And particularly reaching out to stakeholders in a proactive way is very important.

We would propose that this should be one of our recommendations. Thank you.

>>CHAIR FONSECA: Thank you. This also refers to best practice, consultation, engagement, and have some language that refers from the ones we have been discussing so far. So I would like for your reactions on this. I'm not sure if the same concerns that apply to other parts of the discussion apply here. I'd like to have some feedback from you in order to assist us in moving forward in regard to that recommendation.

I see Jimson. You have the floor, sir.

>>JIMSON OLUFUYE: Thank you, Chair. And I'd like to thank the U.K. for this recommendation. I think this should be natural for enhanced cooperation. And if we adopt it, it will be clear concerning any form of mechanism or process we adopt going forward.

So I support this recommendation. Thank you.

>>CHAIR FONSECA: Thank you.

Cuba followed by Saudi Arabia. I think I got the right order. And then Japan.

>>CUBA: Thank you, Chairman. Are we going paragraph by paragraph, or the whole recommendation?

>>CHAIR FONSECA: We are considering now the first recommendation. Number 1 on the screen.

>>CUBA: Number 1 on this list over there. Okay.

>>CHAIR FONSECA: Okay. Saudi Arabia.

>>SAUDI ARABIA: Thank you, Chairman. I think the same comment that was raised to the European proposal are applicable here. However, promoting best practices and consultation in engagement should have the other side of the coin in development of international public policy issues. So we're fine to promote this practice and have to consult and engage stakeholders but to develop international public policy issues.

So if we have this understanding, we can redraft this recommendation to be included in such position and the UNGA mandate. Thank you.

>>CHAIR FONSECA: Thank you. I think this was very helpful. Thank you.

Japan.

>>JAPAN: Thank you, Chair. Japan support this idea of promoting the consultation and engagement is maybe the best -- very relevant to achieve enhanced cooperation.

As we discussed in high-level characteristics of enhanced cooperation, we pointed out the characters such as transparent, inclusive, and collaborative. So to reach out -- trying to reach out proactive to all stakeholders in a formative and easy accessible way is kind of the one -- the most relevant recommendation here, I think. And I hope we can all agree on this. Thank you very much.

>>CHAIR FONSECA: Thank you. I see general sentiment of support for this notion with some -- I think with the amendment proposed by Saudi Arabia, I think this would be in line with what we're doing, with focusing on development of international public policy issues. Japan has added also a few elements coming from the high-level characteristics. So I think this is, indeed, a paragraph that in a first reading we could maybe accept that can have consensus from the room.

I'm happy this is happening.

[Laughter]

Thank you. Quite something for the group to achieve.

Can we move then to the second one, please? United Kingdom.

>>UNITED KINGDOM: Thank you, Chair. The second recommendation is that stakeholders should consider how they can make information and evidence available in an open and accessible way. Part of the inspiration, if you'd like, for this recommendation is the work of the Open Government Partnership, which is a partnership of 75 countries who have committed to opening up policy-making processes. And a lot of the work for the Open Government Partnership does is about how to make relevant information available so that stakeholders are able to contribute to policy development processes. And that's the spirit behind this recommendation. Thank you.

>>CHAIR FONSECA: Thank you, U.K. I would seek comments from the floor, but I would suggest that maybe in order with what we had discussed before, we should also add at the end of these paragraphs "in the development of international public policies" so we again make sure we are keeping the focus on our work.

So with this proposed amendment on the chair, on the basis of what was originally proposed by Saudi Arabia, I would like to ask for comments. I have on my list Cuba, Japan, and Jovan. Are you -- no, no, sorry. So Cuba and Japan.

>>CUBA: Thank you, Chairman. I have a question to the proposer because I don't understand what "evidence" means. And, of course, I --

>> (off microphone).

>>CUBA: What?

>> (off microphone).

>>CUBA: Now? Yes. I have a question to the proposer that I don't understand what "evidence" means in this context. And, also, I support your recommendation to put this in context, of course. Because "make information available in general," you have to put that for the development of public policies pertaining to the Internet.

And the question is: What does "evidence" mean in this context?

>>CHAIR FONSECA: Thank you. Just before turning to the U.K., I would also like to hear from Japan. You have the floor.

>>JAPAN: Thank you, Chair. Again, I support this recommendation. I would like to suggest that maybe 2 and 3 should be merged because I think they are both talking about the same idea of promoting transparency. Transparency is -- as we discussed in the discussion of the high-level characteristics, this is one of the characters we all agree on, transparency.

And Recommendation 2 and 3 together is trying to promote transparency when we discuss some issues concerning the public policy integrated into the discussions.

I also remember that para 53 is also talking about these issues. So I think Recommendation 53 should also be merged to these recommendations. Thank you very much.

>>CHAIR FONSECA: Thank you, Japan.

I will turn to U.K. I recall Cuba was asking for some clarification. Japan has made some proposal regarding mergers. I'm not sure we should address it as of now. But I leave it to the U.K. if you want to address this.

I think in regard to merger in general, we should -- after we finish our first reading, we should look at the whole of paragraphs and see how we can address them in a more comprehensive way. But I leave for the U.K. to comment, for your comments, please.

>>UNITED KINGDOM: Thank you, Chair. Yes, I think you're right when it comes to questions of merging. We will have more editing work to do when we come to the final report. And perhaps we should consider those questions when we get to the editing work.

In terms of the word "evidence," I think what we intended, was, if you look, factual information. For example, statistics. A lot of policy making is based on statistical information. So by the word "evidence," that's simply what we meant.

With regard to the proposal on international Internet-related public policy, yes, absolutely I take your point. I think we had assumed that all of these recommendations were talking about the development of international Internet-related policy. So that's absolutely fine, yeah. Thank you.

>>CHAIR FONSECA: Thank you.

Cuba would like to comment on this again. And then I have --

>>CUBA: Yes. I don't put it exactly as you said, "evidence." But statistics, this and that, that's what it means.

And another thing that this can be considered for the report, I don't know in the final review. We will see. Because it's very mild in the sense that it should consider -- because Number 3 was mentioned. I don't suggest to merge with Number 3 because Number 3 is really unacceptable in the sense that it's given -- you know, open the process to scrutiny, you know. That's something that -- it's very hard that it could be accepted by many delegates here. Thank you.

>>CHAIR FONSECA: Thank you.

Kenya.

>>REPUBLIC OF KENYA: Thank you, Chair. Just to comment on Recommendation Number 2, how it's formulated, reading as "consider how." I think the word "how" does not make it a concrete recommendation because it is like talking about another process which stakeholders do. But I do not -- if that's what we want to mean.

It also applies to Number 3. It talks about "how." And in my view, when you put the word "how," it is not concrete enough. It is referring to another process. We should make some other recommendations or some other decisions.

If I were to just suggest we could remove or we could say stakeholders should make information -- it should correlate to what you want to say instead of talking about another process, which we are not talking about right now.

Also just to support what the previous speaker say about Number 3, the issue of opening up policy-making processes, we are in -- All right. Thank you.

>>CHAIR FONSECA: Thank you. I think on the basis, I will give the floor to Jovan. On the basis of the discussion we had so far, this would certainly need some editing. I would certainly support what was proposed by Kenya with regard to avoid the word "how." But I would seek to -- in light of the comment made by Cuba that we should retain "consider." So my proposal is to say, "Stakeholder should consider making information available" because that would take on board and give more -- address -- give some flexibility with regard to maybe some information that is sensitive and that kind of thing.

And, again, I think that we would look forward some revised version of incorporating the comments that were made in the room.

Jovan, do you want the floor?

>>JOVAN KURBALIJA: Me again.

I would like to highlight the importance of this recommendation based on at least our experience of training and awareness building organization. It is a bit paradoxical that we don't have enough data, very often, about engineering artifact, as the Internet is.

For example, cybersecurity threats are -- we found statistics -- it's 300 billion to 3 trillion. And it seems many statistics which is then used in policy processes is just taken out of the thin air.

Now, it is a very important recommendation and I would just make one -- one suggestion that we again, like with the capacity development, rely on experience from other processes. That is, open data process. There are a lot of activities in other spaces that making more evidence and more solid policy-making process. I can -- if we want -- we may add something along these lines to rely on the -- on the -- achieve the level of experience in the open data process, SDG processes. There are lots of thinking and ideas and concrete developments in this field. And I would like to reiterate again that this is an extremely important recommendation in order to make solid policymaking and robust solid -- and robust policymaking process.

>>CHAIR FONSECA: Thank you, Jovan, for those additional comments.

With this, I'd like to turn to Recommendation 3 from the U.K. You have the floor, sir.

>>UNITED KINGDOM: Thank you, chair. Well, Recommendation 3 is also inspired, if you like, from the Open Government Partnership, the partnership of 75 countries which I mentioned earlier.

It's not intended to contradict in any way the fact that policy authority for public policy lies with states. That's very clear in Tunis and we don't dispute it.

But what we're talking about here is the processes for making those policies, and we think that if we are going to have enhanced cooperation, then stakeholders need to be able to input into those processes

and they need to be able to scrutinize how the processes work, and that this will increase cooperation, it will also increase trust, and we believe it will increase the legitimacy of decisions which are made.

So as I say, this is not questioning the fact that policy authority ultimately lies with states but it's about improving the processes for developing international Internet-related public policy. Thank you.

>>CHAIR FONSECA: Thank you, U.K.

I recall from our previous discussions here that there were some comments --

I'm just saying this maybe just to try to avoid the discussions we had before.

There were some concerns in regard to some processes that are designed in a way that information is not made publicly available, and even there are stages of documents that do not allow for this. I think that was part of the concerns that were expressed. And I think there was also some concerns about giving too much prescriptive or, let's say, invasive guidance to governments.

I'm just maybe -- I want to be -- I'm trying to be fair about what took place. I'm not sure if I -- I'm just trying to -- maybe to avoid some -- to replicate some part of the discussion, but I'll turn to you before giving the floor to colleagues.

>>UNITED KINGDOM: Thank you very much for giving me the floor again.

Yeah, we absolutely recognize that point. There will be some policy areas where it is not appropriate to open up the process entirely. There will be others where it is more appropriate. We recognize that, of course.

That's why the recommendation says "stakeholders should consider how they can open it."

We need to ask our question: For this policy area, how can we do it?

The answer may be: We can only do it in a very restricted way because it's a very sensitive area, for example.

Or the answer may be: Actually, with this, we can open up much more.

But the recommendation is just for considering how, in that situation, it should be done. Thank you.

>>CHAIR FONSECA: Thank you for this. I think that provides some more context and input for colleagues to comment.

Well, I have a number of participants who -- I'm not sure exactly in which order you have requested the floor, so I will just maybe follow the line here.

I see Richard Hill, Cuba, Saudi Arabia, and Parminder.

Richard?

I apologize if I'm not following the right order. I was following the discussion.

>>RICHARD HILL: Yeah. I support this. Actually, I think essentially everything should be transparent and open, but as Paul said, there are some areas which cannot be open and that's captured here.

My comment was different.

Paul, maybe you could clarify a little bit. The first reference to stakeholders, shouldn't that, rather, be institutions/entities involved Internet governance? Because I don't think we're asking the individual stakeholders -- say private companies -- to open up. Or maybe you are asking that. So it's just a question of clarification.

That partly also applies to the one we just agreed, Number 2. Is it the intent there that just the bodies involved in Internet governance makes stuff open and available or also the individual participants like private companies?

By the way, I would support private companies in both instances, but it's just a question as to what you intended.

>>CHAIR FONSECA: Thank you. I think we -- I'd like to listen to other comments and then we turn to U.K. for the clarification.

So Cuba followed by Saudi Arabia and Parminder.

>>CUBA: I want to make a concrete proposal of -- around this, but for that, I will need a quick question to the proposer.

The objective of this is for what? To be able to -- or to know how to improve the policymaking by the rest of the stakeholders to learn, as Jovan said? What is the purpose for openness? To receive that information for what? Like -- like Jovan said? In order to --

Because what I'm proposing is to put this in a positive way. Because when you put "consider how open the policymaking" you are assuming that it's closed and you want to say that to your government, that you have to open it because it's closed, what you -- what you are doing?

So I think we should put it in the other way. Put the objective of what we want, which as Richard said, there is a need for transparency in order to be able to develop better public policies or whatever. To put this in a positive way.

But for that, I need what is the ultimate objective of this recommendation, so you could put that at the beginning.

Thank you.

>>CHAIR FONSECA: Thank you, Cuba. I think it's clear what you -- what is your intention and I will revert to the U.K. but let me first get Saudi Arabia, Parminder, and Anriette, and then I will offer the floor again to the U.K. for clarification.

Saudi Arabia?

>>SAUDI ARABIA: Thank you, Chairman.

Well, looking at this recommendation coming from the Open Government Partnership, I think we're guided by the Tunis Agenda so we should look at the Tunis Agenda paragraph, and it does say clearly that development of international public policy is the sovereign rights of states.

So developing such a recommendation goes in contradiction with UNGA mandate and Tunis Agenda outcomes. It is the sovereign right of states. So I'm not sure how this recommendation going in consistency with Tunis Agenda. Thank you.

>>CHAIR FONSECA: Thank you. Parminder --

Well, just before that, I think we are -- maybe I'll just express my position as the chair.

I think we should not be impeded to look at any proposal coming from any external body or process. We are not endorsing that by the process. We are looking at the idea and we are just making a judgment whether that idea, that proposal, fits our purpose or not. We are not making any -- any judgment on what is coming from -- from -- on the body that has proposed it.

And I think that any proposal that we judge that can provide a tool for -- to enhance, to assist better in preparation or in development of Internet, is valid, to the extent that we agree. If we don't agree, of course I think independent of the way it was developed, it's something we should not take on board. But I would not think we should be impeded to -- preempted by something that maybe it was developed either -- by an international body but that can be incorporated by us.

So I turn to Parminder and Anriette and then to U.K.

>>PARMINDER SINGH: Thank you, Chair.

A few comments on this recommendation.

One is that as we have stated earlier, that only public policies, Internet-related international public policies, are a mandate of enhanced cooperation, that alone would gets included.

So -- so it's not just policymaking because NGO has a policy, corporate has a policy, so those things are different. It's public policymaking. And if, indeed, the U.K. delegation meant public policymaking, then it brings up even serious -- more serious question. But stakeholders seems to be having public policymaking processes.

I follow the Open Government Partnership. I'm a great fan of it. It does not at all speak of giving public policymaking remit to anyone other than the governments. Actually in the Open Government Partnerships, even civil society and private sector are not treated at the same level. Civil society is treated at a higher level as a public interest group, but that's beside the point.

So I don't understand what is public policymaking processes of other stakeholders.

And I have seen these references in other parts, like the proposal that Anriette floated which says that we should not privilege the role of one stakeholder above other in these processes, and I don't really understand that, because as -- as somebody brought up in a democratic tradition, I only know that government is not, in that sense, a stakeholder. It is a representative. And people say that, you know, as governments have their own interests, and I would hope that all of these governments here that they don't have their own interest. Their own interest is the people, including the businesses, of the country for whose sake then public word is used and public policy is made. I don't want to go into abstract notions but I don't understand public policymaking processes of other stakeholders, so at the very basic level, this recommendation is hugely problematic.

>>CHAIR FONSECA: Thank you. I take this as some elements for U.K. to consider in their response, if he wishes, but then I -- before that, I turn to Anriette and Nigel so we exhaust the list of speakers before turning to the U.K. Anriette?

>>ANRIETTE ESTERHUYSEN: Anriette thank you, Chair. And, Parminder, I don't recall that proposal you just mentioned that I floated.

And in response to this, I think this is a very useful recommendation. I would support replacing the term "stakeholders."

I was asked yesterday by Juan to replace the term "policy spaces." I've referred to the bible of some people in this room, Tunis Agenda, and I found language of "body," so the language I found was "bodies, processes, and institutions dealing with different cross-cutting Internet-related public policies."

So I would -- I would propose we retain that, but start it with that.

And then possibly instead of just having "processes to input and scrutiny from other stakeholders," change that to "from all stakeholders."

But in principle, I think this is really important and I think if there's a commitment to enhanced cooperation from governments, as well as other institutions, that openness is actually a prerequisite.

>>CHAIR FONSECA: Thank you. Nigel?

>>NIGEL HICKSON: Yes. Thank you very much, Mr. Chairman. Well, certainly we'd go along with Anriette on this. I think this is an important -- an important proposal. I completely agree with what was said earlier by, I think, Richard in replacing the -- the first word "stakeholders" by perhaps "institutions" or whatever, or "bodies."

But clearly this has importance. It's something that within the ICANN context has been hotly debated that all stakeholder groups should have processes that are transparent so one understands what the decisions are being made on what basis.

Of course it doesn't mean to say that all stakeholders can necessarily have a role, but that the process is open. And I think it would have been much better, for example, if the United Nations government group

of experts on cybersecurity had had this particular practice in mind and then one might have understood where their recommendations were coming from.

So I think it's -- it's an important recommendation. It's a fact that public policy issues are being decided in a variety of organizations and not just by governments, and of course other stakeholders when they're developing public policy should have this in mind. Thank you.

>>CHAIR FONSECA: Thank you, Nigel.

I see -- my intention was to hand over to U.K. for final comments and -- but I see some other plates, so I will recognize the U.S., Iran, Cuba, but I'm closing the list after that, and I'll turn to U.K.

So U.S., you have the floor.

>>UNITED STATES: Thank you, Chair. And just not to forward too much the U.S. proposal, but we used the terms "institutions and processes considering international Internet-related public policy," which might be a way to kind of make this acceptable to some others.

But just on the basis of the -- I think the intent of this paragraph, you know, if we're talking about enhanced cooperation, it's very hard to enhance cooperation if there isn't a trend towards transparency, towards openness, towards sharing information. And I think that that's, you know, exactly what we're trying to get to here. And that seems to be a very important concept if we really want to operationalize enhanced cooperation as some have talked about. So we strongly support this kind of principle. Thanks.

>>CHAIR FONSECA: Thank you. Iran?

>>ISLAMIC REPUBLIC OF IRAN: Thank you, Chairman. Just very brief. Just I wanted to refer to Article 35 of the Tunis Agenda that emphasizes that the public policy is the sovereign right of the states and so they have rights and responsibilities for international Internet-related public policy. So for more clarification why we are going to other stakeholders related to the public policy, I would appreciate more clarification. Thank you.

>>CHAIR FONSECA: Thank you. Cuba for -- I'd like to -- kindly request you to be as brief as you can and we'll have one remote participant that is from ICC/BASIS as an observer and I -- but I'll turn to Cuba first and then to the U.K.

>>CUBA: Thank you. I was waiting for the -- my proposal to put this in some other positive drafting because as it is, I will be blunt. I really don't think that we should tell --

>>CHAIR FONSECA: No, no. Cuba --

>>CUBA: -- not even governments --

>>CHAIR FONSECA: Cuba, I think you have made your points. We are waiting for --

>>CUBA: Scrutiny --

>>CHAIR FONSECA: No, no. Cuba. Please, you made your point.

>>CUBA: Okay.

>>CHAIR FONSECA: We'll wait for a response from the U.K.

Just before turning to the U.K., I'd like to give the floor to a remote participation that was wishing to intervene. I would kindly ask to be as brief as possible because we want to keep moving in the other agenda items but I would not like to impede participation of a remote participant.

You can go ahead.

>> (Off microphone.)

>>CHAIR FONSECA: Yes? Can you hear us? Do you want to make an intervention at this point?

Well, we may have lost the connection, I think.

>> (Off microphone.)

>>CHAIR FONSECA: So -- okay. So I'll turn then to the U.K., please. In the light of the comments, I'd like to offer you a last word on this, so --

Obviously there is no consensus on this as it is. We'll need to further work on that. I think many comments are provided but I'd like you to offer you the opportunity to reflect on that.

>>UNITED KINGDOM: Thank you, Chair. Yes. And thank you to everyone who has spoken. We heard some very constructive and helpful comments on how we can improve this recommendation.

To be clear, I think Richard first asked the question, our intention is that this should apply to all stakeholders. Clearly governments, in particular, are involved here, but there are other stakeholders which make policy, and I'll give one example.

For example, where a civil society organization responds to a consultation, then we would like that civil society organization to consider how it can be transparent about the way in which it forms its position when it responds to the consultation. We think that's a good thing.

And that's just one example. So I would take the point that Anriette made that perhaps the word "bodies" is better than "stakeholders." I think that's a very helpful comment.

Responding to my colleague from Cuba, for us this is an entirely positive recommendation. It's entirely positive that governments and other organizations should think about how to open up their processes. That's not a criticism of any kind. It's a positive thing.

I was surprised, to be completely honest, that people might interpret this as a negative criticism. It's not at all. It's designed to be positive and I think the 75 other countries in the Open Government Partnership certainly would recognize it as a positive thing that we should all be striving to do.

I would -- my friend from Cuba also asked what's the purpose of this. Well, the purpose for us is that it enables better cooperation between stakeholders. That's what we're here for. To allow people to cooperate better. Because that makes better policy. That's the idea here.

I listened also to the points from Saudi Arabia and Iran, and as I said in my opening remarks, we do not contradict in any way the Tunis Agenda, which says policy authority for Internet-related public policy issues is the sovereign right of states, and that is absolutely correct, in our view.

What we are talking about here is something different. It's about the process of developing policy, how the process could be improved.

We are simply suggesting that bodies should consider what they can do to improve that process. So we don't believe it's in contradiction to the Tunis Agenda at all. As I say, though, I'm very grateful for the comments that have been made. We will reflect on them, think about the drafting changes, and if colleagues want to approach me in the margins, I'll be very, very happy to have further conversations about this. Thank you.

>>CHAIR FONSECA: Thank you. I'm closing debate on this particular paragraph. It's clear there are some serious concern but also some helpful suggestions. We hope this can be revisited in a way that can be then considered again by the group. And wishfully we can agree on some elements at least that could make it to our report.

I would invite the U.K. representative Paul to introduce paragraph 4, Recommendation 4.

>>UNITED KINGDOM: Thank you, Chair. Very briefly, we are proposing here recommendation that we should support the participation of stakeholders from developing countries in enhanced cooperation processes. In particular, we -- there are a number of barriers that we've noticed, cultural and linguistic diversity. I think many of us know that in the meetings we attend and in the different processes that take place, we sometimes don't pay enough attention to the kind of cultural and linguistic barriers that many stakeholders face. And in particular, of course, the capacity constraints that least developed countries face. And we think a recommendation on these would be something that we would like to propose. Thank you.

>>CHAIR FONSECA: Thank you, U.K. And, again, just to recall that this refers to a number of topics we have been discussing including cultural and linguistic diversity, which was addressed in a way by Iran, capacity-building, participation of stakeholders. So I'd like to receive some reactions from you in regard to the way those notions are drafted and appear in the context of this recommendation.

Yes. And just to recall that I think when we were discussing, I think known of those notions were rejected. I think the concern was how to reflect them in written form in a way that would be acceptable and would be appropriate to be reflected in the document.

Anriette.

>>ANRIETTE ESTERHUYSEN: Thank you, Benedicto.

I have concerns about this. I think I like the spirit of it. I think it needs to be redrafted. I think the conflation of linguistic diversity and capacity constraints with least developing countries is, I think, somewhat of concern to me because I think there are linguistic diversity challenges in many developed countries and increasingly so and also capacity constraints. So maybe this can be reframed to refer to language barriers and diversity.

So -- I won't go into detail now. I can see what U.K. is aiming at with this, and I like that. But I think that to not come across as patronizing, it does need to be redrafted a little bit. Sorry. Excuse me bluntness.

>>CHAIR FONSECA: Thank you. I have on my list Cuba followed by Japan.

Cuba, you have the floor.

>> (off microphone).

>>CUBA: Of course. Thank you. I agree with what Anriette said about the second part of the recommendation, this paragraph. But now I'm going to focus in the first part. Maybe I missed, do we have a definition of what is "enhanced cooperation processes"? Because I think last time there was a wide, wide interpretation of what "enhanced cooperation processes" are. So I suggest that instead of putting "enhanced cooperation processes," to put something like the development of international public policies pertaining to the Internet should support, whatever, and not to use -- and this is valid for the rest of the paragraph below. Because -- do we have an agreed definition of "enhanced cooperation processes"?

>>CHAIR FONSECA: Thank you, Juan.

Japan.

>>JAPAN: Thank you, Chair. Concerning the proposal just made by the Cuban colleague, we are open to that.

So in my understanding, enhanced cooperation, we don't have a definition of "enhanced cooperation." But after discussion of the high characteristics of what is enhanced cooperation, we almost as unanimous acknowledge that one of the important elements is inclusiveness. And we also had many recommendations, like Recommendation 48, 51, 54, 55, 58, 59, 70, these recommendations all mention about this importance of supporting the participation of developing countries. So I think the question here, Number 4, is something that we can support.

And, also, I would like to suggest that to include after "participation of stakeholders from developed countries," I would like to suggest to insert "including through capacity-building" because many of the recommendations also mention the importance of capacity-building. So with this insertion, we would like to support this. Thank you very much.

>>CHAIR FONSECA: Thank you. I'll give the floor to Jimson. After that, I would like to close -- I see also Saudi Arabia. Jimson, Saudi Arabia, and after that I would like to close the list on this and turn to the U.K. for comments on the inputs and reactions to that proposal. Jimson, you have the floor.

>>JIMSON OLUFUYE: Thank you, Distinguished Chair.

If we divide this recommendation into three parts, the second part -- we take into account cultural and linguistic diversity and capacity constraint. This is very obvious and very acceptable to us. And we think as previous speaker said, we can adjust the Part A or Part C of it to be in tune with other recommendations that have been made before.

So I accept this in principle, as recognition of the cultural and linguistic diversity and capacity constraint so, of course, felt by developed countries, developing countries, and least developed countries. Thank you.

>>CHAIR FONSECA: Thank you.

Saudi Arabia.

>>SAUDI ARABIA: Thank you, Chairman. And thanks to our colleague from U.K. for their recommendation. When looking at paragraph 68 of Tunis Agenda, the second part, that is to say we also recognize the need for development of public policy by government in consultation with all stakeholders. So we see this is captured in Tunis Agenda. And we agreed not to repeat what is in Tunis Agenda and others. So... That's the application. Thank you.

>>CHAIR FONSECA: Thank you. I'd like then to turn to the U.K. for final comments. I would not like to prolong discussion on this particular paragraph now, but I think it's useful to hear from U.K. reaction on this. Please.

>>UNITED KINGDOM: Thank you, Chair. I think there's some very useful comments there. In particular, I think the Cuban suggestion of replacing "enhanced cooperation processes" with "the development of policy," I think that's a helpful suggestion, also. Thank you to everyone for their comments.

>>CHAIR FONSECA: Thank you. Should we then move -- and I invite you to introduce paragraph 5, Recommendation 5.

>>UNITED KINGDOM: Thank you, Chair.

Yes, this recommendation suggests that we should look at a balance of stakeholder representatives in multistakeholder forums. This will be different in different circumstances and different kinds of bodies. Actually, we think this working group is perhaps one good example of where we have tried to make sure in our membership there was a balance of governments, international organizations, the business community, and so forth. Perhaps we can look to ourselves as an example of best practice, I hope.

But this is a recommendation that we would like to propose for our report. Thank you.

>>CHAIR FONSECA: Thank you. I see Cuba seeking the floor. You have the floor.

>>CUBA: Thank you, Chairman. This recommendation unfortunately cannot be fixed by changing the "enhanced cooperation process" like the other because then it will not make sense.

But the -- because the problem of this recommendation is that it assumes a particular interpretation of what "enhanced cooperation" is. And as you know, there are different interpretations of what "enhanced cooperation" is. Even some countries have said that enhanced cooperation has already happened, so this will not make sense because it has already happened.

Some believe that enhanced cooperation, it's only -- if we follow the letter of Tunis Agenda, it's only for governments. And, you know, I know very well the discussion. I was there when the term was coined. But in this case, we are assuming -- this paragraph is assuming one special interpretation of enhanced cooperation. I think we should stay out of that. We should not assume any particular interpretation because then, you know where that can lead us, everybody can put then paragraph, paragraph with a particular interpretation. Thank you.

>>CHAIR FONSECA: Thank you, Cuba. And I think you have indicated there is a firm -- stronger position of rejection of this. Certainly there is no -- no consensus would be achieved. I do not want to prolong discussion on this paragraph as of now in light of some things you have said. We want to relate this to other parts of our discussion later on. But then I -- as I'm doing consistently, I turn to U.K. for final remarks in regard to this paragraph.

>>UNITED KINGDOM: Thank you, Chair. I just wanted to be clear about what the recommendation says. It says "in multistakeholder forums." So this only applies to multistakeholder forums. And I think in that context, where there is a multistakeholder forum, we are suggesting that there should be a balance of representatives. So if it only applies to multistakeholder forums, we think this should not be too controversial. We hope so anyway. Thank you.

>>CHAIR FONSECA: Thank you, U.K.

May I just -- I don't want to prolong. I'm in your hands. You know my intention is to finalize our discussion so we can move to the framework part of our discussion. I think it's in the interest of many of you.

But I'd like maybe just to seek clarification from the U.K. of intent because I think the intent behind this is that through enhanced cooperation, meaning the development of -- this paragraph seems to indicate that enhanced cooperation could be improved, in case the multistakeholder processes are something different, can be developed with full multistakeholder participation.

So it's something outside enhanced cooperation but that could assist in enhanced cooperation. Is that more or less the intent? I'm not -- I don't know if I'm clear about what I mean.

>>UNITED KINGDOM: I'm, sorry, chair. Could you repeat it? I'm not sure I understood.

>>CHAIR FONSECA: Okay.

[Laughter]

If I'm speaking, I'm trying to make up -- I think what you mean here is those enhanced cooperation processes -- I'm just saying this expression to be replaced, they will benefit from the multistakeholder forums that are not enhanced cooperation processes or might be. There are different interpretations. But if those multistakeholder forums are truly multistakeholder, these would benefit the particular enhanced cooperation. I think maybe this is the intent behind what is proposed here, the purpose. It's not clear yet?

>>UNITED KINGDOM: So I think what we are saying is that multistakeholder forums are one way in which enhanced cooperation takes place.

When there is a multistakeholder forum, that multistakeholder forum should try to ensure there is a balance of stakeholder representatives. It would not be right if it was dominated entirely by business or entirely by governments or whatever. If there is a forum which is multistakeholder, there should try to be a balance. That's all we are saying. Thank you.

>>CHAIR FONSECA: So just before turning to Saudi Arabia, Cuba, but maybe trying to prevent the discussion on this, I think this really brings into the fore different interpretations because for some, those multistakeholder forums are not appropriate for enhanced cooperation. And I think what is -- you have been explicit about that -- that in case those multistakeholder forums contribute or develop things that could be seen as enhanced cooperation.

So I think this brings us to some difficulties in regard to interpretation by some. And maybe this could be bracketed as of now, but certainly I would expect very strong reactions from some.

If you want to be more explicit about that, I want to offer the floor. But, please, help me to keep moving so we can get to the part you are really interested in discussing.

Cuba, Saudi Arabia, Richard Hill.

>>CUBA: Thank you. To say that multistakeholder forums should have a balanced stakeholder representative, it's okay. The problem is how to link that with enhanced cooperation processes because as I said in the previous point, "enhanced cooperation process" is not defined. We suggested to change by instead of "enhanced cooperation process" to say "development of public policies -- "international public policy pertaining to the Internet processes." But if you put that here, then it doesn't make sense because we say, "The development of Internet public policy pertaining to the Internet process should seek to ensure a balance of stakeholder" -- it doesn't have the link.

Maybe the solution is as you said, to say that "The development of international public policy pertaining to the Internet processes could be benefited by if multistakeholder forums have balanced representation," something like that. You know what I mean. Each more or less what you said. It is the linkage.

There is nothing wrong to us. Of course, I agree that multistakeholder forums -- I always defended that in the MAG. As you know, we defend in the IGF, every year we have this statistic to try to have balanced representation. That's very good. The problem is how to link that with the development of public policies option pertaining to the Internet because I don't -- I don't think that we should use the wording "enhanced cooperation processes" because that is not agreed. Okay? Thank you.

>>CHAIR FONSECA: Thank you.

Saudi Arabia followed by Richard Hill.

>>SAUDI ARABIA: Yes, thank you, Mr. Chairman. The intention of enhanced cooperation is not to support participation of stakeholder from developing countries. The intention is to enable government on an equal footing to carry out their roles and responsibilities in international Internet public policy issues and so on. So let's not mix and match wording from Tunis Agenda and to put "enhanced cooperation" in the shoes of IGF.

So we have two separate tracks: Enhanced cooperation and IGF, which is a multistakeholder forum. All stakeholders will come on equal footing to discuss issues.

But putting "enhanced cooperation" is a process that would seek the balance stakeholder representatives in a multistakeholder forum. We have no mandate in enhanced cooperation to do this. This is an IGF mandate which is after ten years of doing IGF, we see everyone is participating on an equal footing in a multistakeholder forum. So we see this recommendation as out of the context of Tunis Agenda. Thank you.

>>CHAIR FONSECA: Thank you. I have Richard Hill followed by Pakistan.

>>RICHARD HILL: Thank you, Chairman. The issue with this one -- you're going to have the same issue with most of the following ones -- is there's no agreement on what enhanced cooperation processes are. Since people don't agree on what that is, then they get stuck.

This particular one, Paul, I think would work better if you turned it around the way you did in your last intervention and say, "Multistakeholder forums should seek to ensure a balance of representation." I think hopefully everybody would agree with that one.

For the following ones, I think, Paul, they would have a better chance of getting consensus if you could agree to replace "enhanced cooperation processes" with "bodies working on international Internet policy" or something like that. And then all the other ones I think would flow through possibly better. Thank you, Chairman.

>>CHAIR FONSECA: Thank you. I have Pakistan and the U.S. and after that, I'm closing the list and turn to United Kingdom for final comments.

So, Pakistan, you have the floor.

>>PAKISTAN: Thank you, Chair. In addition to what my colleague from Saudi Arabia said, actually we also are confused at the notion enhanced cooperation processes as referred in the U.K.'s proposal, because we have no idea what these enhanced cooperation processes are. Or maybe the U.K. colleague can give us some clarification on what these processes are, being mentioned here in their proposal for which multistakeholder approach should be -- should be adopted.

So I think we need to have some clarification. We are going in circles. So I think clarification from the U.K. colleague would be helpful.

>>CHAIR FONSECA: Thank you. Just before turning to the U.K., I'd like to hear the U.S. and then we are giving the floor to the U.K.

>>UNITED STATES: Thank you, Chair, and just to respond to some comments made because I think it's important, you know, we've heard a few times this line which we've agreed to for several years now which says that the IGF and enhanced cooperation are to be pursued through two distinct tracks, and we agree with that.

But the second half of that is: And recognizing that the two processes may be complementary.

That is, that enhanced cooperation supports the IGF and the IGF supports enhanced cooperation.

These two things are linked, and that is how -- just one example of a multistakeholder fora that is helping to enhance cooperation.

And so, you know, as we kind of reflect on this, I think it's to remember, yes, two distinct tracks but these things are complementary because enhanced cooperation benefits from that multistakeholder approach. Thank you.

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

And I think when I try to make the link and try to have some clarity, because I think the link would be there, that enhanced cooperation --

Again, also addressing what Pakistan has said, I think we have agreed that "enhanced cooperation process" is not the right expression to be used. We want to refer to the familiar language so we avoid that kind of discussion here.

But that those -- the development of public policy relates to the Internet.

If we think that this could benefit from multistakeholder process fora, I think this is something that could be acceptable by the group, but if this paragraph is seen as also saying that multistakeholder processes are also doing enhanced cooperation, I think that might lead into some kind of different interpretation.

But I'd like to turn to the U.K., and after that, with your indulgence, I'd like to close discussion on this particular paragraph, unless anyone has a very strong point, so we can move forward.

U.K.?

>>UNITED KINGDOM: Thank you, Chair.

Well, yes, to answer Pakistan, as we said earlier, we agree this phrase "enhanced cooperation processes" is not helpful and we agreed with the suggestion Cuba made earlier, as you say, of using the language from Tunis.

With Number 5, again, thanks to Cuba for some very helpful suggestions. I think Cuba is right, it doesn't work like that, so we will take it away and change it, I think, to say, "multistakeholder forums which are involved in the development of international Internet-related public policy should have a balance of stakeholder representatives," and when we bring that back to the group, perhaps it will attract more consensus. Thank you.

>>CHAIR FONSECA: Thank you. And just one comment that occurs to me that sometimes in some interventions, some of you have equated multistakeholder forums with the IGF. I think we are here addressing a wider range of organizations. For example, in institutions like the IETF -- that is also multistakeholder, for example -- there is a consistent call for more participation from developing countries, so this is something that we think having more people representing a wider -- wider interests, wider -- a wide range of views, would be beneficial for discussion, development of policies that could ultimately have a bearing also on international public policy.

So I'd like maybe to ask you to have -- to look at it from this wider perspective and from things that we are also making calls in other fora. I think that that might be helpful when we revisit this.

Richard Hill, do you want to -- 30 seconds because we are behind schedule for lunch. I -- yes, please.

>>RICHARD HILL: No. I agree with you there are many other multistakeholder bodies and I would support the new formulation that the U.K. has given, but, I'm sorry, the IETF is not a multistakeholder forum. Only in the -- only individuals participate in the IETF. There's no -- there's no stakeholders. It's individual, theoretically, but we all know in reality they're representing companies. But from a formal point of view, that's only individuals.

>>CHAIR FONSECA: No. My impression is that it gets together academic with technical community, civil society, so for me, it's multistakeholder.

>> (Off microphone.)

>>CHAIR FONSECA: Ah, okay, okay, good. Good. Okay. Thank you for this.

Anriette?

>>ANRIETTE ESTERHUYSEN: Maybe Richard should stop boycotting the IGF and come and see what it's like. It's in Geneva this year. Come!

[Laughter]

>>RICHARD HILL: No, no. I was talking about IETF, not IGF. IETF, not IGF.

>> (Off microphone.)

[Laughter]

>>CHAIR FONSECA: So colleagues, thank you. I am afraid we have to break for lunch without having exhausted this. I really was thinking that we could start the afternoon session going directly to the framework, the institutional recommendations, but we'll have to exhaust this. I -- I'm sorry, can I --

[Gavel]

>>CHAIR FONSECA: Can I have some of your attention, please? I think we can do it rapidly in the beginning of the afternoon, and after that, we will move to those institutional frameworks which many of you have expressed are the core -- the core concerns for this meeting.

I want to give enough opportunity, enough time, for discussion, even though knowing beforehand that many of those ideas are not consensus, that they should be reflected in some way in the report, because they reflect views that were supported by many of you, so there should be enough space and time to discuss those.

I have, together with the secretariat, tried to identify in each recommendation, in the universe of recommendations, those portions that refer to institutional improvements or any institutional framework kind. This has been circulated for your consideration, so in -- once we exhaust this, this will be -- we'll look at the document -- we didn't want to make a separate document because we do not want to have proliferation of documents. We just are highlighting the portions of recommendations that refer to institutional -- to the institutional framework discussion for your consideration in the light and in respect for those who have contributed and have consistently referred to it.

I think we should, first of all, have some discussion on those recommendations that are supported by many proponents. I think that refers to the idea of creating this new institutional framework and this -- I think we have extensive contributions from Parminder, from Russia, from Cuba.

So I would suggest we start with those who have -- and I will offer the floor for those to comment on their proposals. We can have some discussion on this. But you'll see there are a number of other interesting, in my view, proposals relating to institutional framework relating to creating homes for discussion at the CSTD, UNGA, and I think all those ideas, I'd like to have the opportunity to receive the feedback from you, because we must later on discuss -- decide on how this should be reflected in the report, reflecting the diversity of views, and I think it's important for me or for anyone that will be involved in drafting to receive reaction from the room.

So this is what I intend to do in the afternoon. Hopefully we can -- of course we'll not solve all the issues.

[Laughter]

>>CHAIR FONSECA: Our level is ambition is rather diminished in that regard but I think we must have plenty of time to discuss the ideas, to have an exchange, and maybe to come up with something new in relation to what has been on the table until now.

I personally was very much glad to see some very interesting and I would say maybe innovative proposals I think that should be discussed in conjunction or in addition to those that are, let's say, the core issue for some which should deserve maybe the -- to deserve the right time to discuss.

So thank you. We are breaking for lunch and look forward to seeing you back here at 3:00 p.m. That's - I'll be here sitting at 3:00 p.m. sharp.

[Laughter]

>>CHAIR FONSECA: I hope you'll help me to make this afternoon session as productive as possible. Thank you. And have a good lunch.

[Lunch]

[Gavel]

>>CHAIR FONSECA: Good afternoon, colleagues. I welcome you back to the meeting. We will resume from where we left in the morning. You will recall we are revisiting those proposals that were initially identified as being prone for consensus.

I would say that in the course of our work, I think that initial objective is still there but I think it has been, I think -- I would say enriched by the debate in which even if we do not exactly reach the goal of having consensus, we are getting a lot of information, a lot of inputs on recommendations that will assist us in subsequent phases.

As I have already said, both myself, my team, the secretariat, we are taking note of everything in order to come forward with a proposal on the way forward in regard to those proposals which may have not been accepted by consensus in their current formulation, but in some cases, there are strong concerns, strong reservations about the language and about the contents, so there might not be in any way cooperate by the group in any fora, but nonetheless, they will be made available for reference that those were proposed by some people. So we are not losing anything. We are just now finalizing this.

So I would invite you to consider the last five proposals coming from the U.K. Uncategorized Recommendation Number 4. Just after that, as I have said before, I would invite anyone who thinks that any proposal that was put under Category 2 or 3 but that could also be prone to -- and lead to some early harvest discussion on consensus, you are free to bring it on board, but please restrict yourself to those who really, in your assessment, could lead to consensus. Otherwise, this is not the purpose for this particular part of the meeting.

And immediately after that -- and I hope this will not take us -- well, I don't want to anticipate the time but I hope this does not take too much time -- we'll move directly to the discussion on framework.

Now, I draw your attention at the right moment to a document that was prepared by the secretariat and myself highlighting the portions of recommendations that are related to institutional proposals and we will come back to these in due time.

So for now, I would like then to invite the U.K. to make introductory remarks in regard to Recommendation 6 in its proposal. Thank you.

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

Recommendation 6, as we said before lunch, we recognize that the phrase "enhanced cooperation processes" is not the best phrase so we would need to take on board Cuba's advice regarding that. But we hope that the principle of supporting our recommendation on sustainable development which other colleagues have already mentioned is one which will attract consensus support. Thank you.

>>CHAIR FONSECA: Thank you. Thank you for your remarks.

May I seek your views, members of the group, in regard -- and observers, in regard to that point?

Yes. I see Timea Suto from ICC/BASIS.

>>TIMEA SUTO: Thank you, Chair. We would just quickly comment to support this recommendation from the U.K. and reiterate some of my interventions earlier on a recommendation that I made that is similar.

The spread of information, communications technology, and global interconnectedness has great potential to accelerate human progress and bridge the digital divide and develop the knowledge society, so this is what enhanced cooperation is intended to do and in some cases is already doing, so we would just like to echo support for this recommendation by the United Kingdom. Thank you.

>>CHAIR FONSECA: Thank you. I have on my list Saudi Arabia, followed by Iran. Saudi Arabia.

>>SAUDI ARABIA: Thank you, Chair and good afternoon, colleagues. Well, 6 is similar to those that was discussed at the beginning where it's focused on capacity-building, educational and skills, so maybe we put them with the other categories. It's not really focusing on enhanced cooperation to enable governments. It's focused on capacity-building. Thank you.

>>CHAIR FONSECA: Thank you. Iran?

>>ISLAMIC REPUBLIC OF IRAN: Thank you, Mr. Chairman. I think it's a good suggestion from the U.K., especially linkages between the enhanced cooperation and the sustainable development, but I believe that in framework of the sustainable development, when we look at the means of implementation section, there is three elements that it is important for implementation of the SDGs.

Capacity building and development -- development technology and providing resources.

But I believe that for 6 recommendation -- for the 6 recommendation, we need some minor amendment and we need to add the transfer of technology or development of technology for this recommendation. Thank you.

>>CHAIR FONSECA: Thank you, Iran. Cuba?

>>CUBA: Chairman, two comments. The first, I think the proposer already mentioned that these have to be put -- that the -- the thing that should support are the public policy pertaining to the Internet, but here I don't know if this is the public policy pertaining to the Internet or the public policies pertaining to the Internet development process.

In the one before, in -- I think it was 4 or 3 -- it was the development process of those policies, the one that -- that the rest of the paragraph was pertinent to.

In this, I'm not sure if it's the process or the policy itself. That's the first thing.

And the second common -- comment is that all these should be lumped in the same place with all the capacity building and be always specific for public policies, Internet -- pertaining to Internet, because if not, it's just already in the Tunis Agenda, it's already in the WSIS+10 document and following the same criteria for other redactions or other recommendation, we should not keep it. Thank you.

>>CHAIR FONSECA: Thank you. I have Nick will be the last speaker, and then I'll turn toward United Kingdom for reaction.

Nick, you have the floor.

>>NICK ASHTON-HART: Thanks, and welcome back after lunch.

I just wanted to say I -- it seems to me that there is certainly room in a holistic way to address both that the result of enhanced cooperation like other policy processes should facilitate sustainable development. Also, that developing countries, especially LDCs, will be helped by capacity building efforts to help them participate in enhanced cooperation-related activities also. I mean, they're separate activities, but I think we should recommend in both senses somehow, however it's worded. So we would support at least the sense of this, certainly. Thank you.

>>CHAIR FONSECA: Thank you. And I turn to the U.K.

>>UNITED KINGDOM: Thank you, Chair, and thank you for all those comments.

It's true, as Cuba said, that sustainable development is mentioned in other documents but we think it's important that we also mention it in terms of enhanced cooperation. Enhanced cooperation, in our view, is strongly connected to issues of sustainable development.

We listened, in particular, to comments from Saudi, and in particular, before lunch I heard the colleague from Saudi Arabia say that the intention of enhanced cooperation is not to support participation of developing countries. I think that's what he said. But for us, we recognize that for many countries,

issues of capacity building and development challenges are a real obstacle to taking part and cooperating in Internet governance processes and in policy development processes, so we think it is important.

So we can look at the drafting and we can perhaps look at some of the other suggestions that have been made on sustainable development, but for us, this is absolutely critical in making sure that all governments and other stakeholders can play their roles in the development of policy, and we think sustainable development needs to be at the top of our agenda. Thank you.

>>CHAIR FONSECA: Thank you. We are then moving to the next paragraph, but just before that, just recalling that in regard to capacity building or capacity development, we had these sentiment from the room before that we should cluster these around some -- and have a common language that would address the issue. We'll try to work towards one unified paragraph formulation that could be later on revisited.

So I'd also like just to -- to recall that sentiment emerged in the previous discussion in that regard.

May I then kindly request the U.K. to introduce Recommendation 7?

>>UNITED KINGDOM: Thank you, Chair. In this recommendation, again we would suggest changing the words "enhanced cooperation process" to the "development of international Internet-related public policy." And we believe that the development of that policy should promote an enabling environment for investment.

And this is very closely linked to questions of sustainable development, that we think promoting investments, promoting cooperation between governments and the private sector and other stakeholders which promotes investment in infrastructure and increases affordability. Again, we think it's fundamental to our task and we should spell that out clearly in our recommendations. Thank you.

>>CHAIR FONSECA: Thank you. Just before giving the floor, just recall the previous discussion on this on the basis of the proposal that was made by the European Union, there was some concern that we could be in a way repeating language that is already in outcome documents. I do not recall who said that, but that there were -- maybe the same notion is already captured there. So I'm saying just make sure that anything we say in this is either in addition or that takes into account what maybe already something that provides the framework for our discussion here.

I have on my list Anriette and Nick. Do you want to take the floor? No, no, only Anriette.

>>ANRIETTE ESTERHUYSEN: Thank you, Benedicto.

Well, maybe you just addressed what I wanted to raise as a positive aspect. I support that with all the standard adjustments that we've talked about. And I like it in particular because it references the Geneva Declaration. And I think we tend quite often in our post-WSIS processes to reference the Tunis Agenda extensively and forget about all the valuable content that there is in the Geneva Declaration of

Principles. And there's actually -- a lot of that text is very similar to what there is in that declaration with regard to the role of governments to enable environments for investments and development.

>>CHAIR FONSECA: Thank you.

Parminder and Timea.

Parminder followed by Timea.

>>PARMINDER SINGH: Thank you, Chair. Again, trying to get over that problem of who should do these things. It refers to possibly one issue which may be Internet-related public policy issue among dozens, perhaps now scores, of public policy issues.

I don't know. I just read in some recommendation that there should not be a shopping list approach which I actually don't agree with. I think it came from one of the developed countries.

There are a lot of public policy issues. We did a mapping and spent a whole WGEC practically doing that.

And when this WGEC started, I was surprised to note some members who actually proposed at the start of WG1 that a mapping should be done, they started by saying that we should not take that mapping exercise as a basis of work for this WGEC. But in any case, there is a big mapping out there.

Now, getting one issue up there, at least in that problem that there's nothing to disagree with it, but agreement creates a disproportionate presence of some issues which are not able to agree with. And that would, of course, work for 8 also.

I mean, I have a problem with regulation of artificial intelligence, for example, as one of the most pressing issues on U.K. and U.S. have (indiscernible). And even Europe has come out with policy papers in the last five months.

Now, should introduce those subjects or all the public policy mapping, about 80 subjects, is what is confusing. So I don't know. It's not a disagreement, but what do we do with this recommendation is in Chair's hand.

>>CHAIR FONSECA: Thank you. I think your concern is very clearly spelled out, and I leave it for the U.K. to come to this.

But in regard to the mapping, I would say that our mandate clearly says that we should also take into account previous work. And so it is not, let's say, totally off of the table. I think it was the decision of the group not to work on the basis of the previous work. But I understand that what was done previously is also part of, let's say, the pool of resource information we can rely on.

Up there -- yes, Timea, yes, please.

>>TIMEA SUTO: Thank you, Chair. I think this is important, this proposition from the colleagues from the U.K. and the next one as well. We will comment in due time for that one.

It is important to know this concept of enabling environments, as enabling environments are essential for reaping the benefits of the Internet and ICTs. And business is a critical actor in innovation, technology development, and building and developing ICTs and infrastructure deployment for ICTs.

This required that the legal policy and regulatory frameworks and inclusive approaches are in place to promote investment in ICTs and infrastructure and foster entrepreneurship and innovation. So I think this proposition is important to note. Thank you.

>>CHAIR FONSECA: Thank you. I'd like to, as I have done, ask the United Kingdom if you want to have the final word on this in regard to the comments that were made.

>>UNITED KINGDOM: Thank you, Chair. Well, I'm not sure we completely understood the criticism from Parminder. And perhaps an offline discussion would help. For us, this is not just one item on a shopping list. This is an absolute cross-cutting priority for many of us in this room. We're here to talk about cooperation and for us the cooperation between governments and the private sector which will allow developing countries to have better investment, better infrastructure, more affordable connectivity is absolutely critical to what we are here for.

This is perhaps one of the most important kinds of cooperation that we should be discussing if we are going to be serious about addressing the digital divide. So, again, happy to look at drafting suggestions and how this might fit with some of the other suggestions that have been made. But we do strongly believe that promoting cooperation and partnership for -- and enabling environment for investment is at the top of our agenda, and we believe at the top of many other people's agendas. Thank you.

>>CHAIR FONSECA: Thank you, U.K.

So I'd like at this moment to move to the other agenda item, other recommendation. Could you please then also make some introductory remark with regard to Recommendation 8.

>>UNITED KINGDOM: Yes, very briefly, this recommendation simply proposes that as we develop Internet-related policies, we should be promoting an enabling environment for innovation and making sure that we facilitate innovation and cooperation between stakeholders. Thank you.

>>CHAIR FONSECA: Thank you.

May I have some reactions on this? I'm not sure if the same kind of concern expressed before would apply to those. May I seek some guidance for that? I think one of the points that was made previously, I think there was difference of opinions whether this is one item among many items or one of critical importance that deserves special reference in any document.

So I think maybe it's not the right moment now for -- I just leave these as some reflection for us to come back to this at a later stage. I think that may be comment to reflect very much the differences we have in previous discussion.

I recognize Saudi Arabia.

>>SAUDI ARABIA: Thank you, Chair. I think here we have a different interpretation of Tunis Agenda. We have a separate action line enabling environment. Every stakeholder will do that. That's action 9.

But when it comes to enhanced cooperation, it's very clear what is the intention of enhanced cooperation. It's to enable government to develop international policy. That is to say to promote and enabling environment.

We are mixing definition and concept of Tunis Agenda with other action lines. So we are having difficulty to see such recommendation that are not in line with Tunis Agenda. Thank you.

>>CHAIR FONSECA: Thank you. I think you have been saying this consistently over our discussion. I only argue or maybe bring back some arguments that here we are not defining what is enhanced cooperation. We are more in a way of trying to devise maybe the goals of some desired outcomes that can emanate from improvement of enhanced cooperation so that at least from the perspective of the chair would be in line with what we are trying to do to identify ways.

But, again, I think this is something that should be revisited further in light of the discussions we are having. And as you can imagine, I'm eager to get to the discussion on the framework.

So I suggest we move to Recommendation 9.

Japan, I'm sorry, do you want to have the floor? Japan followed by Timea.

>>JAPAN: Thank you, Chair. I would like to make a brief comment for supporting your comment on our understanding of the enhanced cooperation.

In my understanding, enhanced cooperation is not just simply setting up a new mechanism to allow a government to make international public policy principles. Actually, we have different understanding under what is enhanced cooperation. And actually we -- since we really didn't have a consensus before, that's why we developed the discussion on the characteristic discussion in the last sessions. There we find out that it's not just making a new mechanism, it also include promoting transparency, inclusiveness, and collaborative approach to the desired outcome.

So I understand in that sense, I support -- I understand enhanced cooperation is an ongoing process that is already going on and that we should make some recommendation to support these ongoing situation or enhanced cooperation.

In that sense, I think it's quite useful to mention some desired outcome of enhanced cooperation. And in Recommendation 8, it says "enabling environment for innovation." In the sense, I support this recommendation. Thank you very much.

>>CHAIR FONSECA: Thank you.

Timea.

>>TIMEA SUTO: Thank you, Chair. So as I noted in my previous comment to the Recommendation Number 7 from the U.K., I think my comments here apply the same way and we would like to support that.

And I also would like to support what my colleagues from the government of Japan have just said, that enhanced cooperation is already taking place in many, many fora. And these processes should be strengthened for these outcomes that are outlined here in this recommendation on trying to foster and enable an environment for innovation. Thank you.

>>CHAIR FONSECA: Thank you. I would turn to -- sorry. I will turn to the U.K. for any final comments in regard to this.

So just before -- I see Paul there.

Just before moving to Recommendation 9, let me just recall, I think this is part of the framework that we're working in. I think both maximalist views that nothing has taken place yet in regard to enhanced cooperation or that we do not need anything in addition to what we have. Both visions have been superseded by what was decided by WSIS+10. WSIS+10 recognized that some progress has been made. So it's there. We are not changing that, but also recognizing it for further implementation.

So it's -- anything we may say here will not change what has been decided by WSIS+10, and this is the framework we are working. Some progress has been made. But there is room to improve. That's part of what we are doing. We should not be revisiting that. We do not have a mandate to revisit that language that emanates from WSIS+10.

With this, may I turn to Paul again and kindly request him to introduce Recommendation 9.

>>UNITED KINGDOM: Thank you, Chair.

In Recommendation 9, we propose that policy development processes should avoid duplicating existing work and there are a number of reasons why we think that this duplication can be a problem. First of all, clearly, it's a waste of resources to have duplication of work, particularly in international organizations. It costs not only resources for the organizations themselves, but it costs resources for governments and stakeholders to take part and we need to be aware of that.

Another problem is it can be confusing if we duplicate work. It's confusing to know where is the right place to go if more than one organization is discussing the same thing.

And another problem could be that there are different outcomes from different parts of the international system which also could cause confusion.

So we need to, in our view, try to avoid -- when we're looking at developing policy, we need, first of all, to consider what else is going on around in other existing forums which are doing work, could those existing forums be developed, could the process of developing policy involving stakeholders be

improved in those existing forums, and try to avoid setting up lots of duplicative work programs. Thank you.

>>CHAIR FONSECA: Thank you, U.K., for those comments. I will open the floor for comments. We have had some discussion in that regard. I'm not too sure what was the outcome. I understand there is a general feeling we should not duplicate work, but on the part of others there is the feeling that we should not be impeded to give guidance or to give our opinion on how some work is being done elsewhere.

So I'd like to seek your views.

I see none, no requests for the floor --

Yes. Saudi Arabia.

>>SAUDI ARABIA: Thank you, Chairman, and we thank our colleague from the U.K.

Where we see contradiction in this recommendation, it does say we should avoid duplicating existing form but then it states existing forums, so we want to duplicate forums, but work, no, we don't want to duplicate work.

And then after that, it does say "understanding of multistakeholder enhanced cooperation process."

So do we have this term in Tunis Agenda, "multistakeholder enhanced cooperation process"? Thank you.

>>CHAIR FONSECA: Thank you. Cuba?

>>CUBA: Yes, Chairman, I was along the same lines.

Before, I mentioned the need to change the term "enhanced cooperation processes" for something more understandable, but here now we have "multistakeholder enhanced cooperation processes." That is even worse.

So I think that we should not -- because of course you can understand that if you have this view, some view that is of -- of the concept of enhanced cooperation, but as I already said and you said, we are not here defining what is enhanced cooperation.

On the contrary, we already agree to disagree that we -- we don't have a common definition of that.

So I think I -- I urge the proposer to try to change --

The concept of avoid duplication of work is a good concept but try to put it in a way that it's -- I think even there's some -- I read some other proposal, I think by Anriette or somebody, that also mentioned not -- the "not duplication of existing work." I think that that is a good concept, but it should be drafted in a way that doesn't create, you know, more problems in other parts than that.

And also, I take this opportunity to point at something that has been repeatedly in some others. Being very prescriptive. We are very prescriptive like -- because if the main concept is avoiding duplicating existing work, why do we have to do -- to instead develop a --

There's many ways to avoid duplication, and why to be so detailed into -- into some of the way we felt - being exhaustive in the way of being duplicated?

I think that that's the thing that will put -- will not give good quality to the document, if we are beginning to be partial because we are putting some examples of avoiding duplication. That could be one way, but there are some other ways to avoid duplication, so we're going to have a list of all the activities to avoid duplication? So I think consistency or -- is better in our work.

>>CHAIR FONSECA: Thank you. Thank you, Juan.

I have on my list both Anriette and Parminder. I'll give them the floor. But just to indicate, as of now, that from the chair's perspective, I think there --

Well, first of all, there is no consensus, so for what the purpose of what we are doing, we have already identified there is no consensus, and there is a particular concern about the expression "multistakeholder enhanced cooperation processes" because for -- that brings together concepts that for some in the room are contradictory. Either you have enhanced cooperation or you have multistakeholder processes.

So I don't think it's something we could resolve now. I think maybe we could be -- have shed some light or shed some more when we move to the discussion on framework.

I'll say it would not be too much of a prolonged discussion on this right now, but anyway, I give the floor to -- which order did I say? First -- yeah, first Anriette and then Parminder. Yes, please. And then we come back to --

>>ANRIETTE ESTERHUYSEN: Thank you, Chair.

Agree with you completely, so just a very brief comment. I think it's good practice. I think I would like us not to lose that principle. I just think it's -- it's -- we're dealing with public resources and I think avoiding duplication and utilizing to the maximum existing processes is simply good practice.

>>CHAIR FONSECA: Thank you. Parminder?

>>PARMINDER SINGH: A few comments.

On duplicating existing work, like many good terms are -- are useful, but can have specific meaning in institutional terms and can become barriers to some important activity.

For example, issues of telecommunications have been so-called duplicated in trade treaties all the time. Health and education services are now being brought into trade treaties. So would that be duplication? They are not. Because they are different aspects of the same thing. And this duplication should be

treated very carefully, especially in an area which is Internet because Internet is cross-cutting and changes all sectors but still is a meta area above all these areas. That's how our country is created. A lot of people making new cyber, you know, units, cyber strategies, and so on.

So Internet is a meta space. Duplication should be seen in a very different context in this regard.

Second, I don't have a problem with "enhanced cooperation should consist of developing existing forums" but this particular recommendation belongs to an institutional framework discussion. It is about what, in view of some countries here or some members here, is the processes of institutional -- processes of enhanced cooperation.

So I would like to know more, as we go to the framework discussions, what is it that they have in mind to develop existing forums? So there should be some clear means and methods of --

I mean, it could be in, for example, 10, which we'll come to soon. If these are the methods, then we're just like, you know, perhaps -- I wouldn't say wasting time, but pretty close to that.

So if they say that we should develop existing forums and that's what would address the which Tunis Agenda identified and WSIS+10 reaffirmed, I need to understand what is the planned method if it goes to mechanism 2, "develop existing forums." So it just belongs to that framework discussion which we want to come to after this one.

>>CHAIR FONSECA: Thank you, Parminder. I see no other requests for the floor.

I'd also like not to encourage us to ask for the floor. I am just, for my reference, noting that part of the recommendation could, if we wish, be discussed under the framework part of our conversation here, because it was not initially highlighted in our initial assessment, but then I would like to turn to the U.K. for comments in regard to what inputs were proposed by other colleagues.

>>UNITED KINGDOM: Thank you, Chair. And, yes, thank you for the useful comments that we've heard.

We heard some consensus around the idea of avoiding duplication but clearly this phrase "multistakeholder enhanced cooperation processes" is a problematic one. I would suggest that we should just delete it.

And perhaps also at the beginning of the recommendation, we should take language from Paragraph 71 of Tunis and say, "The process towards enhanced cooperation should avoid duplicating existing work."

But we will reflect on those comments that have been made and see if we can find something that wins full consensus. Thank you.

>>CHAIR FONSECA: Okay. Thank you. I think this, indeed, captures most of the concerns that were expressed. All concerns.

May I ask you, then, to come to Recommendation 10?

>>UNITED KINGDOM: Thank you, Chair.

Very briefly, this recommendation simply suggests that stakeholders -- or perhaps "bodies" is a better word -- should consider how best to build cooperation on emerging topics.

Again, we need to, I think, leave some flexibility here. I liked what our Cuban colleague said about why are we so detailed. There is more than one way to do things. So that's why we've said "should consider how best" to do this. There may be one way of doing it. But we do think it's an important issue that stakeholders should consider.

Thank you.

>>CHAIR FONSECA: Thank you. I see Cuba asking for the floor. You have the floor.

>> (Off microphone.)

>>CUBA: Working? No. Now.

-- to -- not to put this example because there are many. Just -- you know, where it says "particularly new issues presented by newly emerging technology," to delete that and leave the rest, "stakeholder -- stakeholder or bodies should consider how best to build cooperation on emerging topics in a way which allows all stakeholders to participate." Because if you put one example, what about the rest of the examples? Because there are some emerging issues that sometimes are not new technologies. I could put examples, if you want, but I think that's the point, not to put examples, to leave it open so all emerging issues could -- could come in.

For instance -- well, in CSTD, we have a list of emerging issues in the resolution, and you can see that some of those emerging issues are not all new technologies. Thank you.

>>CHAIR FONSECA: Thank you. U.K., for your reaction.

>>UNITED KINGDOM: We think that many of the emerging issues are prompted by emerging technology, and that's why we suggested this, but if it is something that the room is not happy with, then we don't see any reason not to delete it in order to achieve consensus, so we're happy to do so. Thank you.

>>CHAIR FONSECA: Thank you. May I then just consult rapidly the plenary if, by replacing "stakeholders" by "bodies" -- I think that was that proposal from -- even from the U.K. himself -- and deleting "particularly new issues presented by newly emerging technology," could that be accepted?

I see both Saudi Arabia and Parminder. I'll give you the floor, Saudi Arabia and Parminder. I was making an attempt to get to our second paragraph but --

>>SAUDI ARABIA: Thank you, Chair. No, no, we don't disagree with. We look for context in here. Which bodies? We should be specific in here. Not to put a nice word but then in the real world you cannot implement this.

So first we need to what bodies and how they will work in light of the development of public policy issues. It's a very simple question. Otherwise, our recommendation would be nonsense to be implemented.

>>CHAIR FONSECA: Thank you. I think it's a fair point to be more specific about, as we have been in other cases.

Parminder?

>>PARMINDER SINGH: Thank you, Chair. Quickly, my -- my point is the same as Saudi Arabia's, or similar, that, I mean, all these things are good, but this group has to say something, really. I mean, more than what gets generally said at General Assembly or at second committee or something. We are a specialized group given a specialized task and the task means that we give some addition to what normally can be said in any speech, which should be about which bodies, as Saudi Arabia said, and what is it that -- what is the addition we are giving to help them or enable them to do it.

So I think our -- our focus has to -- while all these things is good, our focus has to be the specialized task this specialized group has been given in the 15 years, now, almost, of the WSIS process. And as long as we don't go to that specialized task and specialized output, these things are good but they don't make a context for us.

>>CHAIR FONSECA: Thank you. Well, I -- in the light of those two last interventions, I think it's clear that the text is, I would say, positively received but needs some further editing, so I would encourage the U.K. taking on board the comments to come back to this. Also, taking into account this larger picture that was just referred by Parminder, I think we should certainly come back to this later on.

So this has exhausted the list of recommendations that were identified by the group, but as I had indicated before, I want to, before moving to the framework, just give an opportunity for those who had their recommendations under Category 2 or 3 that do not relate to the framework, if they consider that any of these recommendations could lead to some kind of early consensus on their part, they are free to do it now. I would like to offer this opportunity.

I see Richard Hill.

I see the U.S.

Nigel, from ICANN.

So I will give you the floor in that order.

So Richard Hill, please.

>>RICHARD HILL: So I have four.

The first one is Recommendation Number 1. Perhaps we could show it on the screen.

So the first line would have to be changed. I accept the point from the USA. We should not name any specific country and it's not necessary here. So the first line would be changed to read, "It is proposed to recommend that ICANN provide to all governments equal treatment for their ccTLD." So there would be no reference to "USA."

Now, why ICANN? Some people have said, including you, Chairman, "No ICANN." But as Pakistan correctly pointed out, some of what ICANN does is international public policy and that's why they have a GAC. They wouldn't have a GAC if they didn't do any international public policy. And let's not forget that the compromise language on enhanced cooperation included implicitly -- it doesn't say it, but it really included eliminate the privileged role of the U.S. with respect to ICANN.

Now, the U.S. stewardship has ended recently, but there's some historical residues of that that persist, and in particular, during the transition period, the U.S. Congress was quite worried about making sure that ICANN would not take action regarding the ccTLD and also a few other gTLDs -- mil, gov, et cetera -- unilaterally. And the way that's solved is that ICANN had an exchange of letters with the U.S. government saying it would not unilaterally do certain things.

So this proposal is simply that -- to put everybody on an equal footing, if they want it. Obviously, if governments don't care, then that's their problem, but if a government does care, then the idea here is to invite ICANN to treat them the same way that it treated other countries. And again, there would be no mention of the USA in the proposed consensus text.

If there's any objections, then that's fine, Chairman. Let's just move on. I have three more that I'd like to propose.

>>CHAIR FONSECA: Thank you for your introduction of amended Recommendation 1, the first paragraph. It is then submitted to comments from the floor.

I have -- I'm not sure if the United States and ICANN -- ICANN has put down its plate.

Do you -- United States, do you want to comment on that recommendation?

>>UNITED STATES: Not really. But to take the opportunity, I think we would have objections to quoting specific organizations, as we've said specific countries. Right now I don't think this is an easy grab as far as gaining consensus. So I think that maybe considered at a later date would be more appropriate.

>>CHAIR FONSECA: Thank you. I also have the impression based on previous discussion that it would be very difficult to achieve early consensus on this but give a try.

May I ask you to then introduce your next proposal/recommendation.

>>RICHARD HILL: Thank you, Mr. Chairman. Next one is 19, 1-9. That's addressing a different issue. As some people know, some countries take unilateral action without U.N. approval with respect to sanctions on other countries. And that is the case in particular of the U.S., and some of the sanctioned countries are actually here in that case.

But the U.S. has a formal mechanism to allow exceptions to that. That's called the OFAC waivers. And companies can apply for waiver on sanctions. And ICANN actually does that and has requested waivers in certain cases. And it's suggested here that there are some steps that ICANN could consider to further go in that direction.

And, of course, that facilitates equal footing participation in ICANN because without those waivers, the citizens or the private sector entities of certain countries cannot really engage in ICANN.

So the idea here is to simply recognize the good work that ICANN has already done in this area and recommend continuing fully with respect to the applicable national laws, which in this case are U.S. laws.

Thank you, Chairman.

>>CHAIR FONSECA: May I just request clarification from you, just for clarity, you are referring to 19, paragraph 1 or the whole --

>>RICHARD HILL: Well, the whole thing because paragraph 1 doesn't say anything.

[Laughter]

So if you want to use paragraph 1, that says nothing. Now, some people -- I fully understand some people might think this is too specific, it needs more thought, et cetera.

>>CHAIR FONSECA: May I have some reactions? I see Anriette. Anriette, you have the floor.

>>ANRIETTE ESTERHUYSEN: Thank you, Benedicto.

I think this is actually very interesting. It's recommendations that are actually being discussed inside the ICANN community. And Farzaneh Badii has actually done research into this. So I think if there can be a way in which some general recommendations with regard to the ongoing internationalization of ICANN and development of ICANN's processes can be made with this as an example, I think that could be useful.

But as -- but it would have to have this overarching, I think, general recommendation with this and possibly other examples. On its own, I feel it's too detailed.

>>CHAIR FONSECA: Thank you for this comment.

Well, just for the sake of making reference to previous -- to things that were already said, maybe to save the U.S. the work to request the floor again, just to recall that maybe the same objection that was from the U.S. in regards to those apply here. So the U.S. does object to specific reference to organizations. But I am not speaking on behalf -- just recalling what was said and maybe should be back of our minds.

But one thing that personally, if I take the hat off the chair and put mine on national capacity, I think one point that was raised by Richard, that is maybe worthwhile, is that would be -- that is some kind of

prerequisite to enable the equal treatment, to operate on an equal footing in regard to some particular area of our work. But it is very important for us. So maybe this is something that might deserve some reasoning. But, again, let's see it in a wider context.

Cuba.

>>CUBA: Thank you, Chairman. As my colleagues should suppose, I am very well-versed in this topic. By the way, this is general -- these general OFAC waivers are also called general license as well. And this is actually -- this level of detail, it's a practical example of a paragraph that is in Geneva Declaration of Principles. It's also in the Tunis Agenda. And it has been in more than 12 CSTD resolutions, GA resolutions, the paragraph that says that there should not be unilateral measures in the construction of the information society, whatever.

And so this may be could be put in that way, general as Anriette said, and then to put a footnote to say that one way of dealing with this in the case of ICANN is to apply for a general license.

I can give you as information, for instance, United States has not lifted the general sanctions to Cuba. What they call embargo, we call a blockade. But in this new relationship, diplomatic relationship, that we are advancing with the U.S., OFAC has issued several general license to the companies in this sector of telecommunications and Internet. They have given general license to AT&T, Verizon, all these big companies, T-Mobile, all the companies, Google, in order to be able to do business with Cuba. Of course, this is not the best solution. The best solution is not have an embargo at all or not to have a regime of sanctions in this field. But, of course, that's a step in the right direction.

And as this recommendation from Richard very aptly points to how to do it in the case of ICANN. So I think it's valuable. Maybe it's too detailed, but it's valuable information because the work has already been done by Richard. So I don't know. Maybe as a footnote put it in general as was said by Anriette, some general thing about sanctions or whatever, mentioning that and put a footnote that that is a way, sort of temporary way of dealing with this. I don't know. I'm in your hands. But I think this is an interesting point.

>>CHAIR FONSECA: Thank you.

I have on my list Russian Federation, the U.S. But just before turning to them, just for the purpose of what we are trying to do here, I think in the light of previous intervention, there will be no consensus on that. So we may wish not to prolong too much discussions here and to defer this to the stage in another -- yes, I see both Russia and U.S. deferring to speak.

May I invite you then, Richard, to come to your third paragraph.

>>RICHARD HILL: Yes, that's 21.

Just a comment here. Actually I didn't do the work. If you read the paper, you'll see it's correctly attributed. It's the person that Anriette mentioned, it was Farzii. I just picked up what that person had done and put it to this group.

So 21, that's about the WTO. It should be rephrased because the recommendation is that the member states would voluntarily agree not to discuss Internet governance matters in WTO and related multiparty trade organizations because those entities are neither transparent, nor inclusive and we know we want transparency and inclusivity.

It would also avoid duplication by the way. I was intrigued to here all the comments on duplication. I don't know how many have seen leaked versions of TISA. I have and I was very amused or distressed depending on the point of view to see they actually have clauses in there that were rejected for consideration when the ITU had discussions for the ITRs. And it's the same countries that didn't want them in ITRs that now want them in WTO. But I think that's good. It's okay to progress.

But clearly we all know there's a lot of duplication that goes on in the trade negotiations, as Parminder mentioned.

And we don't know what's going on because all the documents are secret and nobody can find out what's going on. So I think to me this would seem to be one we could quickly achieve consensus on. But I suspect that Nick or others might have a different point of view, Chairman.

>>CHAIR FONSECA: Thank you, Richard. I will give the floor to those who want to intervene on this. But in the light of discussion we had before, I would tend to think hardly this could lead to early consensus. But I may be wrong.

Nick?

>>NICK ASHTON-HART: Wearing my present hat, I don't have any burning issues on this. But I would say since I work a lot in trade policy and since commitments have existed in telecommunications and basic telecom and valued telecom services since 1995, which certainly include the Internet, I think we're a little late to not include Internet-related subjects in trade agreements. And I think if we're realistic, we're always going to find that economically important subjects get addressed in trade agreements because that's their purpose. So it's up to all of you who care about this subject more, but...

>>CHAIR FONSECA: Thank you. Well, again, I don't see a point in prolonging here. I must just for the sake of reminding what I said myself at the beginning of this meeting, I think we should maybe -- I used the word "criteria" at the moment. I know this was not accepted. It's not the right term. But one of them would be not to try to do things that are not realistic. Trying to give recommendations to WTO on the part of our group is not realistic at all, especially for the reasons that were very well-explained by Nick.

This is a work in progress. Maybe we should think some way that could some input be sent to those negotiations taking place or how we could influence from the perspective of what we're doing. But try to start things there, I don't think it's feasible at all.

Again, Richard, please.

>>RICHARD HILL: Sorry, Chairman. Are you expressing a view here? Because I didn't actually hear any opposition from the floor. I didn't hear anybody from the floor opposing this proposal. It might need some redrafting, I agree. Again, it's not addressed to WTO, it's addressed to member states. Now, I suppose that you as chairman can lodge an objection on your own. That's okay.

So I just want to be clear. Are you lodging the objection or shall we wait until somebody from the floor lodges the objection? And if nobody lodges the objection, then we take it as agreed.

>>CHAIR FONSECA: No, I'm not making an objection, which is something I could do as a member of the group. But I'm not doing that at this stage. I'm just trying to reflect on what would be the usefulness of making such recommendation or even if it would make sense. But I'm just trying to put some -- and I think in previous rounds, there were people from the floor expressing their opposition to address issues related to WTO. I think this was the case. But, again, just myself, I'm not making an objection as of now.

I have Cuba, the U.S., and Canada.

>>CUBA: Thank you, Chairman. To try to move this forward, I think that in previous recommendations, we were looking, you know, for the need of transparency and so on. So when we talk about transparency, we can mention this as there's some processes that should be avoided because of a lack of transparency such and such and such. Could be the way to put this in to be coherent with what we said before.

Again, I see that here is a concrete example of another principle that is mentioned. You could put the principle. We saw the example and that's okay. But if this is example and everybody agrees those things, I'm really not an expert there. But I see that as a way to go forward, to put this in the place where you are talking about transparency.

>>CHAIR FONSECA: Thank you.

U.S.

>>UNITED STATES: It's amazing how things change from one proposal to the next because I agree with my Cuban colleague on this, that I think, you know, we've discussed some of these aspects. And I think some rewording of this where stick with our initial kind of cross-cutting premise, I don't think we should be targeting or naming specific institutions, countries, things of that nature.

But I do think some of the principles here, I think transparency which we talked about is important. I also think aspects of multistakeholder which we talked about are important. Instead of putting this in a negative term, I think if we flip it, generalize it, and talk about it in more broad terms, it could be something that we support but not at this moment.

>>CHAIR FONSECA: Thank you.

I have on my list Canada followed by Japan, Timea, and Parminder.

Canada.

>>CANADA: Thank you, Chair. Just to be explicit because Richard was asking for more voices from the floor, we oppose the current language as it stands. But on the issue of transparency, yes, now let's have a discussion on that. Thank you.

>>CHAIR FONSECA: Thank you.

Japan.

>>JAPAN: Thank you, Chair. We support -- Japan supports the idea of the transparency or inclusiveness. But as for these other recommendations, I'm not sure what is -- what kind of issues concerning Internet governance matters are now being discussed in WTO. I'm not sure.

As far as I'm concerned, some member countries now engaging in negotiation with TISA. TISA has an equal (indiscernible) in the recommendation chapter. But in that, I don't feel there is no discussion concerning Internet governance matters. So in that point, I definitely need some clarification here. Thank you.

>>CHAIR FONSECA: Thank you. I have then Timea and Parminder.

>>TIMEA SUTO: Thank you, Chair. So we were considering to come in on this matter or not, and we thought the way it was formulated it was enough to support it. There's no consensus on this issue from the floor.

But since we were invited to express views, I just wanted to come in and say the same things that a couple of colleagues said before, that as written, we cannot support this proposal. But, of course, the principle of transparency is something that we are open to and we should discuss more. Thank you.

>>CHAIR FONSECA: Thank you.

Parminder.

>>PARMINDER SINGH: Thank you, Chair. Yes. I can agree that we should not take a confrontationist attitude with any organization. And to say things would not happen in this manner may be too much. But going to the other extreme, we just say be transparent, everybody in the world. That's the conclusion we reach after four years in terms of discussion among experts. This is also not okay.

A lot of people say yes, transparency and even people say why are you blocking these kind of things. But when we get down to the real nitty-gritty of it, then people say, We are not willing to work on that. That's the issue. We need to figure out maybe not directly say it the way it's said but what kind of mechanism. For example, if those groups who want certain high-level characteristics to be the way enhanced cooperation is operationalized, then perhaps there could be a way to -- for whoever, CSTD or somebody, who writes to all organizations to submit whether you're doing public policy, Internet-related public policy work.

And if they are doing it, then tell them whether can you give a statement regarding whether you are transparent in these manners.

Now, this is something you need to do. That's a process. That's something you contribute. So to say we will say everything should be transparent but we will not get specific is not the kind of thing which I think deserves the kind of time this group has spent and the kind of responsibility which this group has been given.

So, I think if you want transparency, then there could be a mechanism as I just now related which is a very light mechanism. I don't agree to that institutional mechanism. But then at least then you are talking about transparency.

So my main point is we need to talk about these things in some implementable, verifiable manner that this group did this of which certain consequence and outcome is verifiable. I mean, that's a verifiable principle by which civilization's knowledge, generations have lived now for centuries. We need to go to those kind of proposals.

So, fine, we don't say to WTO but at least we are able to ask for reports on where Internet-related public policy work is being done and a report on whether certain criteria of transparency are being developed.

So that's what I mean between the two positions which I see here on this point. Thank you, Chair.

>>CHAIR FONSECA: Thank you. Last speaker on this is Kenya. And then I turn to Richard Hill for final comment.

>>REPUBLIC OF KENYA: Thank you, Mr. Chairman. I just want to add my voice to the observation that it do not appear very fair to point out only WTO in this case unless we are really pointing out a specific instance where issues of Internet governance are already being handled within WTO.

However, I would be of the view that recommendation should be aligned in a positive mode that we strengthen institutions or parties that deal with Internet governance because here we're talking about not certain organizations handling issues of Internet governance but we are not talking about strengthening or supporting institutions that deal with Internet governance. And if that mechanism is not there, I would like also to go along with Parminder to say that we need that kind of a mechanism which we need to really find that really handles the issue of Internet governance the way we want it to be. Thank you.

>>CHAIR FONSECA: Thank you. So let's not prolong discussion on this. I'll turn to Richard Hill for comments in regard to what was said, and immediately, I would invite to you introduce your last recommendation.

>>RICHARD HILL: Yes. I thank the colleagues for very constructive comments and I think, Chairman, this is something that from I heard could be worked into the general comment on transparency and I'd like to say that, once again, so we're on good track here, I'm agreeing with the U.S. I think the comment from the U.S. was correct. So I think at every meeting now, I've agreed with the U.S. at least once, so that's good.

And I noticed U.S. agreed with Cuba on this issue, so we're doing really well here.

[Laughter]

>>RICHARD HILL: To the comments from the colleague from Japan, actually I don't -- I don't have any clue what is in TISA because I've only seen leaked documents, so maybe the version you have, which is presumably authentic, is completely different from what I have which might be something that was made up just to get us civil society activists all upset. You know, who knows. That's one of the problems, isn't it. Now, the versions I saw of both the electronic commerce stuff and the telecom stuff definitely fit into what I think is Internet governance because they have things like pricing of -- of telecommunication infrastructure and they have things like free flow of data and other things that I think almost everybody would consider to be in Internet governance.

And again, they're similar to things that were proposed in the WCIT and then everybody got upset when they were proposed in the WCIT because they said that ITU shouldn't be doing Internet governance because ITU was not sufficiently transparent.

So I think we should have this discussion, Chairman.

Moving directly on to the last one, which is again about transparency, which is 22, this one would need to be rephrased.

It's -- in my view, it's about transparency of funding sources. It's tied to representation issues that we discussed previously.

Now, from my point of view, this doesn't really apply to governments nor to private sector because they all publish budgets, to some extent, depending on the country and depending on the private company, but certainly all the major corporations publish their budgets and, you know, if somebody's coming here from Company X, then it's obvious that they're funded from Company X and you don't have to ask anything.

So the business representatives, we know how they're funded. The governments, we know how they're funded. But we don't always know how civil society entities are funded, and I think that's kind of interesting to know sort of who is helping them come here. If anybody wants to know how I'm funded, I'm very happy to give you full details. It's basically my U.N. pension and some consulting activities that has nothing to do with Internet governance.

But -- so that was my idea, that we should ask for transparency at different levels, including funding, in particular from civil society entities.

>>CHAIR FONSECA: Thank you. May I request comments in regard to that recommendation?

Well, I must confess at least at a first reading that I do not see too much connection with enhanced cooperation here, but -- sorry to say that, but I look to comments from the floor. Would anyone like to

comment? Because I think maybe this is kind of a problem that affects civil society entities that -- but I don't know how to address it through enhanced cooperation.

May I...

Anriette?

>>ANRIETTE ESTERHUYSEN: Thank you. I wasn't going to take up time, but if it would be helpful, I think that the sentiment of transparency in funding by civil society in principle is very good. I do not think it's appropriate to include it as a recommendation here. I think there are also sensitivities. There are some civil society entities that participate in Internet governance processes that are human rights defenders, for example, that work in countries where there is constraints, where there are laws about fundraising.

So I think it's not appropriate and maybe too detailed. I think the general principle of transparency in funding, maybe there's room somewhere in the text to assert that. Not in relation to civil society only but in general.

>>CHAIR FONSECA: Thank you. United States?

>>UNITED STATES: Thank you, Chair.

You know, right now, I don't think we could support this as written. For one, you know, targeting one specific stakeholder group for some, you know, "ask" like this I think is a bridge too far.

I just disagree that other stakeholders are transparent in their source of funding. I don't think that private sector is always funded as obvious as it seems.

I even think governments often get funding sources from different entities. I know we're here at U.N. meetings. Often the U.N. funds countries to attend. Nothing's wrong with that but it might not be appropriate to force countries to disclose that kind of information.

And so I think in certain ways, you know, some discretion for things like this is appropriate. Targeting one group I just don't think is something we would agree with right now. Thank you.

>>CHAIR FONSECA: Thank you. I think much more could be said in regard to this, but for the purpose of what we have been doing here, I don't -- I would not see a point in prolonging discussion.

Richard, would you like to further comment on this before we move to recommendations by U.S. and Nigel, I understand?

>>RICHARD HILL: Yeah. Just a final comment.

Actually, I again will have to agree with the U.S. I think we should have transparency for everybody. I was trying to make it simpler, but yeah, let's work on a general comment.

Now, Chairman, your challenge has to do with Internet governance so I will respond to you. We've heard repeatedly that Internet -- sorry, enhanced cooperation --

>>CHAIR FONSECA: Enhanced cooperation.

>>RICHARD HILL: -- referred repeatedly to enhanced cooperation involves transparency and I agree with that. It does. And inclusiveness. And therefore, we should have civil society in. And to me, part of transparency is knowing who you're representing and part of that is who's paying for you. Because if you're paid by somebody, then you're going to tend to want to do what that person that's paying you does. At least I do. When I'm paid by somebody, I tend to do what they tell me to do.

So I think that this is an important part of enhanced cooperation.

And there's nothing wrong with being paid to do something as long as it's transparent. If you know somebody's here for Company X, then that's fine, and they're representing Company X and we all know that. Or even a coalition of companies like ICC, that's fine, because I can go look on the Web site and find out who all the companies are. That's not a problem to me.

But it's a problem if somebody comes here and they're being paid by somebody and that's not being disclosed. I'm not saying that's the case but I think that since it's not the case, there's no problem with this clause, but Chairman, let's just save it for future discussions in a more general context as the U.S. suggested.

>>CHAIR FONSECA: Thank you for the introduction of your recommendations proposed for -- as they're considered in that part of the meeting.

I'll turn now to the United States. You also indicated you would like to have some recommendations considered for as prone for consensus.

>>UNITED STATES: Thank you, Chair. I think it's -- my pages are different but it's the contribution from the government of the United States. I think this is uncategorized 5.

>> (Off microphone.)

>>UNITED STATES: 5. So not our first contribution but our second contribution.

That's it.

And so I'll just -- because I don't want to occupy a lot of time, I know we're trying to get to other issues, but we did try to think about what are broadly held views that we've heard from previous meetings when making this contribution.

The first proposal, the first bullet there -- I'd prefer taking these by one by one but with the caveat we'll skip the first one -- it's effectively restating the WSIS vision as it relates to international Internet-related public policy. I think somewhere in this document, either in the recommendations or the preamble, we should have something to kind of set the stage like this, but I think for discussion maybe as an easier one to agree to would be the second bullet, which I'll read.

"Institutions and processes" -- and -- do you want to -- I'll wait.

>> (Off microphone.)

>>UNITED STATES: All right. And I -- we have, "Institutions and processes" -- and I would add "considering international Internet-related public policy -- "should recognize the principles and spirit embodied in the outcome documents of WSIS, UNGA Resolution 70/125, and then NETmundial principles," all which were reflected in WSIS+10.

>>CHAIR FONSECA: Thank you. So I understand you are introducing recommendation under uncategorized 5 on Page 36, the second bullet, and you have made a small amendment when you read it.

Maybe I can ask the secretariat to introduce the amendment that was proposed by the U.S.

>> (Off microphone.)

>>CHAIR FONSECA: Could you read it? Could you read it out again so the secretariat can capture the amendment that is being proposed?

>>UNITED STATES: Yes. And this is just reflective of conversations we've had today, but "Institutions and processes considering international Internet-related public policy should recognize the principles and spirit embodied in the outcome documents of WSIS, WSIS+10, and NETmundial."

>> (Off microphone.)

>>CHAIR FONSECA: Yeah. Is it okay?

>> (Off microphone.)

>>CHAIR FONSECA: Yeah. "Considering enhanced cooperation."

>>UNITED STATES: It was "Considering international Internet-related public policies."

>>CHAIR FONSECA: I have quite a number of interventions on this topic.

Richard Hill, wait.

Point of order? Yes, please.

>>RICHARD HILL: Yes, Chairman. I thought we agreed we would not to do editing here, and many of the other proposals were modified verbally and you never put the text up on the screen and never took the time to do that, so I don't see why we're doing it for this one. I think we should understand that the U.S. has modified it. That's not a problem. And then we simply consider whether, in principle, we accept it or not, and if we accept it in principle, then we can wordsmith it, and I'll then come back on the substance, Chairman.

>>CHAIR FONSECA: Thank you. No, I'm doing this and I'm taking this on me to do it, because I think when we were considering other resolutions, there were amendments from the floor, that's right, and

subsequently when the same language came, there were automatic -- I mean, I think everyone was aware of what was being discussed. I'm doing it just for clarity because -- to avoid confusion in what exactly is being proposed.

I took the time to do it not as a special deference to the U.S. or to anyone else, but for clarity for the meeting to know exactly what we are -- is being considered now.

So I have on my list Carlos Afonso, Cuba, Saudi Arabia, Anriette and Richard Hill again.

So Carlos Afonso.

>>CARLOS AFONSO: Okay. Very quickly, I didn't have the opportunity to comment at the time when Richard raised the issue of the funding and Anriette responded.

And just to support Anriette's view, I remember that this is not the first time that Richard raises this issue in the WGEC. In the first part, the first session we had in the past, this was raised as well.

And I want to remember that several NGO members, they come here not representing their NGOs but representing sectors, and many of them come on a case-by-case basis funding for their trip, which is not easy to get.

So it's -- it's not simple to just say, "Oh, I am funded by such and such organization," because it might not be -- it might be true today and not tomorrow. So let's be careful when we propose these things.

And I think definitely, like Anriette said, it doesn't fit into our recommendations.

>>CHAIR FONSECA: Thank you, Carlos.

I'd like to just draw attention that now we are considering language proposed by the U.S. I'd like --

>> (Off microphone.)

>>CHAIR FONSECA: No, no. That's okay.

>> (Off microphone.)

>>CHAIR FONSECA: No, no, no. Please. I'd like to invite colleagues to comment specifically on this, so I have Cuba next on the list.

>>CUBA: Thank you, Chairman. I think that we should not reaffirm principles from NETmundial. You remember that's been a huge discussion in CSTD and also in New York. In the Resolution 70/125, Paragraph 60, "About NETmundial, we take note," and in the previous paragraph, "We reaffirm the principles of WSIS document."

I think that's the proper way of doing it. We cannot go again into that discussion of putting NETmundial at the same level of something that has been agreed between heads of states and government. Thank you.

>>CHAIR FONSECA: Thank you, Cuba, and, yes, I must acknowledge as much attached to NETmundial as we are and proud to have hosted it and think it was a breakthrough in many ways, we must acknowledge that its outcome document was not adopted by consensus. There are many -- some parties expressed their opposition. So I think if we are trying to look at some consensus language by inserting here, certainly there will be no consensus in that regard, as much as I would like very much it to be accepted. But I -- just in fairness to what we have been doing elsewhere, I -- we can -- I will -- I have other speakers on the list so that includes Saudi Arabia, Anriette, Richard Hill, Russian -- well, Saudi Arabia, Anriette, Richard Hill. And Russian Federation, I can give you the floor but I just want to indicate that as of now, that this issue does not lead to consensus as it was anticipated.

Anriette, do you want to take the floor?

>>ANRIETTE ESTERHUYSEN: Thank you, Benedicto.

I would imagine it's not that difficult to get consensus. I support the text. I think it's easy to modify the last phrase by "and take note of the NETmundial principles," in response to Juan's concern, and I think it would be helpful to have the UNGA resolution referred to in its first name so that it's clear that it's the WSIS review resolution, and aside from that, I think this is actually a very important recommendation.

>>CHAIR FONSECA: Thank you. I have -- Richard, do you want to come in on this?

So the final speaker will be Richard Hill and then the Russian Federation.

>>RICHARD HILL: Sorry. I was going to withdraw, but since Anriette is insisting, this is, from my point of view, a complete, total, nonstarter.

To begin with, I don't know what are principles and I certainly don't know what is a spirit, and so we're opening a whole can of worms where if we agree this text, then we'll get to argue about what are the principles and what are the spirits that are embodied in the outcome documents.

If this had been agreed text in some other document -- which it may be because I don't know all the documents -- then it's redundant and we don't need it. If it's not agreed text, then it's a nonstarter and I would strongly object to any reference whatsoever to the NETmundial principles because I'd like to remind people in the room that aside from a couple of countries that didn't like the NETmundial principles, there were serious objections from a large number of civil society participants.

Some of them withdrew their objections afterwards, but some of them did not. So any mention of NETmundial, in my mind, Chairman, is totally off the table. Thank you, Chairman.

>>CHAIR FONSECA: Thank you. Russian Federation.

>>RUSSIAN FEDERATION: Thank you. I will be short. We also are opposed to make reference to NETmundial principles and it's just a matter of, you know, truth that the Resolution 70/125 do not have any text about the principle, only about the event. And, well, the whole wording, I think, is good enough for preamble. Thank you.

>>CHAIR FONSECA: (Off microphone) -- would like to revert to the U.S. to any comments, final comments, in regard to what has been said and -- yes, please, if you'll...

>>UNITED STATES: Thank you, Chair. Yeah, understanding the -- the concerns, I think, you know, we believe this is pretty straightforward and there's broad support for those. They were all reflective -- reflected either as the WSIS+10 outcome document or in it, including under the Internet governance section. Understanding that we've had this conversation many times and with the chair's kind of comments, I think "take note of the NETmundial principles" could be a way forward.

I could even go with our Russian colleagues where we drop the principle and spirit and just recognize the outcome documents of those.

But I -- but I will note that, you know, it's been a little surprising today that we've talked about decisions of UNESCO adopted by a consensus of 193 countries and decisions of UNGA agreed by 193 countries, and somehow those aren't pertinent to what we're doing here but there's support for engaging in discussions of offices in a particular department in the U.S. government on a very specific issue.

And so I just -- it's a little -- you know, as a U.N. body talking about very global issues, we're not even recognizing what's already been agreed to, yet we want to get into very specific domestic issues. It's just -- I don't know how we proceed that way, but -- but understand that there's no consensus with this one and we're prepared to move on to the next one.

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

I think in the light of what I've said, I think we could consider the consideration of this particular paragraph done.

I would like to, for the purpose -- because now we are supposed to make a small break. I'd like, just for the purpose of planning the time management for the remaining of the day, could you please indicate which other recommendations you -- if any, from the U.S. do you think should be also considered at this stage?

And I will ask the same from Nigel.

Those are the two members that have indicated their wish to do so. So just for the sake of planning our time for -- because as you know, I would like to move as fast as we can to the framework discussion but I'd like just to have an idea of how much more time we would need to consider your recommendations. U.S. and then Nigel?

>>UNITED STATES: Sure, Chair. I think we can skip the next one, and then we will go to the next three, which I think are all things that have been stated already this morning but we -- we believe these are kind of put in recommendation form.

Skip the next one, and then -- the one -- "should be open to strengthening and improving" I think is the third-from-last. And then the second-to-last.

I think, you know, as we read through those, to me they make a lot of sense. I think they've been fairly agreed to, except for perhaps wording issues, so if we could go through those fairly quickly, I hope that we can agree to them by consensus. So there would be five more under this U.S. proposal which I -- I think that we can go through fairly quickly.

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

I am in your hands, as always. And I follow what the plenary decides. But in light of the previous discussions we have had, I would say that it would be very difficult to assume that there would be early harvest in regard to those -- any of those you have mentioned. I may be wrong. If the plenary wishes to do so, I would be more than happy to guide you through this. But I think we'll just be duplicating discussions around topics that we decided are not ready yet for adoption as consensus. We may do it, if the plenary so decides, if a majority of us decide. But I would from the chair's perspective say that we would be in a way making not the best use of our time for that.

But I turn to you, U.S., as the proponent.

>>UNITED STATES: Thank you, Chair. I think if we look at the next one -- and the reason I flagged this one is we agreed to it at the last meeting, but we weren't talking about recommendations so we said we would wait to this meeting.

But it had broad support with nobody disagreeing and actually a lot of countries agreeing to it -- I'm sorry, a lot of participants agreeing to it.

So as I read it, it's institutions and processes should encourage the participation of developing countries, women, persons with disabilities, youth and affiliated users in institutions and processes that are considering international, Internet-related public policies. And as I noted, that had support, I believe consensus support, at the last meeting. Thank you.

>>CHAIR FONSECA: I do not want to make any ruling on this without having the full endorsement or some reaction. But we are looking for something that would get consensus. Can I have some reaction whether anyone would have any reservation or concern in regard to the language as it is -- I'd like you, first, to put all your plates down, please, for the moment. Nigel, please, as well.

So in regard to this bullet point proposed, I guess, would there be any concern or could that language be accepted as it is? I think this is the kind of thing that is being proposed by Justin.

I see Cuba, Richard Hill. I think unfortunately that does not meet -- no, no, no, I think -- we do not want to prolong discussion on this. We have been discussing this, and we'll come back to this later on.

Would U.S. then introduce you next paragraph? Maybe we can have the same kind of sentiment from the room. Because we are looking at things that would lead to consensus and if there is any...

Do you want to make a point of order on this?

>>UNITED STATES: I will look at one more because this is the third from the last because, again, I feel like it's pretty intuitive. Institutions and processes should be open to strengthening and improving their existing structure and processes in order to continually improve Internet-related public policy.

>>CHAIR FONSECA: Yes, Richard Hill.

>>RICHARD HILL: Actually, Chairman, I wanted to agree with the U.S. I think several, not just these two, are things that we can broadly support. But I don't think we can adopt them as is because they're out of context.

Are these going to be we recommend that institutions do this? And I would be okay with that. Or does this go into the preambular or whatever?

I think you were correct, Chairman, these are all topics that have already been discussed and we've already agreed that there's broad support or even consensus for these but they need to be reworked.

So I would simply ask the U.S. to simply continue. And as we progress, I'm sure that this language will wind up in our output document. It's just not clear exactly where and in what context.

So the thrust of what the U.S. is suggesting I think we agree with. It's just this is not language we can put anywhere because we don't know exactly where it goes and how it would be massaged. That would be my suggestion supporting what you said, Chairman.

>>CHAIR FONSECA: Yes, Cuba.

>>CUBA: Thank you. I just want to point out to some conceptual things here because some of the recommendation, as you recall, has been recommendation to the working group. Some recommendations are for the process of creating public policies. But here when they put "institution and processes," sometimes it's for that processes but sometimes it's for the public policy itself for the result. Because, for instance, it doesn't make sense that the process of creating public policy takes into consideration the disabled.

What they would have to take into consideration with the disabled is the final policies that we are going to create, the final public policy, international public policy pertaining to the Internet. So I think we have to make the distinction because sometimes we have in here recommendation for us, recommendation for the process of creating policy, and some recommendations is on how those policies should be.

And I think these are very valuable things, but we have to put into the case. Concretely, I repeat the one related with the disabilities end use are the policies themselves, not the process to create the policies. That doesn't have anything to do with the use of a disability.

The resulting policies are the one that should take into consideration the concerns and this and that.

And the same thing happened to some before. I wanted to point this to you for when you do the drafting.

>>CHAIR FONSECA: Yes, yes.

>>CUBA: Please, Chair, take that into consideration. Thank you. Thank you, Chairman.

>>CHAIR FONSECA: No, thank you, Cuba.

No, the point I was raising is I think Richard interpreted what I meant. I think when I look at the content of those paragraphs, they are all important. They have been considered by us in different context with different language. It was agreed that they should in a way be reflected in document but that we need some more work to be done in that regard. So my concern to the U.S. is that I am -- in the light of everything that was said in regard to previous discussion, the content of those paragraphs, I would be very surprised if the language that is proposed captures everything that was said.

I think we need to come back to this. Maybe craft some of those topics, fix the different language that are being proposed and come to some unified formulation.

That's why -- there was no intent to start discussion on this, but just to make sure that we do not duplicate discussion on a topic that has already been considered because the content of those paragraphs have already been considered in other parts of our discussion.

But I turn to you, U.S., for comment.

>>UNITED STATES: Thank you, Chair. And there's actually one reason that we wanted to get to these recommendations. I thought that through the course of the discussion today there has been broad agreement around these principles. There's been some disagreements in the way they were worded, the way they were directed, what they were directed for. And we put a lot of thought into that approach because frankly we screwed up into the second meeting in framing ours for the working group instead of from the working group. So we put a lot of time into these -- to make it very specific for what we were doing.

And if I could just take one more minute. I think the penultimate recommendation, which is basically institutions and processes should be open to learning from other relevant institutions and adopt successful processes including procedural and participation improvements, best practices, and lessons learned, again, I think that's one that has broad support. It's basically just institutions should learn from each other because with the previous point about being willing to adapt, update, modify in order to keep up with the changing environment.

So hopefully those are all acceptable. I understand we're not really agreeing to anything right now, we're just looking for areas of consensus. So thank you.

>>CHAIR FONSECA: Thank you, U.S. Maybe I think we -- I'm not too sure on how to follow up on what you have said because we have -- as you said, we have come through this discussion in regard to some context that is here but we decided not to pursue the discussion, not to try to have a final draft in that part of the meeting. We just defer it to some other stage.

So I would be reluctant maybe to reopen discussion around language that we know yet needs to be massaged. And this is not the right moment to do it.

We could go, if you wish, when we come back one by one of your bullet points just to have a very quick round of expressions of -- if there is total agreement with the language, we can go on. But if there is any attempt to try to redraft, I don't think this would be the right moment. That would be impeding us to move to our next phase of work.

But maybe we do not need to decide now. We can have some discussion over the break and come back to this unless you want to make some comment.

Then I will turn to Nigel because I also want to have an idea from Nigel what is the exact content that he wants to have considered.

United States?

>>UNITED STATES: Thank you, Chair. I think our -- we just wanted to present these proposals today because, as I said, we thought there was emerging consensus around some of the notions.

Our wording, I think we put it into the context it makes sense for this meeting. So we wanted to flag those within the document. But I understand we're kind of running out of time on this discussion and, you know, we're not going to press that we need to go line by line on each one of our contributions. But we just wanted to flag some of them for this group. Thank you.

>>CHAIR FONSECA: Thank you. We'll do that then.

Nigel, can I ask you the same? Which particular recommendations would you like to have considered at this stage?

>>NIGEL HICKSON: Yes, thanks very much, Mr. Chairman. I am sure we can brief when we introduce our recommendations that fall under 2.0 in the uncategorized paper or unclassified paper.

And essentially the two recommendations that we would like to touch on is the recommendation of member states in the international community in using these -- in using both the recommendations and the high-level characteristics that we would agree. And also the promulgation of these characteristics in different fora that are discussing Internet governance issues and also in national and regional fora as well. Thank you very much.

>>CHAIR FONSECA: Thank you, Nigel.

Well, again, I'm in your hands if you also want to have some discussion. But I think this is linked to the high-level characteristics, which is part of the discussion we have to come back. I think that might be seen in the light of the decision we make in regard to those high-level characteristics.

So I think we should park it for the moment and not discuss it at this stage because we would be discussing on the basis of substance, content that is not even agreed. We don't even know if there would be that kind of concept in our report.

Yes, I have Richard Hill and Anriette.

Richard.

>>RICHARD HILL: Yes, I agree with you, Chairman. I think we should -- this would be again candidate text for the preamble if we have a preambular somewhere else in the output report. But it would depend. We don't even know if we are going to have high-level characteristics or what they are.

I think these are very valuable suggestions, and we should not lose them. And they should be parked and we come back to it as we develop our outputs.

>>CHAIR FONSECA: (off microphone.)

>>ANRIETTE ESTERHUYSEN: Thank you, Chair. I was actually hoping to put my uncategorized proposal back in discussion, but I would seek your guidance. I'm not sure if it's included in the compilation of institutional -- is it -- the full one, the comprehensive one?

>>CHAIR FONSECA: (off microphone.)

>>ANRIETTE ESTERHUYSEN: It's in the email, I know. I'm just checking it.

Good. I will leave it for discussion later then. Thank you.

>>CHAIR FONSECA: So just for me to be clear about what we'll be doing when we resume -- and we are 15 minutes late, but I think it was maybe a good -- time good spent.

I think we are parking those recommendations coming from ICANN for the moment. In regard to the recommendations from the U.S -- and I'm sorry maybe to ask again for the U.S.

Do you want to go one by one when we come back? Or do you -- have agreed to defer it to a later stage on the basis that the content has already been considered?

>>UNITED STATES: I think we can defer it to a later stage. As I said, I felt that there was general support for the principles. And that's what we're doing today. And since -- with them being presented and general support on the concepts, I think we're good and can move on. Thank you.

>>CHAIR FONSECA: Thank you. Thank you very much for your flexibility.

Cuba, you seek the floor.

>>CUBA: Yeah, Chairman. One clarification, are we going to discuss later the Nigel Hickson proposal?

>>CHAIR FONSECA: Yes, we are coming back to this in due time.

>>CUBA: What?

>>CHAIR FONSECA: Yes. I'm saying we will come back to those proposals in due time. But before that, my suggestion was that we should have further discussion of the high-level characteristics because his proposal linked to the -- they refer to high-level characteristics. So my proposal is to have some discussion on this, to have more clarity on what we talked about.

>>CUBA: At that time, I would like to call the attention because as I mentioned to national processes there that I think is completely beside our mandate.

>>CHAIR FONSECA: We'll come back to this.

So, colleagues, I think now I propose then for us to break for 15 minutes. And then we'll come back and we'll start with the framework discussion. Thank you.

[Break]

[Gavel]

>>CHAIR FONSECA: Welcome back to this meeting. As I indicated to you before we broke for coffee, the intention now is to move to the part of the discussion on framework. However, I must beg your indulgence for one single last recommendation, and I'd like to take the blame for not raising it before because even the secretariat did not receive it in due time due to some technological issues that have been solved, I think successfully, by now, but it comes from Nick Ashton-Hart. Actually it has been included in the compilation as 65 bis. I would like the secretariat to project it, and as we've been doing, I would like Nick to introduce this proposed recommendation which in his assessment could also lead to some early agreement, and immediately after that, we move to the framework discussion.

So I apologize for this last -- but this will be the very last -- recommendation that we'll be considering before moving to the framework discussion.

Nick, you have the floor, and 65 bis. is on the screen for your consideration.

>>NICK ASHTON-HART: Thanks very much and for issuing the revised version of the compilation with this in it.

For those of you who may recognize this, it was in the submission made to the December consultation.

66 and 67 were in the compilation and they're actually sort of subcomponents of this, the basic concept being that when implementing public policies related to content on line, it should be the objective of everyone -- states and anyone else -- to do so in a way that doesn't compromise the network for communications in general, simply because the economic value, aside from anything else that the Internet is so large, that it's in nobody's interest to harm the Internet as a basic platform for communications in general when dealing with an issue that a given jurisdiction may have with certain kinds of content which -- because we know that different jurisdictions have legal provisions that relate

to content on line and are perfectly entitled to have different views on what kind of content is infringing, licit or illicit.

So my hope is that even if this may need some rewording, in some views, that the basic concept that we should preserve the Internet as a useful platform of communications when pursuing public policy in relation to content, that that concept would meet with general agreement.

>>CHAIR FONSECA: Thank you for those introductory remarks.

May I seek some reactions?

I see Richard Hill, Saudi Arabia, ISOC.

So Richard.

>>RICHARD HILL: Just to be clear, Chairman, we're discussing only 65 bis and nothing else?

>>CHAIR FONSECA: Yes.

>>RICHARD HILL: Yeah. It -- as Nick said, it probably needs some massaging in terms of language because we probably want to replace "enhanced cooperation" with "bodies developing Internet public policy," et cetera, something like that, but I would support this, with some editorial changes.

>>CHAIR FONSECA: Thank you. Saudi Arabia?

>>SAUDI ARABIA: Thank you, Chairman, and thanks, Nick.

I mean, in one way or another, this is already captured in Tunis Agenda. If you read Paragraph 68, that you recognize that all governments should have an equal role and responsibilities for international Internet governance for ensuring security, stability and continuity of the Internet. So the essence of this recommendation is already captured in 68, 10 years ago, so let's avoid duplication of terms and ideas in a new recommendation. Thank you.

>>CHAIR FONSECA: Thank you. ISOC, followed by Nigel Hickson. ISOC?

>>ISOC: Thank you, Chair. I just wanted to express support of this recommendation. This should be a critical consideration in all Internet policy and I think it should be a guiding light in this process of enhanced cooperation that we're undertaking. The language could certainly be streamlined a bit. We expressed a similar sentiment in our initial contribution, so we're happy to help with looking at some new text for this recommendation. Thanks.

>>CHAIR FONSECA: Thank you. Nigel, followed by Cuba.

>>NIGEL HICKSON: Yes. Thank you very much, Mr. Chairman. Just briefly again would echo what ISOC has said. I think this is a fairly sort of fundamental proposal. I mean, one could, of course, argue that it's -- it doesn't touch on enhanced cooperation, as such, but I -- I think along with the proposals earlier on

sustainability and access, this is -- this gets to the crux and the matter of why we're here at all discussing any of this.

I mean, an enhanced cooperation process is meaningless unless it has some results and I think these are the results it should have.

And the fact that it's in the Tunis Agenda is excellent, but clearly the Tunis Agenda in this respect hasn't had a lot of effect, as people have been disrupting the open Internet to economic and social disadvantage, so want to support this. Thank you very much.

>>CHAIR FONSECA: Cuba?

>>CUBA: Thank you, Chairman. Like I said before, commenting on the proposal from the United Kingdom, I think in the begin instead of saying "in enhanced cooperation-related policy development," why not put "in the development of public international" -- "international public policy pertaining to the Internet" instead of that? And that's one thing.

And the other thing is, the concept of public Internet, it's already known in this WSIS system? Because if not, it will need some clarification.

You know, I'm just asking. In the -- in the documents, there's already the concept of public Internet?

>>CHAIR FONSECA: Thank you. I turn to Nick for a response but just before that, let me comment that at least for the moment, this certainly does not get the kind of consensus we are seeking, have been seeking. I think this also relates to issues that have also been touched upon in other parts of the discussion that relate to language that is already adopted by -- incorporated in Tunis Agenda so we have to see how we deal with that kind of situation.

So I would say for the moment, this -- I think the concern is there. There was support, in general, for making some reference, but I -- in its present formulation, I would say it needs some more editorial work.

I do not want to prolong discussion on this because I think we should -- as I said, we should be moving to the discussion on framework which for some of you is the most important issue, but I'd like to give the opportunity for Nick to add some comments in that regard before we do that, so please, Nick.

>>NICK ASHTON-HART: Thanks very much.

I would just say in respect of the public Internet -- with respect to the public Internet, the concept that I was trying to get there is that there are governments and private sector organizations that have Internet -- networks that are private for them which are based on Internet technologies, and of course whatever you may choose to do with your non-publicly accessible Internet should be up to you. This was really meaning that the actions that are taken which impact the publicly accessible Internet for everyone, not - - not something that takes place on a private network.

As to the point about Tunis and the stability of the Internet, I certainly take the point that that provision is in Tunis.

What I'm getting at is something perhaps a little more finely tuned, in that it's now -- at the point where 4 billion people are connected, it's hard for my actor to do something which undermines the entire Internet stability for everyone, but it is quite easy for a country to choose to block certain content for its nationals which might have impact on the Internet for its nationals as a general communications platform or for neighboring countries, especially where traffic transits that country between two countries, neither of which -- neither the destination nor the origin of the communication is in the country in question.

And so I'm trying to get at a slightly different case than Tunis is getting. At least that's what I'm trying to do.

>>CHAIR FONSECA: Thank you, Nick. Thank you for your additional comments.

From my perspective, this certainly falls under a category of a thing that is important but needs some more work. I -- again, I do not want to prolong too much the discussion but I -- I see two members requesting for the floor. I'd like to give you the floor for -- on this topic before we move, but please be as brief as possible and bear in mind that the -- for the purpose of what we have been doing, I think it's clear what will be the way forward in that regard. Thank you.

>> (Off microphone.)

>>CHAIR FONSECA: So I have -- I have Cuba and Anriette. I think Anriette was before, if I'm not mistaken, and then Cuba, or --

>>ANRIETTE ESTERHUYSEN: Very quick. Just in response to Juan, the term "public Internet" hasn't been used but the term "open Internet" is used in the 2015 General Assembly resolution and I think in a slightly similar context.

>>CHAIR FONSECA: Thank you. Juan?

>>CUBA: Yes. Well, once that I received the clarification, then it's very similar to what is already in the Tunis Agenda, so if he wants -- the proposer wants to be -- to differentiate, I recommend to be specific. Because to say that something that negatively impacts the Internet, because, well, the Internet now it's mentioned everywhere. In Tunis Agenda it's more precise because it says the stability, the availability, and such and such.

If you want to open new negative impact that is not covered in the Tunis Agenda, please be specific and then we will see if it really adds value regarding Tunis Agenda, because I think that we are here not trying to re- -- rewrite the Tunis Agenda. But if it's something new, please put it directly, and if you want to make that -- you need to clarify that it's public access Internet like you said, put it also like that.

So be clear in what you want and then we'll see.

>>CHAIR FONSECA: Thank you. I see Pakistan wants the floor on this particular topic, so you have the floor, but after that, please, I'm closing the list and we are moving to the discussion on framework. Thank you.

>>PAKISTAN: Yeah. Chair, very briefly, actually, this is in line with our comments that we previously made in another recommendation that rather than going into what the specific aspect is of enhanced cooperation, but the first line of the recommendation as proposed by Nick is "enhanced cooperation-related policy development or implementation." My question is: What kind of development -- public policy-related development or implementation is being envisaged in this recommendation? Which needs the -- which needs that -- this aspect to be -- to be covered in that.

So we don't have this clarity in this recommendation, and this is with many other recommendations which aspires for a few aspects to be implemented -- or to be covered but without any, you know, tangible settings.

>>CHAIR FONSECA: Thank you, Pakistan. And if I'm not wrong, I think we had agreed that -- to replace that language with something that would be more precise and more familiar and relate more directly to language coming from Tunis Agenda, but Nick, would you like to comment on this?

Yeah. I think that's the -- okay. Okay. So this is taken on board, Pakistan. The concern is taken on board and we are looking for a way to formulate the recommendation in a way that links direct to -- that are not imprecise and that provides the right context for the discussion.

So thank you for this.

We would now be moving to the discussion on recommendations that relate to framework.

As I had informed you before, I have worked with the secretariat trying to identify, in each and every recommendation, those portions that relate to framework interventions, proposed interventions. I'd like to ask the secretariat to post it on the screen.

First of all, I'd like to walk with you -- walk through the document as a whole very quickly. I will explain what we have done, and then I will propose the way -- a way to address those recommendations.

You'll see there are different kinds of recommendations of different nature, of different mechanisms or bodies, so I'd like, first of all -- so thank you.

So we would move first to Recommendation 30. Recommendation 30 from Timea Suto from ICC/BASIS.

Here it does not propose institutional change but, rather, seeks to reaffirm the validity of the existing framework, so we thought it would also be important to -- that this should be also seen in context with other -- there are proposed positive changes for the outcome interventions and some recommendations that explicitly mention that we should not make any kind of change.

So this is the first one we had identified.

So can we move then to 34, coming from India?

In Recommendation 34, we have selected the second part, Number IX, Roman IX, in which India proposes an institutional mechanism needs to be created for Government Advisory Committee to report to ECOSOC through CSTD on an annual basis.

So I -- we understand this is also a recommendation addressing framework changes, and I'd like to highlight in that case I think this is the one single reference to this, but to my understanding it's something that should deserve some consideration from the plenary, even if it was mentioned by one single delegate. I think this is something new. At least for me, I think it should deserve some comments.

Then we would move to Recommendation 49 from the Russian Federation, and here we have selected not the full recommendation, not the full text provided by the Russian- -- but the ones that refer to the framework.

So we are basically looking at Section 2 of the document that refers to the format of enhanced cooperation, and as the Russian Federation has explained a number of -- a couple of times -- a number of times during the discussion, they see the framework divided into intergovernmental and then in a multistakeholder format, so it is encompassed here.

And we have also selected from Recommendation 49 Section VI. Can we have it on screen, Section VI? In which -- through which the Russian Federation proposes some -- and here in the format of text -- recommendations for consideration in regard also to framework changes.

So this is coming from the Russian Federation, 49.

Next would be 59 from Bill Graham from the Centre for International Governance Innovation, and here I think we have discussed this in this context of trying to find some early consensus, but again, we think it's important also to consider under the framework, so he's referring to the idea of finding mechanisms to bring all stakeholders together in productive work, so we'll have a look at this language when the time comes for it.

Next would be Recommendation 72 from Parminder, and 72 focused on the creation of a new U.N.-based mechanism or body, and this has also been mentioned by Parminder a number of times in the course of these discussions.

Next is 73, also coming from Parminder.

We think it's quite -- somewhat different because here he refers to the idea of the development of a convention on the Internet, so we differentiate from the first one that it was the creation of a body. Here we are talking about development of a convention. So it would be another form of also having some kind of institutional change.

We jumped 74 because it was under this category I had proposed of framework but I think it was misplaced there, so -- because it does not refer to institutional change.

So we jump to 75 from India. That also refers to the creation of a forum or a body -- a new form or body.

76, from Iran, comes next, and this refers to the establishment of a mechanism which will be conducive to the implementation of enhanced cooperation.

And in 77 that follows immediately, there is a reference to the establishment of an intergovernmental mechanism to regulate and coordinate the relations of governments.

Next on my list would be 79, from Cuba, through which Cuba proposes the establishment of a mechanism.

Followed by 80 from Cuba. That has two parts, referring to the creation of a mechanism and also to the creation -- to the decision to put under the General Assembly debate a particular topic for discussion, so this would be on a yearly basis.

Next will be recommendation coming from the German ccTLD registry, which refers to a framework of enhanced cooperation for Internet governance. So it's 81. 81. So it is not exactly clear where this group would lead to at least for me some institutional change or not. But since it refers to this framework, I decided to submit to plenary for your consideration.

82 from Saudi Arabia in which refers to the creation of framework and mechanisms. This proposal from Saudi Arabia is further developed and needs additional recommendation. It was further developed. We'll see it later on.

Next is 83 from Jimson which proposed the convening by CSTD of a yearly forum for discussion of EC-related issues, which I -- I would allow myself maybe I'm building my chairmanhood to highlight this because I think this is also something innovative and I think should also deserve the attention and comments from plenary. Well, all of those proposals should. I'm highlighting this because this was put by a single member and I think it's something new.

Next then we move to the uncategorized recommendation. Then we come to the proposal coming from Anriette for the creation of a platform for intergovernmental dialogue on Internet-related public policy issues linked to the IGF.

And I was told by the secretariat to send just revised version. So when we come to this, you can refer to that. It's not exactly referred to here, but I think you have circulated to colleagues. We'll come back to these in due time.

Next, under this uncategorized is a proposal coming from Nigel Hickson. Actually not a proposal but in his input there is text that refers to the framework in which also as ICC has done. He's explicit but not supporting recommendations that are to facilitate establishment of any new bodies or structures. So we thought it also should be highlighted that input for this discussion.

Next is uncategorized 5 by the U.S. in which also -- no, please, let me finish. I want to finish this. And then I will -- and let me also explain how I want to address this -- through which the U.S. also is explicit that no institutional arrangement or instrument can manage the entirety of Internet policy demands. So I interpreted that in a position of creation of any centralized body. It was also inserted here.

And final one is from Saudi Arabia, uncategorized in which -- in section B2 of this document -- I'm referring to a document that was circulated. We just highlighted those portions, but this is not new things. Those are things that were already there -- in which Saudi Arabia developed from its perspective the idea of a new U.N. body.

So as you have seen, we have a number of your proposals, some of them, let's say formative, indicating some creation and some others being already indicating opposition to anything new.

What I'd like to propose is not to take them in the order of the appended document but to take the same approach we have done in regard to the high-level principles. We should look at those that at least were referenced on a priority basis of a number of proponents, of contributors. And, of course, it's not that it's consensus. I'm not saying anything about consensus. I'm just saying about the number of times it appears in recommendations. And certainly the creation of a new body, be that the U.N. is the one that was referenced by Russia, by Parminder, by India, by Iran, by Cuba and Saudi Arabia. I know a number of others had opposed this, but I'd like to start this discussion by allowing enough time for discussion of this concept.

I'd like to offer those proponents the opportunity to further elaborate. We know it's a very controversial issue, one that will not possibly or certainly not lead to some consensus decision. But since it is -- since the beginning of this meeting, it was stated by many as the main core issue of concern. We think we should start this discussion framework by allowing the opportunity for those to make their comments and receive feedback from other members in that regard.

So my proposal -- and then we, as I said, we have Russia, we have Parminder, we have India. If we follow the order in which they appear, Russia will be first. But I'm not -- I'm in your hands. Before moving to the actual discussion, maybe I would like to offer this opportunity for you to comment. I see Cuba requesting for the floor.

>>CUBA: Dear Chairman, dear colleagues, I'm going to be very candid here. In this topic, it's -- I don't want to be absolute but it's very difficult to have one consensus from all the group. From what we have seen here, this is a group of delegations that really don't want any -- that the recommendation would be that there's no need to create any new body or mechanism. That's one line of thinking.

And to put in another broad group, there's an general group that says there's a need for somebody or mechanism. So those are those two groups.

Chairman, what I recommend is here we go -- because this is a working group that has to create recommendations. This is a group of experts that is going to give recommendations to CSTD for then to

channel to ECOSOC and whatsoever. We are not a deliberative body in the sense that we are not a negotiation body. Those who receive our recommendation then will do the negotiation.

So in this sense, this happened before, as you all know, with the WGIG report in which the WGIG report as a whole document was adopted by consensus. But there was one chapter in the WGIG report which clearly stated that here there were several alternative opinions, and those opinions were listed.

So I think that here we should -- I'm suggesting to go the same route. And if this is accepted, what I suggest is that the group of delegates that want some sort of body, to get together and try to get some common wording for that in order to have two alternatives. If it's not possible to get one proposal in that sense, well, maybe two proposals.

For reference, I will tell you that in the WGIG document, it was four alternatives. I think that maybe we should put that as sort of a target not to get too many alternatives.

But, Chairman, of course, we're in your hands, of course, in the hands of all the delegates of this working group. But that is what I'll suggest.

Because if we go with -- say the merits and no merits of each presentation, even ours, I think in the end we will need to do some sort of exercise as I mentioned. Thank you.

>>CHAIR FONSECA: Thank you, Cuba. And I will give the floor to the U.S.

But just before doing that, what I say also, being very candid as it were, I think you are looking at the final stage of our work. We'll get there. And I don't see any alternative beyond the one you are indicating. We'll have different scenarios. But we are at the beginning of our work.

So I think -- and two points. First of all, not all recommendations referring to institutional framework involve that issue U.N. body, no U.N. body. As I tried to highlight in my presentation, there are other ideas, innovative ideas, that I think should also be discussed in plenary and should also -- in order for us to assess whether there is consensus around those ideas, whether these ideas should be addressed in some other form.

So I think the discussion is necessary, cannot just go directly to split into groups because we would not cover the universe of things that are being said for one hand.

Second is that if and when this group -- or if we decide to split into separate groups, if we do, if the plenary wish to do so, I think even in that case, it would be appropriate for the group to rely on a wider base of discussion of their proposals which, by the way, have different nuances between them.

I don't think we are in a position to jump directly to a drafting mode in the absence of these discussions in plenary. Even if we know it will be divisive, there will be no agreement, but I think it will be important in order to inform the way we want to reflect this on paper even with different scenarios.

And the third point I would like to make is just to maintain consistency with what we have been doing. We have been discussing in substance the proposals. And I think at least for myself -- I have been doing

this for some time -- not as much as many of you and certainly not you, Juan -- but it has been very useful for me to receive different inputs.

So I think the discussion is necessary before we move to that. I think between now and tomorrow we will have plenty of time to revisit this, to give ample opportunity for comments to be made, either pro or against. And then we can -- I fully agree if at some point if we want one unified report, we will certainly not have consensus around some of those proposals, certainly not on the creation of a new body. But maybe with regard to some others there can be some more flexibility and some emphasis.

So my proposal would be in regard to what everything I said to start with the Russian Federation. I would kindly request Russia to introduce its recommendation. As I said, we are focusing on Recommendation 49, part 2 and part 6. But before that, yes, U.S., you have a point of order.

>>UNITED STATES: Yes, Chair. Really a request for clarification. You know, I think our proposal to this meeting and the way we have been operating through this meeting is that there is this -- this attempt to get to consensus on our recommendations. And, you know, usually we come into these meetings, try to attempt to get consensus. And that was the notion we're under.

If we have already given up on achieving consensus, then I think it really changes, you know, the proposals we're going to make, the way we discuss these issues, the way we consider issues because we've already agreed that there's not -- the ultimate outcome is not consensus.

And if that's the case and all we're doing is collecting ideas, then, you know, why would we move forward? We've done that. There's been a lot of recommendations to this meeting. There's a compilation of those. It seems that we've garnered divergent views in that. But if we're not then trying to consolidate those, distill those, and get those to where we all agree to some recommendations, what is our purpose over the rest of this meeting and then future meetings? Thank you.

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

And I think at this point I think it's also very important to have clarity on what we are doing. I think we are mandated to prepare a report with recommendations to further implement. And by doing that, to take into account diversity of views. So as far as I read it -- and maybe we should even have it on screen, if you prefer to revisit the language. We are not changing that language, unless it is something that is imposed on us to do it.

I interpreted that as we should provide recommendations but we should also reflect diversity of views. So we are -- of course, we made the first part of the exercise. We have just concluded we made an attempt to identify consensus around some issues that seem to lead to early harvest. We thought this is not the case. But I think this does not exhaust our work because when we refer to diversity of views, we think it is within the mandate we're given. And this language, this -- well, I was there with colleagues from delegations and others. We can revisit the language, but the invitation was exactly to provide space for also that kind of recommendation that would have different scenario and allowing for different views.

I think it's important that we clarify this from the start. Maybe we should look at the language that is at the mandate we have. I think we cannot change the mandate. We can only work on the base of the mandate that we have.

As far as I can see it, the mandate allows us, I think urges us, to develop recommendations by consensus possible. But it leaves room to indicate clearly there is no consensus and there is diversity of views in regard to some issues at hand.

But maybe we should revisit it on the basis of -- yes, U.S.

>>UNITED STATES: Thank you, Chair, for that. Right, and I remember last year's conversations. And I don't want to press this issue, but I think it's important for what we're doing here.

And so if we are agreed that there are some things we will agree to by consensus -- and I understand that's what we have been trying to do today. But now we're at a point where we are getting ready to undertake a consideration where we have already conceded there will be no consensus and we will be listing divergent views, then I just wonder what's the -- what are we talking about this afternoon? Are we challenging? Are we negotiating? Are we trying to offer feedback on something that, I guess, there's already a view that will not ultimately achieve consensus? And so I understand divergent views. I think when we agreed with that, it was more in the context that we would have a process that leads toward consensus.

If at the end of the day there are, you know, things that can achieve consensus, that maybe somewhere we list the alternate views or the differing views. This seems to be we're just going to be starting out by listing those.

I'm just asking. I just wonder, what's the benefit of having a long conversation about this? Thank you.

>>CHAIR FONSECA: No, as far as I see it, the objective of the conversation would be to offer the possibility of proponents to -- as we have done in each and every case till now to explain, to present their views and to have feedback on this.

We know from the start there will be some positive and some negative. But, again, I think the -- even when we come to the point we want to discuss tomorrow the outline of our report, I think it's important for us to have a very clear assessment on which areas are prone. We know for sure in regard to the U.N. body but not in relation to other issues that are here.

I think all of you, when you were making -- I'm offering the opportunity, and I think it would be fair for those who made reference in many contributions of different parties that we offer the parties to be the first. But I do not want to impede.

On the contrary, I think even proposals proposed by individuals should also be discussed. And I don't see a reason why we can conclude, for example, with regard to some issues, some dialogue that are being proposed why you cannot maybe have consensus on this.

So I do not want to preempt the discussion. I think everything we are saying by now we are just preempting the outcome to what will be our exercise.

But I do not rule out the possibility, and I think we are covered by the mandate. If there are some cases we want to say there is no consensus on this but there is a diversity of views, these are those views, I think this is exactly what that mandate says. And I was one of those who drafted it. Thank you.

>>UNITED STATES: Just one more question. Thank you. If that's the approach we take, that will be applied to any proposed recommendations that don't garner consensus but that members feel are important to include in the final report.

>>CHAIR FONSECA: Boy, we are -- I say consensus is consensus. Everyone is on board, it's consensus. I don't see a reason why we should be discussing what consensus is. We are not forcing consensus. We are not also refraining from saying there is consensus in areas there are consensus. I don't see the point.

But in areas in which there is no consensus, the mandate provides us the opportunity to provide a diversity of views. I take that as important. I don't see why we -- I don't see the complication, but maybe there's something I cannot see from now.

Richard, then Pakistan. Richard Hill followed by Pakistan.

>>RICHARD HILL: Yes, Chairman, I support your way forward, exactly for the reasons you've mentioned. While we know that it's highly unlikely that we would reach consensus on the creation of a new U.N. body, there might be elements in some of these proposals on which we could all agree, and as you pointed out, there's some that are much more innovative and are not suggesting a full U.N. body. So, you know, who knows. After we have the discussion and -- you know, we're not going to end it now, things are going to change, we still have months -- maybe we find consensus on something.

And if we don't, then I do agree with the last comment of the U.S., of course. Anybody who wants a recommendation to appear in the final output, we'll find some mechanism to allow that to appear somehow.

So I would support your way forward, Chairman. I think that's an excellent way. And as you said, people have put a lot of thought into these. We should allow them to present it and have -- take questions for clarification and so on.

>>CHAIR FONSECA: Thank you. Pakistan?

>>PAKISTAN: Thank you, Chair. We support the proposal made by Cuba. I think it's a very good proposal. This was the line that we had suggested yesterday that we should take.

As far as a matter of consensus is concerned, I think it's a bit ironical, after -- after yesterday's discussion, because we did continue without consensus and we allowed it because we thought that we

should continue to have some kind of discussion around -- around this group, for its own sake, to come up with a report. Otherwise, there was no consensus. Thank you.

>>CHAIR FONSECA: Thank you, Pakistan.

U.K.?

>>UNITED KINGDOM: Thank you, Chair. Well, our mandate is to develop recommendations on how to further implement enhanced cooperation.

Now, we need to take into account diverse views as we do that, and we absolutely agree that we need to have an opportunity now for those colleagues who would like to make proposals on institutional mechanisms to present those proposals and for us to discuss them. But we think it's important that we treat the contributions in the same way.

So this morning, for example, the U.K. brought forward some contributions. We framed them in a way that we hoped would reach consensus. We listened to the comments and we will take note of those and bring -- bring them back in a way that we hope will attract consensus.

And we think we should do the same with the other proposals, so we would like to hear from Russia, from Cuba, from others, and they are different proposals in each case. We'd like to hear what their proposals are and have a discussion about those, and we hope that the same approach will take place, where colleagues will listen to one another and perhaps amend their proposals in a way that could achieve consensus.

That's what we're here to do. We're not here to divide into camps immediately and we would hope that all colleagues would take that same approach and the same endeavor of trying to achieve our mandate, which is to develop recommendations on how to implement further enhanced cooperation. Thank you.

>>CHAIR FONSECA: Thank you for your comments. I see Jimson.

>>JIMSON OLUFUYE: Thank you very much, Distinguished Chair and colleagues. I would like to say +1 to what the delegation or the delegate from the U.K. just said. Really yesterday, the chair and colleagues, you made some contribution with regard to some of my recommendations and you did say that it would be -- if it is tweaked a little and some delegates offer to support so that we can improve, so I think if we take that positive approach, we could come to some form of consensus, I believe strongly, and I think there are a lot of things we discussed this morning that could have some kind of convergence in terms of harmonization and improvement.

So I want to suggest maybe, if it's possible, all those that made propositions that have this form of characteristics of where maybe indeed we can improve on the language, we can all come together and it could even be off line, down the line, and we'll work on improvements. At least those that are positively concerned. Those that made those recommendations, they say, "Okay, maybe we can adjust, we can

improve. Instead of language like capacity building, language that has to do with developing nations, bridging gaps and things like that."

So I think there is a lot of goodwill to getting some results and that's why we're here. That's why we spent a lot of resources to be here and I believe that we can achieve it under your able leadership and with the positive goodwill in the room. Thank you very much.

>>CHAIR FONSECA: Thank you, Jimson.

I'd like just to remind colleagues that we are -- according to the agenda, we are discussing individual recommendations. That's what we are doing. We agreed, or I -- maybe I should not say "agreed," but it was under my proposal on the basis of consultations I had on the basis of the majority of what I felt was a feeling, we decided to -- I proposed -- not decided. We engaged in an exercise selecting those recommendations that seemed to be prone to consensus.

We had exhausted this. We are now -- we have to continue, considering we have not exhausted the consideration of recommendations. We have not exhausted the agenda item.

So what I'm proposing here is to select, on the basis and in respect for those parties that have indicated that this is one of the -- since the first meeting, they have indicated this is a matter of their core interest, they want to discuss this, I am just proposing that we bring now -- since we have exhausted the list of potential consensus or we thought this was not the case for consensus, since we have exhausted this, I'm proposing as a methodology to continue consideration of individual recommendations that we consider those that are related to the international -- to the framework, to the --

So we are not changing anything in regard to what we have been doing. I think we should -- as has been said by U.K., Jimson, and others -- allow the opportunity for those proponents to speak to their proposal, their recommendations, and this will be -- we will have the feedback from the plenary. Of course, in the light of years of some issues that have been discussed. We know already some things that will be said, but I think that we cannot preempt at this point in time this discussion, especially because there are differences in the recommendations, there are nuances, there are -- and not all recommendations refer to the same topic.

So I don't see an alternative for discussing it before we make any move, additional move, in that regard.

So until we exhaust the discussion of individual recommendations, I think it would be premature to adopt any other procedure. I think it would not be the case now to split into two groups because we have not exhausted the agenda items related to the discussion of individual recommendations. This is one reason why I think and I am proposing to start with Russian, then Parminder, India, because those -- those, in particular, recommendations address the creation of a new body and is the one single recommendation that had more references and then we'll move to other ones.

This is my -- my proposal. I'm not proposing anything different from what we had been doing so far. It's just a way of organizing the discussion, taking into account and trying to cover the issues that are important for many, many delegations.

The problem is that now we have come to the end of --

[Laughter]

>>CHAIR FONSECA: -- today's -- I was expecting to get to this point by mid-morning, and now we have completely -- well, I remain optimistic because I have -- we have one full day for that. We'll start tomorrow discussing the outline of the documents. I would really look forward to that because I think by both discussing this core matter and deciding on how we will address these in the context of the document, that might assist us in bringing in line many other things that were discussed until now, but I -- I think now we should -- maybe --

>> (Off microphone.)

>>CHAIR FONSECA: Yes. Yes. I had Uganda. Do you want to make an intervention on the -- yes, please. Uganda, go ahead. Welcome.

>>UGANDA: Thank you, Chair, and we would like to commend you so far for the skillful way that you have guided the deliberations despite the hiccups here and there. However, with regard to this afternoon session, we'd like to have some clarity on the methodology.

I understand that now you are -- according to what you have said, that you have stated out the recommendations with regards to the framework or the entity or the process that would like to set up in place, so according to the agenda that we agreed to yesterday, my understanding was that we were going to -- we had categorized all the recommendations and we started with those that have gained consensus, that we could get consensus, and then the other two.

However, now when we jump, oh, and we skip right from the ones that -- to discussing the recommendations that could get consensus, I think it would be good or maybe as a way forward that we know of those articles or those recommendations or the issues that we have somehow agreed to, if the secretariat could just flash them up on the board, and then -- or my understanding is that probably it is only those recommendations with regards to the framework. Are they the only ones that we have agreed to so far and that's the reason as to why you have now proposed that we regards -- we discuss the recommendations regarding the framework and all the other issues we have kind of not gotten any consensus of?

We need clarity on that. Thank you.

>>CHAIR FONSECA: Thank you, Uganda.

Well, actually what we did yesterday at the meeting we had at lunchtime was to -- on the basis of some preliminary work that was done by a number of participants in this group of members, to try to think about the way to move forward.

So they -- they had, indeed, as you have said, provided for three categories.

Some proposals, they thought would be discussed in a very rapidly and speedy way and would lead to rapid consensus, so our -- we tried to -- we made an attempt to test their assessment that that was the case. We have just concluded this. Unfortunately there was -- I think maybe with the exception of one or two, no of those -- none of those recommendations in their present formulation was accepted, let's say, to be taken on board directly.

In some cases, the notion is accepted but needs some more editing. In some cases, there would be a need for a merger or to check with the language coming from the WSIS outcome documents. And we have taken note of all of this. We are -- I have to work with the secretariat and my colleagues after that just to make sure we have the full picture. So I'll not be in a position to reply to you now in regard to what has been agreed so far or not, but we have some very, I think, useful inputs for how to -- we can organize ourselves.

So -- but the work they had done yesterday also indicate two other categories. They indicated a proposal that may actually have consensus with further amendments and proposals that require further long-term discussion.

So we decided to discuss the first category, but we did not -- and it was my proposal that immediately after that, we should move to the discussion on proposals relating to the framework, taking into account that this was indicated by many as the main core.

So until now we have not discussed any recommendations related to the framework. We'll be starting to do it now.

In relation to the other recommendations that span many areas, some are addressed to existing processes and fora. Others are addressed to related coordination or addressed to national governments, et cetera. Again, I will have to work with the secretariat to make sure we have the exact outcome of what was done and to -- in order to suggest a way forward.

I'm not sure if I have replied. Yes. Thank you.

So colleagues, in the absence of any further interventions, so I would say tomorrow we will discuss. We had agreed in the beginning on the basis of a proposal by Richard Hill -- it was accepted -- that tomorrow we will have a discussion. I hope it will be a brief discussion on the outline. But this will include how to deal with the preambular language, high-level recommendations, et cetera. I think it's important to have that discussion. I hope this will not take too much of our time. And then I would suggest we -- we initiate our discussion on the framework proposals on the basis of the document you have before you. I would strongly recommend those who have not yet had the opportunity to go to look at the document, please do it. Make sure that all your recommendations related to institutional frameworks are there, highlighted. Otherwise, please indicate to us.

And my proposal would be to start discussing this part of our meeting of individual on the basis of those who have had more references in the recommendations but I -- my best attempt would be tomorrow to

try to cover also other ideas, and I would say very interesting ideas, innovative ideas, apart from the recommendations as well.

May I -- I see Saudi Arabia, are you -- do you want to make any comments at this point?

>>SAUDI ARABIA: Thank you, Chair.

I mean, we're really lost now on the process that we have. Are we going to discuss now the institutional mechanism recommendations now?

I had Richard that he request a meeting. Or tomorrow. But tomorrow you said we will discuss the report. So we need precise action lines for us, please, one, two, three.

Thank you.

>>CHAIR FONSECA: Thank you, Saudi Arabia.

Well, my intention would be immediately to start discussing the institutional framework, but I just recalled the decision we made at the beginning of the meeting to start Friday morning session with a discussion on the outline of the document.

So I'm in the hands of the plenary. If you decide to postpone it to a later stage and we start with the institutional framework, it -- I'm just fine.

I'm just recalling that as to the decision we took, we decided to start the morning session with this, but nothing impedes us to revisit this and to delay it until the -- the beginning of the afternoon session, for example.

But I -- in that case, I would need your guidance for this.

I see Parminder, followed by Richard Hill, and Saudi Arabia.

>>PARMINDER SINGH: Thank you, Chair.

However, we also took a decision when we went to soft, and perhaps, in my view, less important -- in many other people's view, less important subjects.

It was said that we would quickly come to the issues which many people kept on saying are primary and these circulate around this but the core is this.

It was said many times over in the two days, and if we now go back on decision which I think is actually a more important decision than the structure of the report, which actually follows from having done something purposeful, that commitment, I think, if you allow me to say, is more important.

I even propose that we spend at least half an hour today to listen to one or two proposals because it was agreed here that there are core issues and they would be respected in the sense, as you also said. Some of them have more references than any others, but one issue. And now it's -- as last time, we did -

- didn't talk about recommendations because we wanted to talk about high-level characteristics on the recommendations of the same countries which today wanted issues which are less -- more easy to settle.

There is a problem in which certain issues of very great concern to a great number of countries, including to Tunis Agenda, as I understand its framing, are being pushed out.

The fact is, this disagreement will come later. Let's not anticipate disagreement and then sweep it entirely out of the space of discussion. The disagreement would come when we discuss those issues.

WGEC was asked to discuss those issues, primarily, and we are in like -- I don't know which meeting here, and we -- we are already now on Friday, the last day of the meeting, and we are still thinking about procedural aspects around it.

I think there -- there is a problem because it has been anticipated that something will not be agreed and that's not why members come together. It's not what we had at our starting point. It's after discussions where we are is the outcome of this group.

So I would recommend that we hurry with things which are considered quite important by many members.

>>CHAIR FONSECA: Thank you.

As I said, I'm in the hands of the group. I was just recalling something that we decided would be important to do at the beginning of Friday morning, but if there is an overall sentiment that we should defer it to a later stage and start with this, I will be more than happy to do it.

Is it a point of order, U.S.?

I have Richard Hill, Saudi Arabia, Canada, and U.S., unless you have a point of --

So Richard, please.

>>RICHARD HILL: Yeah. Well, if people are willing to stay, then I think we should maybe stay for another half hour or one hour, but otherwise, Chairman, I think that given the dynamics of the timing, it would be more appropriate to move the discussion of the structure of the report to the afternoon session tomorrow, 1500, and indeed, you know, it's difficult to discuss the structure of the report until we have some idea of where we're going to have consensus and not consensus, and that would still leave us ample time to discuss the structure of the report.

Because you, I don't anticipate, will spend much time on that. We'll just try to get some basic ideas. We're not actually going to propose a concrete structure.

So I think that might accommodate everybody. Thank you, Chairman.

>>CHAIR FONSECA: Thank you.

I see Saudi Arabia has withdrawn.

I have Canada, U.S., and Nick Ashton-Hart.

Canada.

>>CANADA: Thank you very much, Chair. I think it's really important that we hear the recommendations, that we hear the background. I mean, I look at the text and on surface I say, no, I don't think we need any kind of new mechanism. But I do think that I need to be -- we need to hear it. We need to find out. We need to hear what it is that -- what is the problem that these institutions would fix because right now I don't see it.

So I would be in favor of us really pushing back that discussion on the report until we've had a thorough airing of all the views. We said earlier that we would treat our recommendations equally. I think it's only fair that we should -- that we should hear them.

So I would be happy to change the agenda to accommodate that. Thank you.

>>CHAIR FONSECA: Thank you, Canada. I think this is very helpful.

U.S.?

>>UNITED STATES: Thank you, Chair.

Yeah, I just needed to clarify an earlier comment. I don't think we shouldn't talk about these issues. I just think as we talk about them it's important to understand to what point we're talking to them. And I think that a drive toward consensus is important.

With that said, I think we spent a lot of time -- maybe I started that conversation about process. So I certainly support the moving this conversation to the morning, if others agree, and then talking about the other issues later in the day. That would be fine with us. Thank you.

>>CHAIR FONSECA: Thank you. Thank you also for this flexibility.

Nick?

>>NICK ASHTON-HART: I agree with Richard, Canada, and the U.S. with the sole exception that I think we will probably hear these things better in the morning than if we stay here for an hour hearing them.

[Laughter]

Thank you.

>>CHAIR FONSECA: Thank you. Well, I -- again, I think it is just fair that we -- by the way, I think I have not seen any of you making the case that we should stick to the agenda as previously agreed but rather that we could defer it to a later stage. So I think this is decided unless there are any objections. But I think at this point we should go with the majority.

Yes, Richard.

>>RICHARD HILL: Yes. Just to be precise, deferred to 1500 unless again we decide otherwise. So tomorrow we might decide to defer it further. But in the absence of any other decision, we will look forward to 1500.

>>CHAIR FONSECA: We are not making a decision exactly at what point but we accept to defer.

Well, I think -- no. One thing I would like to say is, technically, I think this is the correct decision because we have not exhausted the agenda item related to discussion of individual recommendations. So for the matter of the agenda we had decided, I was prone to allow to participate because this was a decision we made. But technically I think it's in line with the things not to stop what we are doing, at least to look at the important issues before we look at the outline.

So with this -- and I am also sorry I could not prolong our meeting today. I do not live in Geneva, but I have some commitments for tonight.

Are there any other topics to be raised? Otherwise, I would like to wish you a good night, a good dinner, a good rest. And see you tomorrow then at 10:00 a.m. Thank you.