

A Civil Society statement on the new ITRs and the future of multi-stakeholder engagement

December 28, 2012

The undersigned members of civil society are disappointed that the World Conference on International Telecommunications (WCIT) could not come to consensus in revising the International Telecommunications Regulations (ITRs). We understand, however, the serious concerns that a number of governments have expressed with regard to the potential impact of the new regulations.

As members of civil society stated in its Best Bits statement¹, a key criterion for ITRs should be that “any proposed revisions are confined to the traditional scope of the ITRs” and “where international regulation is required around technical issues [it] is limited to telecommunications networks and interoperability standards.” We do not believe the WCIT achieved the goals described in the Best Bits statement. We regret that an Internet governance-related resolution has been included in the Final Acts of WCIT, despite assertions by many that WCIT was not about Internet governance. We are also concerned by the lack of clarity around the applicability of the treaty, which as defined could have unforeseen consequences for an open internet, and the lack of specificity in key terms, such as security, which may negatively impact the public’s rights to privacy and freedom of expression.

This said, the undersigned members of civil society would like to acknowledge and thank those governments that opened their delegations to members of civil society and other stakeholder groups. This was a very important initial step in establishing a civil society voice in the proceedings and we trust that it signals a wider commitment to multi-stakeholder approaches in public policy development and decision-making on telecommunications and Internet-related matters. We trust that this openness and inclusive approach will continue and extend to upcoming ITU-related work and beyond, and we urge other governments to welcome and engage with civil society going forward.

As we communicated² to ITU Secretary General Touré, we also commend the ITU on first steps towards greater transparency and openness with regard to access to and webcasting of plenary sessions and Committee 5 sessions, as well as soliciting public submissions. These initial steps enabled civil society to play a constructive, albeit limited, role at the WCIT.

However there remain serious limitations to engaging with the ITU. The substantive policy deliberations in working groups were neither webcast nor open to unaffiliated civil society. Further, while it is positive that the ITU opened the process to public comment, these comments were never part of the official record. We raised both of these challenges with the Secretary General, in writing and in person, and he committed to addressing these concerns and appealing to member states, as appropriate. Although the WCIT has concluded, we renew our request to have the public comments submitted as official ITU documents to capture these positions for the historical record.

We also raised the issue of the lack of any institutional mechanism for civil society participation at the ITU. While the participation of civil society representatives in government delegations benefits both

¹ <http://bestbits.igf-online.net/statement/>

² <http://tiny.cc/k4ebpw>

the delegations and the WCIT's deliberations as a whole, it cannot substitute for engagement with independent members of civil society. We will be following up on these important matters with the Secretary General and welcome his commitment to considering institutional remedies to this challenge.

Looking forward, the undersigned members of civil society seek to work with governments and other stakeholders around the globe towards an ever more inclusive and substantive multi-stakeholder engagement on telecommunications, Internet, and related matters. Much more needs to be done with regard to opening the ITU to greater genuine multi-stakeholder participation and in particular independent civil society participation - institutional change will need to occur and we will work with the ITU and other stakeholders to bring this about. These changes are vitally important and need to be addressed as soon as possible given the upcoming 2013 World Telecommunication Policy Forum, World Summit on the Information Society (WSIS+10), and 2014 ITU Plenipotentiary Conference.

Endorsed by:

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Africa Information and Communications Technology Alliance (AfICTA), Regional
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Asociación Colombiana de Usuarios de Internet, Colombia

Association pour le Soutien et l'Appui à l'Entrepreneuriat Feminin (ASAFE), Cameroon

Center for Global Communications (GLOCOM), Japan

Center for Technology and Society at Fundação Getulio Vargas (CTS/FGV), Brazil

Centre for Information Technology and Development (CITAD), Nigeria

Consumers International, International

Development Information Network (DevNet), Nigeria

Fundación Karisma, Colombia

Global Illuminators, International

Global Partners and Associates, International

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We encourage other civil society organizations and their members to endorse this statement. Please email WCIT12civilsociety@gmail.com to add your support.