**The World Conference on International Telecommunications (WCIT) - a step too far but one to watch!**

The landmark and highly controversial **World Conference on International Telecommunications (WCIT-12) which was convened by the International Telecommunications Union (ITU) took place in Dubai, United Arab Emirates, from 3-14 December 2012.**  The aim of the conference was to review and update the International Telecommunications Regulations (ITRs). These take the form of a binding global treaty designed to facilitate international interconnection and interoperability of information and communication services, as well as ensuring their efficiency and widespread public usefulness and availability.

The ITRs were last negotiated in Melbourne, Australia in 1988 at a time when traditional government monopolies still dominated the international telecommunications landscape. Since then so many things have changed, with many of the benefits we now take for granted stemming from a healthy competitive market. None of those changes can match the phenomenal growth of the Internet which now underpins global commerce, education, health and social and economic advancement on a scale that could never have been imagined 20 year ago, with over 2 billion Internet users and a huge capacity for further growth.

Over recent years a lot of tension has been generated between the ITU and those organizations which have leading roles in the governance and operation of the Internet. Traditional telecommunications networks grew within a nationally controlled and heavily regulated environment that emerged over many decades, whilst the Internet originated from the pioneering work undertaken by the Advance Research Projects Agency (ARPA) in the United States in a relatively short period of time.

The very nature of the Internet as a global decentralised network of network’s and its multi-stakeholder governance model, where all parties come to the table on an equal footing are major contributors to its success. This is a totally different model to the traditional government led telecommunications environment. It’s that flexible approach to networking, coupled with the Internet’s unique system of bottom-up policy development which facilitates innovation and creative opportunities, that has had such a major impact on today’s world. Those fundamental principles are fiercely guarded, not only by those who consider themselves part of the established Internet community, but also by progressive governments who recognise that the Internet and telecommunications environments are different and need to remain so. Within the ITU, where the governments of all UN Member States meet, that opinion is not universally accepted.

Some governments actually see the Internet as a direct threat and choose to restrict access to the content their citizens are able to access on-line and as well as inhibiting free speech. It was clear before the conference began that if accepted, some proposals would help legitimize current censorship practices. Others argued that the provision of services such as Voice over IP (VoIP) is damaging their national economy as they are unable to charge previously agreed interconnect rates for similar services and therefore in some cases access to services such as Skype are prohibited. Even within Europe there have been recent proposals by some telecommunications providers to impose new charges for carrying IP (Internet Protocol) traffic across their networks, a move that is not universally supported by their governments. Such changes would fundamentally alter the Internet as we know it today. Against that background it is therefore not surprising that some governments would have wished to see the ITRs extended to cover the Internet.

The fact that the existing ITRs were really top–level statements contributed greatly to their proven ability to stand the test of time, it being no mean feat that over 20 years elapsed before any discussion took place over the need to update them. It was therefore considered essential by many governments entering the discussions in Dubai that this high level approach should endure.

Prior to the WCIT intense preparatory work was conducted at both national and regional levels across the globe, with most liberalised countries involving representatives, from civil society and industry such as ISPs who could be impacted by the results of the discussions. This was extremely important as the very nature of the ITU as a UN body means that whilst Sector Members, traditionally representatives from those sectors of industry involved, can participate in discussions only governments (Member States) could vote on the final proposals.

Despite continued reassurance from the ITU that the Internet would remain outside of the debate that wasn’t the case with a number of proposals crossing that line, either implicitly or explicitly. Countries such as Russia, Iran, Saudi Arabia, and a number of other Arab States had made no secret of the fact that they would like to see the ITU take a leading role in the coordination and management of IP addresses and Internet Domain Names, tasks currently undertaken by ICANN (Internet Corporation for Assigned Names and Numbers). The difference between the approaches, working methods and culture of those two organisations couldn’t be more different. However it was more than just a question of approach that caused concerns, with some proposals raising issues over security and stability of the Internet itself. Areas of concern included proposals to amend the existing term ‘Recognised Operating Agency’ (ROA) to ‘Operating Agency’ (OA) clearly broadening the scope of the treaty to include many companies not currently covered by the regulations. The potential scope of the new ITRs was also sharply brought into focus by proposals to include the addition of ‘ICTs’ (Information and Communications Technology) within the Treaty. This term is still under discussion within the ITU and has yet to be defined in an agreed manner and can therefore be interpreted in many different ways. In the lead up to WCIT it was clear that some parties clearly included both IP networks and services and even SPAM within that context, areas which for others were totally ‘no-go’ areas for inclusion with the ITRs. The ITU’s remit with regard to numbering is currently limited to telephone numbers and associated identifiers however a degree of concern existed over the fact that the inclusion of the term ‘ICT’ within the treaty could extend that scope to include IP addresses or Internet Domain Names. Proposals to add text to the treaty related to SPAM also proved highly controversial, with strong opposition to the inclusion of anything that could be deemed ‘content’ within the ITRs. Although not forming an integral part of the ITR’s there was also a draft new Resolution; ‘To foster an enabling environment for the greater growth of the Internet’ that invited Member States ‘to elaborate their respective position on Internet related technical development and public policy issues within the mandate of the ITU’, so clearly Internet issues were being addressed.

After many long hours of intense debate 89 countries signed the new ITRs with 55 countries indicating they would not, mostly made up of countries from the developed world whose economies are open and competitive and whose governments support the existing principles established for Internet governance; the multi-stakeholder, bottom-up, policy development process as opposed to the top-down regulated environment that has endured within the telecommunications world.

The failure to gain agreement on a new set of ITRs that can be implemented across the globe will raise many questions.

With other opportunities already planned such as the ITU’s **World Telecommunication Information and Communication Technology Policy Forum (WTPF) in 2013 and the** Plenipotentiary Conference in 2014 (PP-14), where the role and scope of the ITU will be debated yet again, this clearly wasn’t seen as the end of the road by either side. Whilst neither of those events are treaty making conferences like the WCIT, their significance and relationship to many of the contentious issues under discussion was not lost. Certainly both of these events will provide a firm indication of whether we will see further battle lines drawn as we head towards the ten-year review of the World Summit on the Information Society (WSIS+10). What is already clear is that this isn’t the end of the debate as the Internet and telecom worlds will continue to collide. It’s therefore essential that all involved parties including ISPs and Connectivity Providers continue to actively engage in these discussions which have the ability to shape the future environment in which we all have a stake.

ICANN’s ISP & Connectivity Providers Constituency will be ensuring all their members remain up to date as events unfold.