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Two Views from the Summit

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ABSTRACT *This article reviews the objectives and results of the First Phase of the World Summit on the Information Society. It includes an analysis of the discourse conducted to this point at the Summit, and of the possible outcomes.*

Keywords: World Summit on the Information Society (WSIS), International Telecommunications Union (ITU), Internet Society (ISOC), Internet Engineering Task Force (IETF), Internet Corporation for Assigned Names and Numbers (ICANN), International Chamber of Commerce (ICC), Coordinating Committee of Business Interlocutors (CCBI).

Introduction

In early December 2003, the First Phase of the World Summit on the Information Society (WSIS) was held in Geneva. It was the culmination of a process that had been proposed in 1998 and had actually begun in May 2002 at the first of 10 preparatory meetings. The preparatory meetings leading up to the Second Phase, to be held on 16–18 November 2005 in Tunis, are now underway. We are, therefore, somewhere near the middle of this WSIS process. It seems appropriate at this stage to try to assess what has been accomplished, and perhaps to imagine where we are headed. Two alternative images come to mind. One is more room at the table. The other is a mixed image of the blind men and the elephant, and the tower of Babel.

First Image: More Room

The first image was used in an *International Herald Tribune* piece by Jennifer Schenker on 15 December 2003. After commenting that industrialized countries and private-sector interests had been successful in the WSIS at protecting their interests, she observed, 'But they will have to make more room at the table for other stakeholders'.[1] Room at the table is an image with lots of history in information and communication technology (ICT) policy-making.

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History

The International Telecommunications Union (ITU), the UN agency that 'holds the leading role in the organization of …'[2] but, significantly, did not call for the WSIS, has had a long history of being called to make more room at the table. Originally called the International Telegraphic Union, it was dominated by European postal ministries which controlled their national telegraph systems and operated the ITU in a cartel-like defense of both their respective sovereignty over telecom policy and also their revenues from international messaging.[3]

For most of its history with the ITU, the United States chose not to be at the table, or at least not to sit. In a world of government-owned and -operated telecom operators, the private sector industry structure of the US was an anomaly. The post-WWII history of the ITU is that of US reservations and obstructionism, chipping away at the European cartel.

The number of Member States—the ITU is a treaty organization in which states bind themselves to agreed procedures—grew dramatically as former colonies wanted to participate in the administration of the international telephone grid. Currently there are 189 Member States. As the newer members joined, the European ministries asserted their dominance and persuaded the new members to accept the paradigm of monopoly service provision, national sovereignty, and joint provision of international services.[4]

During the same time that the ITU was growing in the number of Member States, it was also forced to accept Sector Members that participated as Recognized Operating Agencies (ROAs, formerly Recognized Private Operating Agencies RPOAs), Scientific or Industrial Organizations (SIOs), and Regional and Other International Organizations. This increased the size of the ITU table to accommodate the private sector and NGOs. As the wave of liberalization, privatization, and competition swept the telecommunication industries of the industrialized countries in the 1980s and 1990s, the newly privatized network operators of even the once dominant European countries became ROAs. There are now over 640 Sector Members at ITU.

One extraordinary expansion of the ITU table was the admission of representatives of business users of telecommunication. In 1979 the International Telecommunication Users Group (INTUG) was admitted as a Sector Member in the category of Regional and Other International Organizations. INTUG has worked with the International Chamber of Commerce (ICC), which promotes international trade, international investment and the market economy system, since before INTUG's admission to the ITU, to promote competition in telecommunication, reduce the power of traditional monopoly service providers and drive telecom service prices down. Given the history of the ITU, the acceptance of INTUG as a Sector Member was like making room for a radical feminist at a poker table in a men's social club.

While the ITU has been struggling to accommodate more and more interests at its telecommunication table, separate developments have led to different tables being set up in an adjoining room. The Internet grew up outside the influence of the ITU. The protocols and systems that allow the interconnection of multiple computer networks and applications were developed primarily in the US, with funding from first the US Department of Defense and later the US National Science Foundation, and with little input from the telecommunication operators or the ITU.

The Internet Engineering Task Force (IETF) was created by a group consisting mostly of US federal government employees involved in the early stages of the Internet in January 1986, to manage standards for the Internet. By October of that year the meetings had been opened to the employees of private sector companies providing transport used by the Internet. As US public funding for the Internet was reduced and then discontinued, the IETF participants, and others, created a new organization, the Internet Society (ISOC), which was formed in 1992 and has offices in Reston, Virginia, in order to, inter alia, 'provide an institutional home for and financial support for the Internet Standards process'.[5]

In 1995 ISOC became a Sector Member of the ITU. Vint Cerf, a key figure in the history of the Internet and ISOC, has commented that in joining the ITU it was assumed that 'exchange of information, joint meetings or other coordinating efforts, if any are desired, would presumably take place between IETF and ITU-T. There is no requirement for any particular interaction between these groups, only the potential should it be deemed mutually beneficial'.[6] Clearly the Internet belonged, in the minds of those who worked with it, to ISOC and the IETF, and not to the ITU and the telecom industry.

Unlike the ITU, which is a treaty organization bound by international law and the rules and protocols of international diplomacy, the IETF describes itself as

> a loosely self-organized group of people who contribute to the engineering and evolution of Internet technologies. It is the principal body engaged in the development of new Internet standard specifications. The IETF is unusual in that it exists as a collection of happenings, but is not a corporation and has no board of directors, no members, and no dues.[7]

The table at the IETF is also expanding. The quotation above comes from a document intended to socialize new participants in the IETF, because 'Over the last several years, attendance at … IETF face-to-face meetings has grown phenomenally. Many of the attendees are new to the IETF at each meeting, and many of those go on to become regular attendees'.[8] It is also true that, even counting the newer members, ISOC and the IETF are dominated by OECD nations. In an interview during the Summit, Shashi Tharoor, the UN under-secretary-general for information and communications, said 'Unlike the French Revolution, the Internet revolution has lots of liberty, some fraternity and no equality'.[9]

Confusing the issue of who gets to sit at the Internet governance table is the status of the Internet Corporation for Assigned Names and Numbers (ICANN). When the Internet was funded and controlled by the US government, the late Dr Jon Postel had a series of grants and contracts to manage the list of assigned 'domain names' or addresses that could be recognized on the Internet. That list and the rules for its use and interpretation came to be known as the Internet Assigned Numbers Authority (IANA), and Internet insiders knew that the IANA was the responsibility of Dr Postel. By the middle of the 1980s, usage of the Internet was growing so rapidly that IANA, led by Dr Postel, announced a revision of the domain name system into the hierarchical addressing scheme we are familiar with today.

In 1993 the National Science Foundation contracted with Network Solutions, Inc. (NSI) to register second-level domains on a fee basis, while IANA continued to oversee Internet Protocol (IP) address assignments and top level domain name assignments. As the commercial use of the Internet grew, trademark and other disputes associated with domain name assignments also grew. In 1996, Dr Postel,

IANA, and ISOC organized an International Ad Hoc Committee to deal with the long-term administration of domain names.

In 1997, the US government endorsed a private sector solution and made the US Department of Commerce's National Telecommunications and Information Administration (NTIA) responsible for following through. After an aborted rule-making procedure, NTIA announced in June 1998 that it was prepared to enter into an agreement with a new not-for-profit, private sector organization to administer domain name and number assignment. By the end of 1998 the authority for IP address and domain name assignment had been transferred from NSF to NTIA and NTIA had entered into a sole source contract with Dr Postel's newly incorporated ICANN.

Making More Room at WSIS

In many ways it appears that the WSIS is the result of questions about whether there can ever be enough room at either or both of these two tables—the ITU and ISOC/IETF/ICANN. As the Information Society has begun to take shape in the consciousness of developing nations and interest groups around the world, many stakeholders have come to believe that the shape it takes will be crucial to their interests. Groups concerned about cultural imperialism, freedom of speech, freedom of press, domination of the public agenda by globalism, privacy, free trade, fair trade, oppression of women and children, and many others have all complained that these two forums provide no access.

Kofi Annan, Secretary General of the UN, responded to these complaints by creating a High-Level Summit Organizing Committee (HLSOC) to agree on procedures for facilitating a dialog. Since the ITU is the UN agency responsible for telecommunication, Annan asked the ITU to host the HLSOC and to take a leading role in the organization of this dialog, but since many of the complaints are specifically about the organization and procedures of the ITU, the Summit meeting was explicitly *not* an ITU event. Instead, the initial charge to the HLSOC and the agenda of each of the preparatory meetings was to invite 'participation of all relevant UN bodies and other international organizations, non-governmental organizations, private sector, civil society, and media to establish a truly multi-stakeholder process'.[10]

From the outset of this 'multi-stakeholder process', it was obvious that stakeholders were concerned that their stakes were threatened. There were concerns expressed that the UN and the ITU were trying to take over the Internet. There were concerns expressed that in an effort to fight spam and pornography on the World Wide Web, freedom of speech, freedom of the press, and privacy would be sacrificed. Moreover, the representatives of developing nations and civil society interest groups complained that the United States was playing the role of the 800-pound gorilla at the WSIS table, not to mention its 'ownership' of the ISOC/IETF/ICANN table.

Although ICANN's organization and mission stress inclusiveness—for individuals, nations, international organizations and businesses—both the US government's funding of Dr Postel and its contract with ICANN are widely viewed as evidence that the US government controls the Internet. Professor Eli Noam, of the Columbia Institute for Tele-Information at Columbia University was quoted during the First Phase of WSIS as saying, 'Even if it is not true, there is a perception that the US government is running the Internet'.[11]

The fact that ICANN's role in regards to the Internet is very narrowly limited to the addressing scheme appears to escape many of the developing nation and civil society participants at WSIS. With the exception of allowing universal resource locators (URLs) in languages other than English, it is hard to see how ICANN has any authority to make more room at the Internet governance table. Still, representatives of Brazil and China both proposed, prior to the First Phase WSIS meeting, that the UN should take control over the Internet away from ICANN. Some analysts suspect that the ITU was behind this proposal, seeking to capture control of the Internet equivalent of the global telephone numbering system.[12]

The First Phase of the WSIS did not explicitly ask—much less answer—whether there could ever be one table at which Internet, World Wide Web, telecommunication, and broadcast media policy issues could be successfully resolved. So it is not clear how much room needs to be made, or at which table. After this First Phase a few things are clear. First, the diplomats at the ITU have dutifully provided a forum for the discussion of complaints against their relative exclusivity. And, while there are some who would approve an expansion of the ITU's charter to include responsibility for policy-making in areas such as spam and invasions of privacy, there is no evidence of willingness to expand the membership of the ITU. Second, ISOC, the IETF, and ICANN have denied loudly that they are exclusive and have pointed to their rapidly expanding rosters and agendas. Third, the ICC has chosen to defend the ITU and ICANN, although it is a bit more vocal in its defense of the latter.

INTUG, which is specifically focused on ITU participation, was conspicuously absent from the Summit, but the ICC created a highly visible presence at the center of the Summit events, through the vehicle of the Coordinating Committee of Business Interlocutors (CCBI). According to ICC's website, it was invited by the

> Summit host countries and executive secretariat … to create the CCBI as a vehicle through which to mobilize and coordinate the involvement of the worldwide business community in the processes leading to and culminating in the Summit. ICC led the private-sector effort to provide substantive input into the Summit, and mobilized the private sector to participate in the preparatory phases and at the Summit itself. We also took an active role in helping the *inner group of organizers* in their preparations (emphasis added).[13]

The message implicitly delivered by CCBI was that business users of telecommunication now feel that they are at the table. Though they may once have felt excluded and abused by the cartel-like ITU and US government domination of IETF, they now feel comfortable that the private sector is well represented in both institutions. From their perspective, inviting developing nations and civil society representatives to the table would mean broadening and slowing debate, leading to unnecessary and inefficient interference in the conduct of business. The CCBI would prefer that the ITU, where each Member State has a vote, abandon its relatively small role in telecommunication policy and leave Internet domain name administration to ICANN, where it feels that its interests are safe. That sense of safety may be because businesses can participate as full members at ICANN, and it may also be because ICANN is now so loosely organized and governed.

Second Image: Different Visions—Different Languages

The second image that comes to mind at this point in the WSIS process is a montage of the fable of the blind men and the elephant and the Biblical story of the Tower of Babel. The diplomats who serve at the ITU and other UN organizations, the representatives of ROAs, the business telecom users, the representatives of NGOs, and the many civil society representatives spoke obviously different languages as they described the issues at hand from their obviously unshared perspectives. Advocacy was clearly more important than dialog.

The representatives of business were defensive, describing every suggestion for change as a potential trade barrier and inhibition of innovation and commerce. Perhaps the most remarkable example of the difference in their view of the process was the obvious pride—almost glee—with which one of the representatives of the CCBI informed the Summit that, 'He who dies with the most toys wins'. It is interesting that after years of battling with the closed, cartel-like ITU and the cliquish, techno-centric IETF and ICANN, business now seems to feel that it has captured them both, and is defending them against intrusion by other groups with other agendas.

The civil society groups held almost non-stop side sessions, with no audience except each other, and repeatedly relished the irony of a Summit about access at which the process did not require that they be heard. Whereas the business community spoke about the Information Society exclusively in the terminology of trade and commerce, civil society groups spoke about it exclusively in terms of human development and culture. Ole-Henrik Magga, Head of UN Permanent Forum on Indigenous Issues, epitomized the character of the civil society view by concluding his presentation with a Norwegian Sami song about the death of a young reindeer. Although their messages were enormously varied, in general they argued for freedom of speech and of the press, and for a global redistribution of ICT infrastructural wealth.

Heads of state and heads of government took the microphones many times to endorse the Information Society and the diffusion of information technology, but the language of international diplomacy seemed almost unintelligible to the representatives of both business and civil society. Business representatives reacted very positively to what appeared to be an endorsement of budgetary support for information infrastructure development, but they were intolerant of the intentionally vague action plans. Civil society groups applauded the expression of concern for so many of their issues, but were indignantly skeptical of its sincerity.

The absence of real dialogue at the Summit was most strikingly evident in the ITU Secretariat. They, with help and financial support from the Swiss, put the event on, but they did not really participate. ISOC and ICANN were active participants, defending their openness and global reach. Perhaps the ITU no longer feels that it needs to defend itself. There have been enormous changes in the ITU over the last 20 years, as they have opened to participation by competitive carriers and trans-national corporate telecom users.[14] It is possible that the WSIS was an ITU idea—an attempt to legitimize an ITU takeover of responsibility for Internet governance and finance from the private sector. If that is the case, they played their cards very close to the vest, letting others lobby for giving them new responsibilities. It is also possible that the ITU has chosen not to take a position in a process that may lead to nothing.

Conclusion

Overall, the second image—an attempt at dialog among groups whose views of the issue at hand are mutually exclusive, and whose languages for discussing it are incomprehensible to each other—is a bit too harsh. In the Action Plan that resulted from Phase One there are instructions to the UN Secretary General to create study groups to look into Internet governance and a scheme for funding access in the least developed countries. In addition, if nothing else comes of WSIS, the debate about the digital divide has gained legitimacy at the international level.[15] Still, if there was one comment that was most often heard at the end of the Summit as people were leaving, it was a question about whether the results had been worth the money and effort. The question was frequently raised whether there will actually be a Second Phase meeting in Tunis in 2005. Eighteen months before the date set for the opening session, only 8% of the funding budgeted for the meeting has been raised. It remains to be seen whether a large enough table will be provided for a real discourse about the Information Society, or if the process of debating, without a shared language, a subject of which there is no shared vision will be abandoned.

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