U.N. Summit Rejects U.S., Europe Hands-off-the-Internet Plea

Delegates to a United Nations summit [1] agreed today that a U.N. body should take a more "active" role in shaping the future of the Internet, a move that had been opposed by the United States and its allies that had warned of greater government control.

The agreement by delegates from the International Telecommunication Union's 192 member nations, a majority of whom raised their placards in support of the language, took place after 1:30 a.m. local time in Dubai. It came after the head of the ITU, a U.N. agency, had promised not to hold votes on controversial topics, and appeared to take the U.S. and Europe by surprise.

Terry Kramer, head of the U.S. delegation [2], had said a few minutes earlier that: "We do not believe the focus of this conference should be on the Internet and we did not come to this conference in anticipation of a discussion on the Internet...We oppose this resolution."

The early morning vote seemed to confirm the fears of civil liberty groups, which had warned in advance that many countries participating in the ITU process had less-than-favorable views toward freedom of expression and the traditionally free-wheeling Internet. Two-thirds of the world's nations, for instance, according to Reporters Without Borders' 2011 ratings [3], have significant "problems" with press freedom.

The Internet Society said in a statement [4] after today's vote that free speech protections "seem to have been largely struck from the treaty text." The global nonprofit group added: "Contrary to assurances that this treaty is not about the Internet, the conference appears to have adopted, by majority, a resolution on the Internet."

Algeria, which has censored [5] Web sites critical of its government, monitored [6] Internet chat rooms, and indefinitely banned [7] public demonstrations, pushed for the Internet-related proposal to be adopted before the summit adjourned for the day.

"I would encourage all of us to adopt the text as it appears here and with no modifications," Algeria's delegate said, a recommendation echoed by Cuba and Saudi Arabia.

Nigeria, where government security forces engage in extrajudicial killings, according to a report [8] released in October by Human Rights Watch, also sided with Algeria.

Because Internet connectivity is "delivered by telecommunication," Nigeria's delegate said, it makes sense to expand the scope of discussions at the summit about telecommunications treaties. "To be candid, we are always disappointed when the issue of Internet has been restricted here in ITU because these two, they go hand-in-hand. One cannot go without the other."

Today's move at the summit, called the World Conference on International Telecommunications, or WCIT, appears to conflict with repeated public pledges by ITU secretary-general Hamadoun Touré, who had said the summit would work through consensus instead of the more divisive process of majority-rules voting.

"In the true tradition of the ITU, we will not vote on any issues," Touré told reporters [9] over the summer. "Voting means winners and losers, and this is not simply acceptable. And we believe that we'll come to an agreement on all of the issues." Touré had said [10] last week that the summit "is not about Internet governance."

After the adoption of the proposal, Spain's delegate raised an objection, saying "had we known that it was a vote, we might very well have acted differently."

Mohamed Nasser al Ghanim, the ITU summit's chairman, had polled the room a moment earlier and declared that: "The majority is with having the resolution in...The majority agreed to adopt the resolution as amended."

But after Spain objected, al Ghanim responded by saying, "no, it was not a vote," and that he had instead been looking for a "feel of the room."

Algeria's delegate interjected that it was time to move on to another topic: "I thought that we had settled the issue of the resolution." Then al Ghanim adjourned the summit for the evening.

The conundrum of a vote that may or may not have been a vote confused some of the summit's attendees and observers, who were left scratching their heads about what had just happened. James Lewis [11], a senior fellow at the Center for Strategic and International Studies in Washington, D.C. said on Twitter [12] that the "chair took a vote" and called the ITU process "puzzling shenanigans" that were "perhaps ascribable to desperation and the late hour."

U.N. and ITU meetings often result, of course, in more rhetoric than substance. During a U.N. conference in Tunisia in 2005, for instance, Iran and African governments proclaimed [13] that the Internet permits too much free speech, with Cuba's delegate announcing that Fidel Castro believes it's time to create a new organization "which administers this network of networks."

The difference this time is that the ITU summit, which ends Friday, is designed to rewrite the International Telecommunications Regulations (PDF [14]), a multilateral treaty that governs international communications traffic. The treaty was established in 1988, when home computers used dial-up modems, the Internet was primarily a university network, and Facebook CEO Mark Zuckerberg was a mere four years old.

In a sharply partisan U.S. election year, skepticism about the U.N. process has emerged as a rare point of bipartisan accord: the House of Representatives unanimously approved a resolution [15] last week aimed at sending a strong message to the ITU. It said, in part, that "the consistent and unequivocal policy of the United States [is] to promote a global Internet free from government control."

Google has organized a campaign [16] to draw attention to the summit, saying some governments "are trying to use a closed-door meeting in December to regulate the Internet." Advocacy groups Fight for the Future and AccessNow have launched WhatIsTheITU.org [17] to warn that the ITU poses "a risk to freedom of expression" online. And Tim Berners-Lee, the father of the World Wide Web, warned [18] of an ITU power grab.

A ITU document leaked yesterday, called DT/51-E (PDF [19]), showed shows that the U.N. agency wanted to become more involved in "Internet-related technical, development and public policy issues" -- a broad term designed to sweep in hot-button areas including cybersecurity, spam, surveillance, and censorship. That pits it in conflict with the current way the Internet is managed, through groups including the Internet Engineering Task Force and the Internet Corporation for Assigned Names and Numbers, or ICANN.

Also yesterday, The White House said in a statement [20] from cybersecurity coordinator Michael Daniel, Internet policy advisor R. David Edelman, and deputy U.S. chief technology officer Tom Power that:

> *The global consensus for a free and open Internet is overwhelming. Millions in the United States and around the world have already added their voices to this conversation, and their position is clear: they do not want the (ITU summit) to govern the Internet or legitimize more state control over online content. Our Administration could not agree more - and will not support a treaty that sets that kind of precedent.*

Similarly, Sweden's delegate to the summit warned yesterday that the scope of the existing telecommunications treaties "should not be expanded and the Internet should not be included." Sweden added that "any debate on these issues, human rights, Internet, freedom of expression" should be "carried out in an open fora with the public and media present."

Before today's vote, Finland's delegate added that the treaty language should not encompass the Internet because "we are dealing with the highly political and sensitive issue which does not fit in the context of a treaty which is of technical nature."

The Center for Democracy and Technology, a non-profit group in Washington, D.C., published a blog post [21] afterward by policy analyst Ellery Biddle that criticized the odd ITU voting process. "There is no governance body in which this type of informal 'temperature-taking' would constitute legitimate final decision-making,"

she said. "Countries that oppose the resolution must take a stand at the start of tomorrow's first plenary session and demand that the issue be re-opened for an official vote that can be documented and recorded for public review."

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