

EIF Breakfast Debate

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Venue: Private Salon, Members Restaurant, European Parliament in Brussels

Peter Hellmonds, Head of Public and International Affairs, Marketing & Corporate Affairs Division of Nokia Siemens Networks

The Internet as a catalyst for change: access, development and innovation

by Peter Hellmonds

Distinguished members of the European Internet Foundation, Friends and Colleagues, Ladies and Gentlemen,

it is an honor to speak here before you for the second time now on the topic of Internet Governance. Last time I was here was in January 2009, after the Hyderabad Meeting, which was half way into the first cycle of the Internet Governance Forum. Then, I spoke about four key issues: Critical Internet Resources, the transition from IPv4 to IPv6, Access, and the triad of Security, Privacy and Openness. I think these four areas are still of high importance today, and it is worthwhile revisiting them in the light of the situation in 2011, and the experience of the IGF in Nairobi this year.

But before going into the details of these issues, I would like to comment on the circumstances of this particular IGF. The end of the first cycle of the IGF and the beginning of the second cycle was bound to bring some drama in the war of ideas around how the Internet should be governed.

Two important things happened this year. First, the Nairobi IGF was the first event in the second cycle of the IGF, as the 5-year mandate that has been given to the UN by the governments assembled at the WSIS II in Tunis in 2005 has been extended by the UN General Assembly last year for another 5-year term. As such, high expectations have been vested into the IGF this year.

The second development this time was the departure early in the year of both the Special Advisor to the UN Secretary General, Nitin Desai, who has been steering the IGF away from potential

problems for the past five years and chairing the multistakeholder advisory group and consultations with very adept leadership. All the while keeping the dialogue on the critical issues alive. And then the almost simultaneous departure of the Executive Coordinator of the IGF Secretariat, Markus Kummer, who for many has been the public image of the IGF and the Working Group on Internet Governance that preceded it in the Interim years between Geneva and Tunis.

This simultaneous departure seemed to leave a vacuum at the helm, and appeared as an opportunity for some governments who were unhappy with the success of the multi-stakeholder model exemplified by the IGF. And the UN had just given them what seemed as the perfect instrument to achieve that goal.

Last year, the Commission on Science and Technology for Development (CSTD) was tasked by the UN with setting up a Working Group to do a review of the IGF and to come up with recommendations for IGF improvements. Early on, this Working Group had a difficult start. In best inter-governmental UN fashion, in an evening session on December 6, a small group of governments felt it would be best if this working group would be composed of governments only.

Now, let us recall, the whole time during the WSIS process and the IGF years, the one thing that everyone subscribed to – at least in words, if not in deeds – was the commitment to having all stakeholders involved, if only "in their respective roles". So, this December 6 decision to deviate from that cherished multi-stakeholder principle was of course a smack in the face of all those other stakeholders who have for such a long time invested and participated in the public discourse. While the decision was later modified to include non-governmental stakeholder representatives as guests after protests from many parties, some damage had been done. And because the early discussions in the sessions of the Working Group that followed were thus dominated by issues of process and procedure, it is no small wonder that the Working Group did not come up with their final recommendations in time before this year's IGF.

Despite the somewhat bungled start, let me emphasize that the business community supports the continued work of this group which is at least operating with non-governmental stakeholders involved and contributing actively. We hope that the UN General Assembly will approve the ECOSOC resolutions related to this working group, and allow it to continue its work. We also hope the UN GA will not be re-opening the discussion on stakeholder participation in the CSTD or the

enhanced cooperation concept that is hardly understood outside of the EU context, and just approve the ECOSOC draft resolutions.

So, while the CSTD Working Group has been neutralized, others have not been idle either in the past year. We have witnessed that Internet Governance has made it onto the top of the agenda at many fora. And on the one side, we saw many – including governments – applauding the benefits of multi-stakeholder Internet Governance:

In May 2011, the G8 Summit in Deauville, France, highlighted in their declarationⁱ that *"Governments, the private sector, users, and other stakeholders all have a role to play in creating an environment in which the Internet can flourish in a balanced manner."*

One month later, in June 2011, the OECD issued its Communiqué on Principles for Internet Policy-Makingⁱⁱ in which the theOECD member states *"[...] recognised the essential contribution of stakeholders, including business, civil society, the Internet technical community and academic institutions, to the ongoing development of the Internet and the enrichment of society using the Internet."* Multistakeholder participation has been particularly encouraged in the Internet Governance debate and governments were encouraged to *"work in multi-stakeholder environments to achieve international public policy goals and strengthen international co-operation in Internet governance."*

Then, on the other side of the debate, the IBSA countries, i.e. India, Brazil and South Africa, met in September 2011 in Rio de Janeiro. In their Recommendationsⁱⁱⁱ, they suggested that *"an appropriate body is urgently required in the UN system to coordinate and evolve coherent and integrated global public policies pertaining to the Internet."* And finally, in a letter addressed to the UN General Assembly on 12 September 2011, Russia, China, Tajikistan and Uzbekistan proposed a UN Code of Conduct for the Internet^{iv}, where they reaffirmed the key role and right of sovereign states in determining Internet-related public policy issues, and which concentrated very much on assuring that states could protect themselves not only against criminals and terrorists who use the Internet to "incite terrorism, secessionism and extremism", but also against other states who should not use the Internet to undermine states that have accepted the Code of Conduct.

So, the lines were drawn in the sand. And given the absence of the Special Advisor and the Executive Coordinator, the IGF seemed vulnerable. It could easily have faltered, given these circumstances.

Against this backdrop, we should recognize how well the IGF has fared in this year. Surprisingly perhaps, the IGF did not falter. Despite the lack of the Special Adviser, despite the lack of the Executive Coordinator, and despite the lack of a formal continuing endorsement of the existing Multi-Stakeholder Advisory Group (MAG), we can be happy and proud about how well the IGF in Nairobi has fared overall. Nitin Desai said at the end of the Athens IGF in 2006: *"Every United Nations meeting is either a success or a great success"* and when asked about the Athens meeting, he said that *"it was an outstanding success."* Judging from the many remarks I have heard from participants in Nairobi, and also according to my own judgement, I believe we can with good conscience say that this year's IGF in Nairobi has been an extraordinary success.

And that extraordinary success is wholly owed to the proper functioning of the multi-stakeholder participation and collaboration, without central guidance or management.

Now, briefly coming back to the issues I discussed last time in 2009 in this forum here, where are we today with respect to Critical Internet Resources and the other issues?

You may recall that **Critical Internet Resources** is really a code-word for anything related to ICANN^v, IANA^{vi}, the Domain Name System and IP number allocation. Here, we have seen a number of developments. ICANN has gone through another phase of transformation, with a CEO who has managed to change out almost the entire senior staff while appointing several "special advisors". He has already announced that his contract would not be renewed, so we are looking at a period of change again. While ICANN has gone through an Accountability and Transparency Review process, many still believe that further progress should be made. ICANN also opened up this year to the possibility for a whole new sleuth of generic top level domains (gTLDs), and governments aligned in the Governmental Advisory Committee (GAC) have tried to establish some sort of a veto right over contentious domain names.

The contract for IANA, which manages Internet protocols assignments, IP number allocations and changes to the root zone file, is up for renewal. The US Government just recently exercised an option to renew the existing contract for another six months to March 2012, to allow for more time

to consider whether the contract should be awarded to ICANN again. While everyone expects that ICANN will be able to keep the contract, this is not a given at the current time. Somewhat disconcerting has been the apparent conflict of interest that was disclosed in the wake of the departure of the former Chairmann of ICANN, Peter Dengate Trush, to join a company that benefited from the recent vote on liberalization of gTLDs. However, despite the various criticisms that have been directed at ICANN, we need to recognize that it still stands out as an international organization allowing for multi-stakeholder involvement. Further improvements to its working methods are certainly possible, even if the multi-stakeholder process may require a few numbers of iterations to get it right.

So, let's stay tuned for what will happen here in the future.

As to the IP Number allocation, this year saw the depletion of the IPv4 address space when in February the last number blocks were given to the Regional Internet Registries for distribution. So, the **transition to IPv6** is now not something in the future, but an imminent issue. I'm not a technical expert, but we will see more and more devices to be IPv6 ready and more and more networks to incorporate IPv6 addressing. Nevertheless, there is a large amount of legacy IPv4 only equipment and networks out there, and I would expect for several years to come multiple tunneling and bridging solutions to be necessary or the widespread use of Network Address Translation and similar technical ways to circumvent the limitations that we are now facing in the IPv4 world. I am very happy to see that the German government is leading the way with an IPv6 enabled governmental network, and I was very pleased to see that the IPv6 champion in the German Interior Ministry was present at this year's IGF in Nairobi.

Access, the third of the topics I commented upon in 2009, has taken a very interesting turn this year, as it was widely recognized that the **mobile Internet** is going to be the way that most newcomers in the developing world will be using when accessing the Internet. So, this year's IGF looked at the technical, commercial and policy issues around mobile access to the Internet. Technically, we are sure that the latest innovations in mobile technology, especially those championed by my company, are well suited to accommodate the requirements of people everywhere to access the Net. In fact, we place considerable hopes on the quick roll-out of LTE (Long-Term Evolution), which gives us considerably more bandwidth than the previous 2G and 2.5G (GSM and GPRS, Edge) or 3G and 3.5G (UMTS, HSPA) networks. In addition, we have the spectrum band around 800 MHz that has been freed in Europe following the digitalization of

broadcasting (the so-called Digital Dividend spectrum). This part of the spectrum is very efficient in rolling out the Internet to rural communities, where capacity is shared among fewer users and the better propagation properties of the spectrum allow for less towers and thus better business cases for such communities. Europe here has an important role to play to push for an expansion of the spectrum available for mobile broadband use. Especially since Africa is in the same ITU region, we can help to propagate our progress made in Europe in bridging the digital divide.

And we have also seen the importance of the mobile Internet early in this year in the green revolutions in Tunisia and Egypt, which showed the transformative nature of the Internet for societies.

Which brings me to the last topic, **Security, Privacy and Openness**. In a foreign policy conference I participated in this August, an influential diplomat mentioned how in the US, the State Department has now realized how the Internet could be used to influence people's minds. And at the same time, the military establishment in the US is actively expanding the scope of their activities to cover cyber-warfare. The Financial Times wrote a year ago that *"US Defense Secretary Robert Gates declared cyberspace to be the "fifth domain" of military operations, alongside land, sea, air and space. It is the first man-made military domain, requiring an entirely new Pentagon command."*^{vii} So, we should expect the nature of the debate to shift considerably in the future, as attacks on countries cyber systems, such as the alleged attack by Russia on Estonian government websites in 2007 or the Stuxnet worm attack on Iran's nuclear facilities are expected to increase.

Keeping this in mind, it is no surprise that at this year's IGF, we could see a member of the German Interior Ministry who previously had been on a 2 year exchange with the US Homeland Security Department. A sign of the changed attention to these issues can also be seen by the participation of a German diplomat who is now in charge of Cyber Security issues in the foreign ministry. Against this array, I was very pleased that this year was also the first year in which a member of the German parliament, Jimmy Schulz, participated in an IGF. He is also a founding member of the Internet Enquete Commission of the German Parliament, the Bundestag, representing a relatively new national forum for debate around the Internet. I think it is important against the increased awareness for security issues to also keep in mind that all too often, privacy is eroded in the process. And parliamentarians, be they on the national parliaments or on the European Parliament, should help to keep the Internet an open space, and prevent the erosion of

civil liberties that could manifest itself in the wake of an increased attention by the military and security oriented establishments.

To sum up my remarks, I would like you to take away these key messages:

First, keep the multi-stakeholder principle alive and prevent any attempts to turn Internet Governance into an inter-governmental organization under the auspices of the United Nations or the ITU.

Second, recognize the important role the IGF plays in promoting multi-stakeholder dialogue without having to come up with binding recommendations and without the need for negotiated text.

Third, keep the Internet an open and free space for innovation to bring the Internet to more people in the world and ensure that the heightened interest of the military is not going to erode civil liberties.

So, these are some of the current trends that I see in this year's Internet Governance Debate and I hope that I have now contributed sufficient food for thought for the following discussion.

Ladies and Gentlemen, with that, I would like to thank you for your attention and wish you "bon appetit!"

Notes:

ⁱ G8 Deauville Declaration: <http://www.g20-g8.com/g8-g20/g8/english/the-2011-summit/declarations-and-reports/declarations/renewed-commitment-for-freedom-and-democracy.1314.html>

ⁱⁱ OECD Communiqué: <http://www.oecd.org/dataoecd/40/21/48289796.pdf>

ⁱⁱⁱ IBSA Recommendations: http://www.culturalivre.org.br/artigos/IBSA_recommendations_Internet_Governance.pdf

^{iv} Proposed UN Code of Conduct: <http://blog.internetgovernance.org/pdf/UN-infosec-code.pdf>

^v ICANN: <http://www.icann.org/>

^{vi} IANA: <http://www.iana.org/about/>

^{vii} FT article on Pentagon: <http://www.ft.com/cms/s/2/3e52897c-d0ee-11df-a426-00144feabdc0.html#ixzz1aU5Rmlo9>