

## International Telecommunication Union (ITU) Plenipotentiary Conference

The International Telecommunication Union (ITU) was founded in Paris in 1865 as the International Telegraph Union. It took its present name in 1934, and in 1947 became a specialized agency of the United Nations. As an international multilateral organization, the ITU is tasked by its country Member States to deal with issues related to information and communications technologies (ICTs). The ITU Plenipotentiary Conference (sometimes called the ITU Plenipot) takes place every 4 years and is the key event at which the 193 ITU Member States decide on the future role of the organization, thereby determining the organization's ability to influence and affect the development of ICTs and telecommunications worldwide.

The Plenipotentiary Conference is an international treaty conference and its decisions become international law applicable to those Member States that endorse the conference decisions. At the Plenipot, ITU member states:

- set the Union's general policies;
- adopt four-year strategic and financial plans; and
- elect the senior management team of the organization, the members of the Council (<http://www.itu.int/council/index.html>) and the members of the Radio Regulations Board (<http://www.itu.int/en/ITU-R/conferences/RRB/Pages/default.aspx>).

The 2014 Plenipotentiary Conference (ITU PP-14) will be held October 20 – November 7 in Busan, South Korea.

### **At the upcoming 2014 ITU Plenipot, Public Knowledge is advocating for the public interest and for global open internet**

Public Knowledge is a firm believer in the multistakeholder model of internet governance that allows for input, participation, and decision-making for all actors, including governments, businesses, civil society, technologists, and academics. As an organization whose decision-making powers are only granted to governments, the ITU is not the proper venue to oversee most of internet-related issues. As one of the few public interest representatives at the ITU, Public Knowledge's role is to advise the U.S. government on how changes to the ITU norms and principles would impact freedom of expression, innovation, the open architecture of the internet, the cost of internet access and other public interest concerns.

At this year's ITU PP-14, Public Knowledge will coordinate with other advocacy organizations from around the world to defend the public interest and inform the public on the ITU processes.

**PK is advocating for increased transparency and access to ITU documents and country proposals:** The ITU limits transparency and modes of participation for non-governmental actors. Most official ITU documents, including country proposals, negotiated documents and treaty proposals, are only accessible to ITU Member States and fee-paying sector members, thus excluding public interest groups and the public. Negotiations are closed off from non-ITU Member States, and in order to participate in the ITU Plenipot, an organization must be a member of a country delegation. This limits the ability of non-governmental organizations to advocate for certain positions that may differ from a government's view.

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**Public Knowledge is also advocating against the call made by some ITU Member States for the expansion of the ITU's mandate to internet-related public policy making:** Though the ITU's mandate is for developing policy related to telecommunications, there has been a push by some Member States, including Russia, South Korea, Iran, and China, for the ITU to have a larger stake in internet governance issues, including cyber-security, content control, and surveillance. One channel proposed for allowing this is to expand the definition of "ICTs" and to revise some of the already existing resolutions listed below.

**Some of the internet-related resolutions that may be revised at the upcoming ITU PP-14 that could have an impact on the open internet and are of concern to Public Knowledge include:**

*Resolution 101* - "Internet Protocol-based Networks," dealing with international interconnection with possibility of affecting net neutrality and peering contracts;

*Resolution 102* - "ITU's role with regard to international public policy issues pertaining to the internet and the management of internet resources, including domain names and addresses";

*Resolution 123* – related to the role of ITU on bridging the standardization divide between developed and developing countries;

*Resolution 130* - "Strengthening the role of ITU in building confidence and security in the use of information and communication technologies," which includes the controversial proposal of an international treaty of cybersecurity and ITU regulations on privacy and limiting surveillance;

*Resolution 133* - "Roles of administrations of Member States in the management of internationalized (multilingual) domain names," which have the potential to challenge the role of ICANN;

*Resolution 135* – ITU's role on providing technical assistance;

*Resolution 140* – ITU's role implementing WSIS outcomes and Development Goals

### Other issues that will arise at the 2014 ITU Plenipotentiary Conference

In addition to the issues above, a series of new resolutions are being proposed by Member States, including resolutions related to the Internet Of Things (which has the potential to challenge spectrum polices), gender and ICTs, consumer protection, support for the deployment and development of IXPs (Internet Exchange Points), and others. Although Public Knowledge recognizes the importance of these topics, we do not consider the ITU the appropriate forum for policy development on these issues, beyond efforts from working and studying groups within the Telecommunications Development Sector (ITU-D: <http://www.itu.int/en/ITU-D/Pages/About.aspx>), for instance. Additionally, ITU – which is in a harsh financial crisis - should not impede or duplicate the existing broad range of international efforts already underway to facilitate technological innovation.