

Demystifying the big ITU ITR debate for Telcos and Internet users: FAQs

This month's acrimonious Dubai meeting to update the International Telecommunications Regulations has divided countries between (a) internet governance by countries and (b) the status quo: private sector internet governance. We go back-to-basics to outline implications.

December 2012

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The controversial¹ WCIT conference of the International Telecommunications Union (ITU) concluded a revision of a 1988 treaty (the International Telecommunications Regulations or ITRs) without consensus. Many OECD countries will not sign the revised agreement, seeing it as an intrusion by the ITU into Internet Governance matters traditionally organised by the private sector.

Buzzwords (Internet Governance! ICT for Development! Multi-stakeholderism!) and abbreviations have been flying around like crazy. Different parties are telling different stories about what happened, and why.

Here are some FAQs to help decipher it all:

● **What is the ITU?**

This United Nations agency² makes sure telecommunications can interconnect around the globe. It does so by coordinating standards and protocols including satellite frequency management. It's a government-focused, Treaty-based entity.

● **What was WCIT?**

The World Conference on International Telecommunications³ happened in Dubai 3-14 December 2012. Its purpose was to review and update the ITRs.

● **What are the ITRs?**

The International Telecommunications Regulations⁴ or ITRs are a global treaty that sets out high level principles for how countries will manage interconnection of telecommunications between each other. So far, key parts of the Internet are out of its scope.

● **What happened in Dubai?**

At the WCIT, the revision of the ITRs was caught up in the global debate about Internet governance. Some states (such as Russia, China, and Saudi Arabia) wanted the ITRs to have a greater role in the governance of the Internet. Others (such as USA, UK, Poland, Egypt, Australia and NZ) wanted it to stay focused on telecommunications. In particular, the latter did not want the Internet's core naming and numbering resources brought under intergovernmental control. In simple terms, no consensus could be achieved⁵ and so a group of countries have decided to stick with the 1988 Treaty, instead of the revised version.⁶

● **Internet governance? Huh?**

At the core of the Internet are a set of protocols, and naming and numbering systems, that allow it to work. These are shaped – “governed” – by a process in which anyone can get involved - countries, companies, technicians, advocates, network operators. Ideas rise or fall on their technical merits, largely free of international politics.

The United States government has limited rights of veto in this system due to its historic role in establishing it. Other countries find this politically unacceptable, and want to move the key decision point from the US government to a multilateral framework like that of the ITU. They fear that the US might use this control in ways that harm the open Internet: for instance, denying Domain Name System services to countries they are at war with. Opponents of inserting Governments in a more active role fear this would see more politics and less cooperation

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than the status quo, and that it would mean governments rather than experts would be making the big calls.

● ***Will this affect countries that have not signed the revised ITR?***

Not directly in the short term. Such countries are sticking with the 1988 treaty and most of their critical destination countries for telecommunications infrastructure (such as the USA) are doing the same. The status quo broadly prevails, though changing practice over the medium term by countries that do sign may change this initial judgment.

● ***How about long term?***

It isn't likely the countries pressing for a more state-centric Internet will give up any time soon. Oppressive countries want the legitimacy of a global treaty approving of their censorship and content restrictions. A wider group of countries resent US influence in the core of the Internet and want to see control moved to a system where the US has no unilateral rights.

The other side of the argument thinks the multi-stakeholder method of Internet governance is what made the Internet what it is today, and is determined to see it retained. They also wish to see US control removed, and for multi-stakeholder governance to be the final decision making system.

● ***Why is this relevant to Telcos?***

If the revised ITRs were implemented by all, there would be an increase in the pressures telcos face to move from being conduits or carriers. Instead the expectations that carriers would monitor traffic, pursue security and spam issues, and become more open to government oversight and intervention would increase. Big brother issues.

These all add up to costs on the bottom line for telcos. Each new intervention can require new systems or greater staff time in responding to what governments are asking for. For now, those countries where the updated ITRs are not being adopted do not face such costs arising – at least, from this source.

1. See for instance this story: http://www.cio.com/article/723880/US_UK_and_other_countries_won_39_t_sign_telecom_treaty?taxonomyId=1375.

2. Website at www.itu.int

3. Website at <http://www.itu.int/en/wcit-12/Pages/default.aspx>

4. For the 2012 revised version, see <http://www.itu.int/en/wcit-12/Pages/itrs.aspx>

5. It appears the particular spur to the breakdown of any possible consensus was an attempt by some African states to insert language regarding a right to access international telecommunications – outlined in Mueller piece in note 6.

6. This is a complex story. An alternative point of view from Internet Governance academic Milton Mueller is here: <http://www.internetgovernance.org/2012/12/13/what-really-happened-in-dubai/>.

"[T]his incident does show that one must always be skeptical of mainstream accounts of international negotiations, and be attuned to the weird, ironic and hypocritical nature of the process: it is the pro-Internet freedom nations that are insisting on using denial of access to internet services and infrastructure as a form of policy leverage, and the anti-human rights nations that are claiming a universal right of internet access."

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