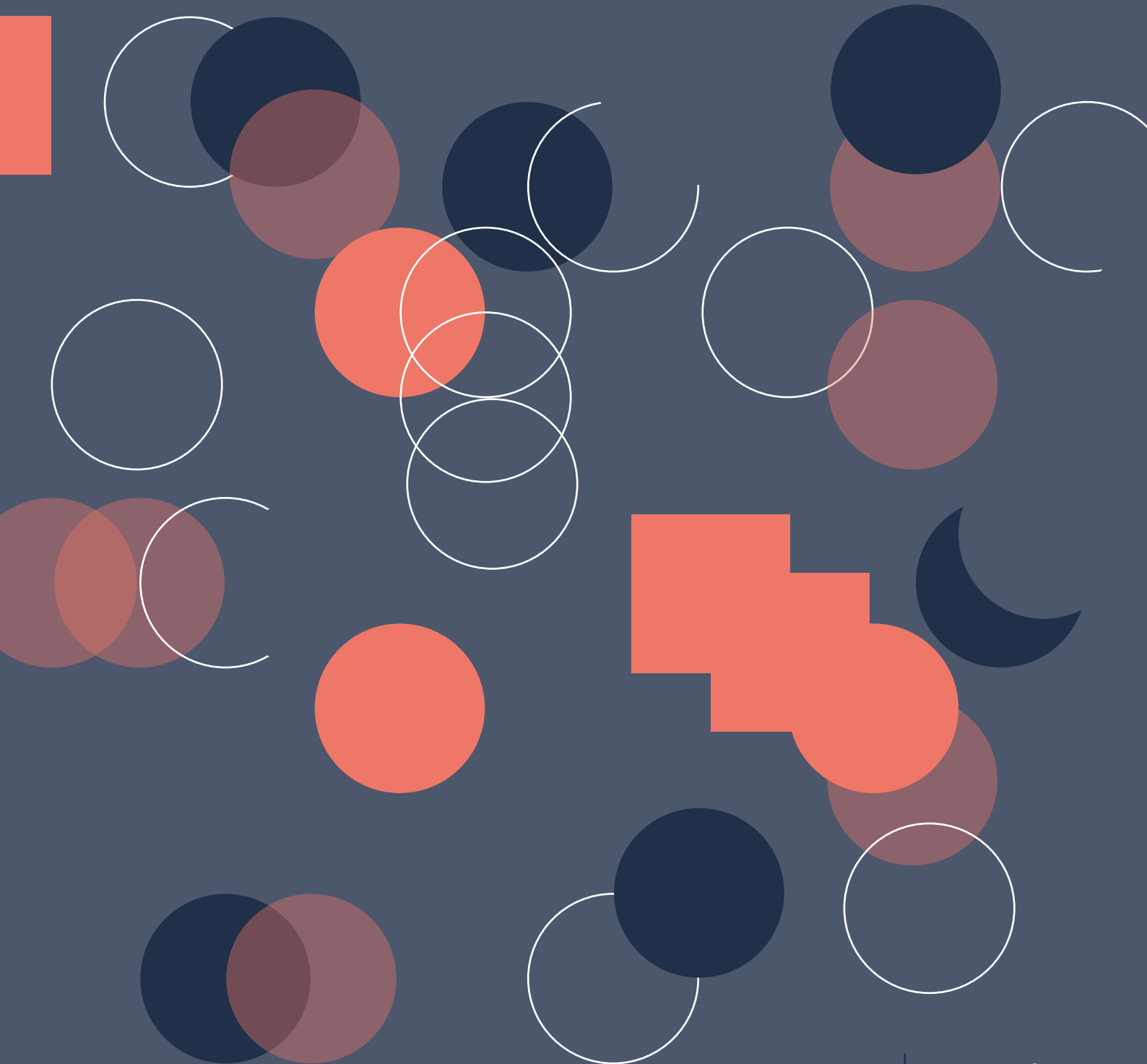


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ITU Plenipotentiary Conference 2014



Dec 2016

1 Snapshot

Dates covered by this case study

20 October – 07 November, 2014

Type of mechanism

High Level Meeting of the International Telecommunications Union (ITU)

Background

The ITU is a multilateral UN body focused on the infrastructural layers of information and telecommunication technology (ICTs). Among other things it works to develop and coordinate technical telecommunication standards, facilitate shared global use of radio spectrum and satellite orbits, and improve access to ICTs. Over the past decade, it has begun to play a larger role in broader Internet governance debates, as a facilitator of World Summit on the Information Society (WSIS) Action Lines and through the activities of its various sectors and study groups. Its role in the Internet governance ecosystem has been a source of controversy since the World Conference on International Telecommunication (WCIT) in 2012, where a number of governments pushed to broaden the ITU's mandate.

Structure and decisionmaking processes

The ITU is comprised of 193 member states, and around 700 fee-paying sector members and associate members; each with their own set of rights and obligations. The participation of private sector entities and other non-governmental actors in the ITU's work is a longstanding arrangement which reflects the important role non-governmental actors have played since the days of the telegraph in developing telecommunications technologies, networks and services. In spite of this, member states are the only members with voting privileges.

Remit

Plenipotentiary Conferences, or 'the Plenipot', are the ITU's highest level policymaking events. Through them, ITU member states make binding decisions on the course of the ITU's work over the next four years, update ITU's basic texts – its Constitution and Convention, adopt resolutions on policy issues under the ITU's remit, and elect senior ITU leadership.

2 What was at stake

The topics on the agenda of the Plenipot which were seen as most relevant from a human rights perspective – based on an agreed set of priorities developed by civil society groups attending – were:

- The ITU's mandate on Internet governance, including its role in discussions on cybersecurity and the WSIS
 - The ITU's policy direction on infrastructure and standards – including the implications of spectrum allocation and management for access, especially in developing countries
 - The openness and transparency of the ITU
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3 Challenges for civil society engagement

- **The ITU's multilateral nature.** Decision-making at the ITU is reserved for governments. Although non-governmental entities can join the ITU as fee-paying 'sector' or 'associate' members (often at a prohibitive cost), only the 193 Member States have voting privileges. The most straightforward way for civil society to shape the outcomes of the Plenipot was therefore through influencing individual country positions.
- **Access to ITU documents.** A number of key ITU documents that are essential for following and participating in discussions that took place at the Plenipot and its preparatory meetings were not publicly available; they could only be accessed through a password-protected online system available to member states and fee-paying members. This significantly constrained civil society's engagement before and during the event.
- **Access to the conference.** Registration for the Plenipot was restricted to ITU members – member states, sector members, and associates. Although the ITU Secretariat made an effort to facilitate the streaming of parts of the Conference, key parts of the Plenipot took place behind closed doors. This meant that civil society participation was mainly limited to groups whose national delegations were open to multistakeholder engagement
- **Participating in the conference.** Because civil society participation at the Plenipot was largely mediated through national delegations, interventions and participation were bound by delegation terms and conditions. In most cases, this implied restrictions on deviations from the official country position, significantly limiting independent civil society participation at the Conference. Some member-states resisted any non-governmental input.

- **Internal resource constraints.** In addition to obstacles linked to the nature of the ITU, civil society faced challenges of resource scarcity, lack of institutional knowledge and experience with engaging in the ITU.
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4 What happened

→ GETTING THERE

The preparatory process for a Plenipot can begin years in advance of the Conference itself, once national and regional preparatory processes are factored in. Civil society involvement can therefore benefit from early engagement with relevant national and regional mechanisms.

In the case of the 2014 Plenipot, a few civil society groups started their engagement as early as 2013. This gave them time to consider some of the challenges outlined above, and led to the formation of loose civil society coordination networks – some operating via designated Skype groups, others through more ad-hoc communication channels. This helped build trust and improve information sharing among groups, leading to more effective engagement later on.

Closer to the Conference date, a number of organisations decided to join national delegations that were open to accrediting civil society groups. This allowed groups to get early access to proposals coming from member states (otherwise not public), and gave them time to understand the agenda, analyse key positions and arguments, and form strategic positions.

→ BEFORE THE EVENT

A more structured coordination mechanism was established after a meeting of civil society groups participating in the network 'BestBits', which took place on the margins of the Internet Governance Forum (IGF) in September 2014 in Istanbul, Turkey.

After the meeting, 25 civil society organisations decided to set up an informal working group to coordinate pre-Conference knowledge sharing, organise specific advocacy efforts, and plan on the ground civil society activities at the Plenipot. In the months running up to the Conference, the group communicated on a designated email thread, and set up several coordination calls. At key points before and during the Conference, the group used the BestBits listserv to facilitate outreach to the broader civil society community.

Results of pre-event coordination

- **A coordinated, collaborative approach towards maximising attendance at and participation in the Conference.** Facing a difficult registration process, civil society groups conducted brainstorming exercises on modalities and shared information on ways to attend. In some cases, organisations used their contacts and connections to facilitate the accreditation of colleagues whose own national delegations had denied their requests to join the delegation. This meant that several civil society members were able to register for the Conference as members of delegations unrelated to their nationality.
- **A joint analysis of key issues and priorities for civil society advocacy.** Some of these key issues included: ITU transparency and openness, the role of the ITU in Internet policy and governance issues, the creation of a cybersecurity treaty, and proposals for data localisation that would control routing and increase traceability of user data.
- **An open letter to the Secretary General of the ITU calling for greater transparency.** This resulted in a formal response from the ITU, a set of briefings for civil society facilitated by the ITU Secretariat during the Conference, and a face-to-face meeting with the Secretary General.
- **A division of tasks for those attending the Conference in person.** Pre-Conference coordination facilitated civil society presence throughout the Plenipot. This allowed for more effective use of time and resources which was important as budgetary constraints meant that most groups could only attend a limited part of the 3 week conference.

→ AT THE CONFERENCE

Most formal negotiations and discussions during the Conference took place through designated committees and ad-hoc working groups, many of which took place in parallel. To maximise the limited resources available to those participating on-site, groups held in-person coordination meetings and maintained an open Skype channel to delegate tasks and coordinate interventions. Civil society groups also organised private meetings with country representatives and fed relevant info back to other civil society colleagues.

On-site information sharing to coordinate and target interventions was complemented by online coordination with those engaged offsite. This meant groups not able to attend the Conference in person could participate in discussions and contribute their expertise on particular issues. Weekly reports were also prepared by several civil society representatives at the Conference and shared on the BestBits listserv.