ITU Plenipotentiary 2014: Comments from the New Zealand Delegation on proposed new resolution *ITU's role in realizing Secure Information Society* [IND/98/1]

Overall statements on proposal

1. The proposal presented discusses concepts that if implemented, in our opinion, would constitute a redesign of existing telecommunications networks or protocols, which may impact on the efficiency of the network and which may pose additional infrastructure costs to Member States.

2. It also proposes a significant expansion of the role of the ITU which would cause the ITU to take on responsibilities currently fulfilled by other international organisations. None of the responsibilities envisaged seems to fit within the mandate of the ITU, and may also require amendments to the ITU Constitution and Convention.

3. We do not consider there is evidence that there is any failure by any of the existing organisations in delivering their respective services on the Internet. We consider it is important to recognise that multiple routes provide resiliency and robustness to the network, and this is a feature of the Internet in its capability to route around problems.

4. Given the broad scope of the proposal, we would have difficulty in agreeing with this proposal without further discussion and approval of all stakeholders in multistakeholder fora. We would suggest that this proposal would benefit from further discussion at a multistakeholder forum such as the Internet Governance Forum, so that we could fully understand implications of this proposal prior to making any resolution on the matter.

Statements on consequences of the proposal

1. A re-design of the network

We note first this proposal appears to misdescribe aspects of the current Network. We would be happy to go through this with our esteemed colleague from India. As an example, the proposal states "…that IP addresses are distributed randomly, that makes the tracing of communication difficult,…" . We would note that IP addresses are not allocated randomly, but by policies made through multistakeholder processes in the Regional Address Registries.

2. Expansion of the ITU mandate

There are existing organisations, outside the ITU, with policies and procedures developed through multistakeholder processes for managing the Internet's unique identifiers including IP naming and addressing which *are* working. It is under the existing system that we have seen the extraordinary spread of the Internet across the globe, and more recently the introduction of IDNs and of the IPv6 addressing system, which will facilitate the introduction to the Internet of millions of new users, new devices, and new machine-to-machine systems in the coming years.

This proposal would insert the ITU right into the middle of a redesign of the Internet. The proposal includes actions for the ITU such as developing an IP address plan, and developing policies for allocation, assignment and management of IP resources.

It also recommends undertaking studies (in collaboration with relevant organisations) to recommend effective ways for maintaining faithful records of transactions through the IP network.

This proposed action may take the ITU into an area of recommending systems that may breach national privacy law depending on the nature of the "faithful records of transactions". Within the ITU context we do not consider it appropriate to discuss privacy, data security or surveillance issues. The ITU's remit does not include the development of resolutions, initiatives or guidelines on such issues. For it to do so would undermine and unnecessarily duplicate the work of other agencies

We do not consider the concerns raised in this proposal constitute a case for changing the Internet's protocols. Furthermore, we would be concerned if a proposal to do this was presented without the involvement of, and extended discussion with, the agencies currently involved in IP naming and addressing.

3. No failure of existing institutions or policies.

On national sovereignty and ability to implement a "local routing only" rule

The proposal contains issues that member states are able to address through local law and that the proposal is seeking to apply a one-size-fits-all solution.

Best-effort routing requires individual providers to examine the variety of access modes available to them and to evaluate the best solution on a provider-by-provider basis. If a member state wished to keep local traffic local, then it could pass local laws or regulation to make this a compulsory requirement.

The diverse nature of the Internet in various jurisdictions encourage adaptability to the local environment. So, while we would acknowledge that some Member States may associate with the concepts in this resolution in order to implement national requirements, we believe this is better dealt with at the national level.

On tracing via IP addresses:

There are elements of contiguousness in the IP address allocations, insofar as ICANN attributes blocks of space to the RIRs and the RIRs allocate to their customers as required.

There are robust, geographically-mapped tables for IP address allocations that allow easy tracing on a country by country, or even city by city basis. There is no requirement for contiguity. Content providers such as Google, Amazon and thousands more will geo-locate their customers IP address on these lookup tables,

It is simple to use the WHOIS services of the RIR to locate the holder of a specific IP address block anywhere in the world.

4. On the need to discuss in a wider fashion

The Tunis Agenda notes that that Internet governance, carried out according to the Geneva principles, is an essential element for a people-centred, inclusive, development-oriented and non-discriminatory Information Society. In the Tunis Agenda we committed ourselves to the stability and

security of the Internet as a global facility and to ensuring the requisite legitimacy of its governance, **based on the full participation of all stakeholders**, from both developed and developing countries, within their respective roles and responsibilities. (s 31 of the Tunis Agenda)

Based on the current level of information we have, we consider a change to the network architecture in the manner presented in this proposal would risk the stability of the Internet in the quest for further security. These two outcomes – both security, and stability – must be considered together; decisions to improve security must be made with due consideration to the overall stability of the Internet.

We consider a comprehensive proposal, such as that proposed by our Indian colleagues, would require the discussion and approval of all stakeholders. We would expect this proposal to be discussed more widely, for example at the Internet Governance Forum, so that we could fully understand the implications of this proposal prior to discussing any resolution on the matter.