6 September 2012

To Member States and Government Delegations of the International Telecommunication Union:

In the interests of promoting and protecting global Internet openness and the exercise of human rights online, we write to urge International Telecommunication Union (ITU) member states and their delegates to the World Conference on International Telecommunications (WCIT) to refrain from expanding the scope of the International Telecommunication Regulations (ITRs) treaty to include the Internet.

At the WCIT, governments will consider proposals that would expand the scope of the ITRs to include the Internet. Such expansion could have a significant negative impact on the Internet's openness, its positive effects on economic growth, and the human rights of citizens.

As recently reaffirmed by the UN Human Rights Council, governments have a duty to protect human rights when making policy decisions for the Internet. However, while the ITU has extensive expertise in telecommunications policy and regulation, we do not believe that it is the appropriate forum to develop policies and standards that could affect the exercise of human rights on the Internet.

Further, the ITU maintains a relatively closed, non-transparent decision-making process in which only governments are allowed full participation. In contrast, the Internet has flourished under an open, decentralized model of governance, where groups representing business, the technical community, and Internet users as well as governments focus on different issues in a variety of forums. In keeping with the World Summit on Information Society commitments, we believe that such open, inclusive processes are necessary to ensure that policies and technical standards for the global Internet preserve the medium's decentralized and open nature and protect the human rights of its users.

In recent months, many civil society groups have urged the ITU to reform its process so that it is fully transparent and open to participation by all relevant stakeholders. Advocates have pushed for these changes not only because we believe that transparency and participation are the best approach, even with respect to telephony, but also because we feared that certain countries' proposals would pose grave threats to human rights on the Internet. Leaked documents detailing proposals for the WCIT have confirmed these fears. Thus, we both continue to call on member states to provide full transparency and open participation to all relevant stakeholders as they prepare for the WCIT, and urge all delegates to reject proposals that would threaten openness and human rights online.

We call on member states to:

Hold a transparent, inclusive preparatory process for the WCIT that is open to all relevant stakeholders. We ask that governments:
- Publicly release WCIT proposals and position papers, documents from regional meetings they have participated in, and documents issued by other member states.
- Hold open, public consultations on the WCIT so that delegates may fully consider the interests of citizens as well as those of business and government.
- Inform citizens of the positions member states intend to take at the WCIT on key proposals made by other governments.

Oppose expansion of the International Telecommunication Regulations to the Internet. We ask that delegates:

- Rigorously examine proposals for their impact on human rights, Internet openness, innovation, and ICT access and development.
- Oppose proposals that would diminish the rights of users or limit Internet openness.

Sincerely,
Access, US
Article 19
Asociación por los Derechos Civiles, Argentina
Association of Digital Culture, Taiwan
Association for Progressive Communications
Bytes For All, Pakistan
Cambodian Center for Human Rights
Center for Democracy & Technology, US
Center for Technology and Society - FGV, Brasil
Committee to Protect Journalists
Consumers International
Derechos Digitales, Chile
Eduardo Bertoni, Centro de Estudios en Libertad de Expresión y Acceso a la
        Información (CELE), Universidad de Palermo, Argentina
European Digital Rights
Friedrich-Ebert-Stiftung, Pakistan
Fundación Karisma, Colombia
Human Rights in China, US
Human Rights Watch
Index on Censorship
Internet Democracy Project, India
Internet Society - Bulgaria
La Quadrature du Net, France
Nawaat, Tunisia
Open Rights Group, UK
Open Technology Institute, US
Panoptykon, Poland
Public Knowledge, US
Reporters Without Borders
Thai Netizen Network

List in formation; see up-to-date sign-on list at https://www.cdt.org/letter/sign-letter-opposing-itu-authority-over-internet.