

## WCIT Watch Day 3: The Slog Begins

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Wednesday's WCIT wonderland saw lots of debate but little in the way of final decisions.

A number of topics were raised for the first time: security came up during the discussion of guaranteeing quality of service on telephony networks, and lines were quickly drawn between states who do not want to introduce security" into the treaty and those who feel it deserves center stage.

Discussions of number misuse (potentially relevant to [fraud prevention](#) [2] in the telephony context) quickly raised the specter of Internet names and numbers and the role of ICANN. Delegates also dipped their toes in the murky waters of "telecommunication/information and communication technologies (ICTs)" - key definitions that will affect the scope of the treaty and go a long way to determining whether it applies to the Internet.

Not surprisingly, each of these contentious issues saw an initial airing of views and were then shunted into side-meetings and working groups for further deliberations. One of the big challenges for anyone trying to keep up with WCIT discussions is the way the meatiest issues are funneled away from the formal conference sessions and into informal and ad hoc discussion groups. While any consensus reached in these informal settings must still be agreed to in the formal meetings, it's difficult for smaller delegations and individuals to keep track of all of the informal discussions, where real decisions are being hashed out.

Of course, informal consensus doesn't necessarily yield agreement in the main session, as delegates discovered when [ROA vs OA](#) [3] reared its head again. The Chair's compromise proposal, which sought to allow Member States some flexibility in how they interpret "operating agency" and the types of entities it encompasses, was rejected by a number of states who worried the vague definition created more problems than it solved. The U.S. and Canada objected to the way the compromise definition referred to a provision of the ITU's Constitution that is itself somewhat vague, arguing that this compound uncertainty made the legal effect of the treaty unclear and raised practical implementation questions, as nations around the world could reach very inconsistent understandings of their obligations under the treaty. And a significant contingent of states objected to any expansive definition of "operating agency" on the grounds that extensive regulation of the wider set of entities involved in telecommunications will be bad for economic development, both nationally and internationally.

Each of these issues was deferred for additional discussion and will be considered again in one of Friday's plenary sessions.

*Matthew Shears in Dubai for CDT contributed to this report.*

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