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Representing the ecosystem of Internet -Bharat Model

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Indian submissions to the Non Paper of WSIS+10 Outcomes

Besides the submission from the Government of India (GOI), on the Non Paper of the WSIS outcome, there were five direct and one joint submission from India. The breakup of the balance submissions includes four from the civil society -Centre for Internet Society (CIS), Digital Empowerment Foundation (DEF) Software Freedom Law Center (SFLC) and Internet Democracy Project India (IDP); one from Technical and Academia- Center for Communication Governance; while ITFC submitted their comments through Just Net Coalition.

It may be noted that overall, there were 63 submissions, 24 from government, 21 from civil society, 7 from the Technical and Academia, 6 Private sector and 4 intergovernmental organizations.

In their submission, GOI emphasized the need for substantive inclusion of developing nations for playing an active role in internet governance. They also stressed on the importance of Cyber security, the need for cooperation amongst stakeholders, recognizing the need for identifying issues which have a direct impact on national security, and the need for an enhanced role for governments in dealing with such issues. Moreover the submission stated that the sovereign jurisdiction of all states should be ensured on the information infrastructure and there should be systems within the respective boundaries to ensure national security of respective countries. The Indian submission also called for establishing between Action Lines of the Tunis Agenda with the implementation of Agenda 2030 and called for increasing global efforts for cooperation in human resource development and skill creation.

The submission also highlighted importance of social media, the diversity of languages and the importance of uniform distribution of critical resources of the Internet across the regions in the world. GOI suggested the need to encourage collaboration in Research & Development and transfer of technology so as to have an equitable access to technology and along with encouraging Public Private Partnership for technology innovations, delivering citizen services, managing critical resources, protection of critical information infrastructure and delivery of citizen centric services. The Indian submission can be viewed from the following link: http://workspace.unpan.org/sites/Internet/Documents/UNPAN95307.pdf

All the submissions can be viewed from the following link: http://unpan3.un.org/wsis10/Preparatory-Process-Roadmap/Written-Comments-on-Non-paper

It may be of interest that subsequently the Zero Draft is expected to be released for further deliberation. The highlights of the same will be shared once released.

Update on the IANA Transition and ICANN Accountability

The **IANA Stewardship Coordination Group (ICG) received 159 submissions** during their comment period on their **First compiled draft proposal** which is the combined proposal of the names, number and protocol community. It may be mentioned here that there were **10 submissions from India**, which include submission

from the Government (GOI); Civil Societies & Industry Associations (CCAOI, CIS, DSCI, ITFC through JNC); Academia (CCG); Business (Reliance) and rest from Individuals.

The CCAOI submission can be viewed from the following links:
https://comments.ianacg.org/pdf/submission/submission69.pdf &
https://comments.ianacg.org/pdf/submission/submission69-s.pdf

The ICG submissions can be viewed from the following link https://www.ianacg.org/calls-for-input/iana-stewardship-transition-proposal-public-archive-of-submitted-comments/

The **Cross Community Working Group on Enhancing ICANN Accountability (CCWG-Accountability)** received **83 submissions** on their **second draft recommendations of Work stream 1**. The **three submissions from India** were from **CCAOI, CCG and CIS CCG**. All the submissions can be viewed from the following link: http://forum.icann.org/lists/comments-ccwg-accountability-03aug15/index.html

Currently, there is a huge debate underway amongst the stakeholders pertaining to the ICANN Accountability. It may be mentioned here that during the face-to-face meeting held by the ICG on 18th and 19th of September in Los Angeles, the ICANN Board expressed their concerns against the Sole Membership Model (SMM) suggested by the CCWG Accountability group and subsequently suggested the new "Multistakeholder Enforcement Mechanism" (MEM).

While the CCWG Accountability proposal is the outcome of deliberations and a compromise between the various stakeholders, the MEM is a product of the Board's understanding of the issues. In the MEM model, the Board has the authority to invoke its "fiduciary duty" to overrule community empowerment mechanisms, and any conflict would have to go into arbitration. Also the process of overturning the board would shift in ICANN's favor.

So far no unified view has emerged however, we expect to get a clearer picture post ICANN 54 for ensuring the IANA Stewardship transition.

UN Report on the State of Broadband 2015 and where India stands

The UN Broadband Commission has released its annual "State of Broadband" report for 2015, which features country-by-country rankings based on access and affordability of broadband and mobile internet for over 160 economies worldwide.

The report states that 3.2 billion or 43% of people are now connected globally. While internet access in the developed world is reaching saturation, the internet is accessible to only 35% of people in the developing world. The situation in the 48 UN-designated Least Developed Countries is more critical as over 90% of people in these nations are without any kind of internet connectivity.

The report reveals that the top ten countries for internet use are all located in Europe, while the lowest levels of internet access are found in sub-Saharan Africa. The Republic of Korea has the world's highest household broadband penetration (98.5%) while Iceland has the highest percentage of individuals using the internet (98.2%). Monaco has the highest fixed broadband penetration (46.8%) while Macao (China) has the highest number of active mobile broadband subscriptions per capita (322% which is over 3 subscriptions per inhabitant).

The report can be viewed at the following link: http://www.broadbandcommission.org/Documents/reports/bb-annualreport2015.pdf

The report, however, paints a very dismal picture of broadband connectivity in India.

- In terms of Fixed Broadband subscriptions India is ranked 131st out of 189 (with 1.2 subscriptions / 100 capita).
- In terms of Mobile Broadband subscriptions, India is ranked 155th out of 189 (with 5.5 subscriptions / 100 capita).
- In terms of percentages of households with internet connectivity, India is ranked 80th out of 133 (with 15.3% of households connected).
- Globally, India is ranked 136th out of 191 in terms of percentage of people using the internet (18%), and 90th amongst the 144 developing nations. In fact nations such as Bhutan, Maldives and Iraq have been ranked higher than India in this parameter.

These figures are clear testimony that we need to go all to correct the current state of affairs with respect to connectivity. They reveal that despite the progress made in connecting India, the 'digital divide' between the connected and unconnected sections of population truly survives. In the push for faster speeds and newer technology, India's unconnected population is being left behind. The rankings show that present strategies to increase internet penetration are not fulfilling their objectives of providing universal access.

The causes for this divide are well-known. It is an accepted fact, that the main hurdles for internet penetration in India, apart from technical limitations such as lack of basic infrastructure and low quality of internet coverage, are challenges in affordability and adoption. In fact, according to a 2012 McKinsey study, internet access for an individual in India was four times more expensive than the same connectivity in China, Brazil and other comparable economies. This results in the internet becoming a luxury what is out of the reach of a large part of the Indian population. What is the need of the hour are new ideas and access models which can begin to correct this divide by providing more inclusive access to the internet.

While free access can help those who would otherwise have no means to avail the benefits of the internet, where adoption is a challenge, there is a need for stimulators and incentives in every form including free services to improve the situation. Access to even some useful services would enable first-time users to realize how the internet can aid their lives and improve quality of life and productivity. This would provide a boost to internet literacy and ultimately ease adoption. Unconnected people in different areas would be more open to using the internet if they can first experience a sample of it at no or negligible cost.

There are various initiatives available which offer such free internet services to new users. We believe, if these neither block, nor throttle any other service, they should be encouraged since they aid in the adoption of the internet for people who cannot otherwise afford to pay for connectivity. Access to these services, in addition to exposing first-time users to benefits of the internet, would empower the previously unconnected and give them an equal chance to succeed.

We believe, it is always better to have more users having some form of access than none and instead of interfering and stopping initiatives which are helping rural Indians to avail the benefits of the internet, free services should be encouraged and more organizations should work to offer free internet to rural India to get them connected. If connected Indians can choose to purchase internet access at rates affordable to them, unconnected Indians should be given the right to choose to avail services at no cost as well. Only then will a majority of the population get a fair chance to compete on a level playing field and realise the vision for a 'Digital India'.

The Draft Encryption Policy

In this digital age, the issue of encryption world over has assumed vital importance and each country is creating their encryption policy by attempting to balance the privacy and security concerns in their respective nations. Each country today has a policy to monitor this encrypted communication, to counter terrorists, money launders and other offenders who use encryption to hide and communicate the information. The reason shared by most LEA's for monitoring and surveillance is simply because even the most advanced countries have limited facilities to break any kind of encrypted code.

In India, for quite some time now, the Indian industry, especially BPOs has been requesting for an Encryption Policy since they want their data and information being communicated, to be in a secure mode, especially since the existing policy allows encryption to the extent of the 40bits, while globally it is 256 bits. Moreover, 40 bits is not at all secure and can be broken easily. Since citizens use encryption for conducting financial transactions such as banking, online shopping etc., it was important that the government comes up with an encryption policy to streamline the process.

The Draft Encryption policy which had been posted for public comments by DeiTY had to be ultimately taken down, owing to several concerns raised by the media and activists.

Had the draft been culminated overnight without much deliberation as suspected?

The issue of encryption has been under discussion since 2004, when an Expert Committee had been constituted to frame the policy and they had submitted their report in 2007. Subsequently, considering the sensitivity and importance of the issue, another Expert Committee was set up to consider the policy provided by the previous committee. The changes suggested by the Committee with respect to the technology trends, keeping in view the privacy and security in mind were submitted in 2011 and has been viewed since then by senior Bureaucrats and Ministers.

Would the users have to store in plain text details of their transaction for 90 days as interpreted?

The first line of Para 7 of the draft policy, states that "Users within the C group (i.e. C2C sectors may use Encryption for storage and communication……". This para mentions that only the plain text of the encrypted communication needs to be stored. It does not mention all communication needs to be stored.

Was the draft totalitarian in nature, and every consumer viewed as a potential criminal as alleged?

LEA's believe, consumer to consumer transaction and communication is complex and worldwide most offences, serious or non serious are committed through this channel. That is why LEA's are of the opinion that any processes to track communication which culminates into serious offences need to be tracked.

As per the draft policy, would the user have to hand over encryption keys to the government?

The draft encryption policy document does not have any mention that the keys of the algorithm have to be handed over to anyone, even the government. However, it is interesting to note that as per current policy, everyone needs to submit encryption keys to DOT for encryption of more than 40 bits.

Would the new draft affect the privacy of users and increase overreach of the state, since users and organizations, would need to make available data upto 90 days from the date of transaction based on the lawful order to LEA's?

It is interesting to note that even without this policy, there are provisions in the Information Technology Act 2008, such as Section 69 and Section 67C which provides the government the power to demand decryption of any communication (Sec 69) and right to set time limit for retention of data by any intermediary (Sec 67C).

Why should the text format of encrypted data have to be stored?

Since the technology trends in this area are dynamic and advancing beyond imagination and encryption keys are created in every session or transaction, the government believes producing encryption keys for such individual transactions would have needed more work by the citizens for complying with provisions. They therefore had suggested storing of plain text as a much easier and feasible and simple option for the citizens.

Moreover, it is argued that even today, both businessmen and individuals are required to maintain their books of accounts, IT returns, Property returns, etc., for a period ranging from 2-7 years, while the draft required encrypted information to be stored in text format for 90 days.

Is there a high risk of the stored data being compromised or abused as suspected?

It may be mentioned, that all countries have put encryption products under export control regulations on the grounds of it being misused to harm the interest of society at large.

It's interesting to note that today everyone is storing all their personal information ranging from pictures, videos, documents in both private and public domain, most of which are located overseas and which are also vulnerable of being compromised, even after Snowden revelations.

It is argued that there are chances of data abuse even while seeking a visa, where a citizen is required to furnish details on their finances such as bank, property returns and some cases property documents, and where there is no timeline on the destruction or return of documents.

The critical part is that we need to have checks and balances so as to prevent misuse of provisions.

Also being a policy, it would be only a guideline and not classified under IT act. Only the limit of encryption up to 256 bits would be notified by the Government.

Further, being a draft, it allowed all stakeholders to share their concerns, comments and suggestions on the document to the government in writing. Stakeholders also had the opportunity to seek clarifications and even demand an open house to hear and share their views.

The withdrawal of the document not only means putting back the process by several months, but also the department working on the draft once again without any concrete inputs from the stakeholders.

An Interaction with TRAI Chairman @ FICCI

The Communications and Digital Economy Committee of the Federation of Indian Chamber of Commerce (FICCI) organized an Interaction with Shri R S Sharma, Chairman, TRAI, on 30th September.

The meeting was attended by the telecom community and several industry associations who shared their concerns with the Chairman on issues pertaining to Right of Way, Towers, AGR's, Financial health of Telecom sector, devices, quality of the spectrum, Cyber security and also instances where guidelines were not being implemented.

On his part, the Mr. Sharma assured the gathering of his teams support and commitment to work with industry for resolving issues.

BIF organizes a Round Table on "Telecom Infrastructure: Backbone to Digital India – Challenges and Opportunity"

Broadband India Forum (BIF) organized a Round Table Discussion on "Telecom Infrastructure: Backbone to Digital India- Challenges and Opportunity" on 28th September 2015. The roundtable was moderated by TV Ramachandran, the chief guest was Ms. Aruna Sundarajan- Administrator USOF & CMD-BBNL and the guest of Honor was Mr. Peeyush Aggarwal-Member Technology, DOT. The participants of the round table included members of BIF and Telecom fraternity.

The current status, challenges and opportunities along with real life examples of broadband penetration in India was discussed during the round table.

DeitY and NIXI organizes a Round Table Discussion on WSIS+10 Non Paper

Department of Electronics & IT (DeitY) and National Internet Exchange of India (NIXI) held a roundtable discussion on WSIS+10 Non Paper Document, on the 18th of September 2015. The event was moderated by Director, Mr. Rahul Gosain.

The aim of the roundtable was to seek inputs from stakeholders on the Non Paper document, such as, whether the structure and the elements covered are adequately covered in the document, if not, how should the issues be treated in the zero-draft and if there are any India centric issues which should be proposed.

It may be added that the Non Paper reflects a broad range of inputs from member states and relevant stakeholders, which include both written and oral submissions on the results of UNESCO, ITU and CSTD reviews of WSIS progress.

The meeting was attended by Law Enforcement Agencies, Civil Society, Industry Associations, Academia, Private sector experts as well as Government functionaries. CCAOI too participated in the round table.

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ITFC Workshop on "Taking Internet to rural Communities: Last Mile Models for NOFN"

IT for Change, in partnership with Society for Knowledge Commons, Ideosync Media Combine and Digital Empowerment Foundation, had organized a workshop on "Taking Internet to rural communities: Last Mile Models for the National Optical Fiber Network", at India International Centre, New Delhi, on 5th September, 2015.

During the workshop there were discussions not only on the current status, the unique opportunities and challenges, but also presentations and discussions of different technology models and their contextual applications, the different learning's which India can adopt and what should be the way forward to devise a suitable and workable road map.

The workshop was attended by various civil society groups, social services workers and academia.

Upcoming Events and Opportunities

- Cyfy 2015, the India Conference on Cyber Security and Internet Governance would be held in New Delhi between 14- 16th Oct'2015. For more details visit http://cyfy.org/event/october-14-16-cyfy-2015-the-india-conference-on-cyber-security-and-cyber-governance-new-delhi/
- The application rounds for the NextGen and Fellowship Programs to participate in ICANN55 in Marrakech, Morocco in March 2016 is open till 16 October 2015, For applying visit https://www.icann.org/en/about/participate/fellowships
- ICANN is holding an India Stakeholder meeting on 17th October, 4pm Liffey MR2, Convention Centre, in Dublin, where Indian stakeholders would get the opportunity to interact with ICANN directors and staff
- The 54th ICANN meeting would be held in Dublin, Ireland, from 18th to 22nd October 2015
- The 24th Convergence India 2016 will be held from the 20th -22nd January 2016, at Pragati Maidan, New Delhi. To register, visit http://www.convergenceindia.org/

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