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GROUNDBREAKING REPORT ILLUSTRATES DANGERS TO WORLD TRADE RULES, INTERNET ECONOMY OF UPCOMING DIPLOMATIC CONFERENCE

Brussels, 28 November 2012: A groundbreaking report out today details for the first time how proposals that would give greater control over the Internet to a UN agency risk running foul of countries' international trade obligations. Entitled *"Whither Global Rules for the Internet? The implications of the World Conference on International Telecommunication (WCIT) for international trade,"* the report is a joint effort of internationally respected experts on international telecommunications and trade policy, Rohan Samarajiva and Hosuk Lee-Makiyama.

The report is the first time that proposals by governments to amend current international telecommunications obligations at the World Conference on International Telecommunications (WCIT) in Dubai December 3-14 have been reconciled with binding rules on trade developed at the World Trade Organisation. The result is sobering. Among the report's key conclusions:

- Proposals being made by governments for the World Conference on International Telecommunications (WCIT) do not adequately take into account their commitments under the World Trade Organization (WTO) and its General Agreement on Trade in Services (GATS).
- WTO member-countries have made commitments that forbid them from imposing restrictions on the most common forms of Internet services that would likely be broken were proposals in front of the upcoming conference to be agreed to.
- All WTO member-states must abide by a moratorium on tariffs and equivalent fees on data transmissions that explicitly forbids access fees for data whether they are discriminatory or not. Some proposals, such as those promoted by some European telecommunications operators, would likely conflict with this obligation.

[The full report may be found online here](#)

The following quotes may be attributed to the authors:

Rohan Samarajiva: "I was fortunate to be active in regulation in the late 90s when the developing countries were opening up their markets and we were beginning to see massive increases in voice connectivity. The WTO rules including the regulatory reference paper

made an important contribution at that time. Today, we are at a similar juncture as millions across the developing world are joining the Internet. Ill-considered proposals such as those seeking to impose "access charges" under an international treaty endanger this historic moment. It is my hope that the WTO commitments will serve as a brake on these retrograde actions.”

Hosuk Lee-Makiyama: “The ITU delegates need to be mindful about the commitments their trade ministries have made in the WTO. Whatever the outcome will be during WCIT, it will not provide a carte blanche to disrupt data flows or discriminate foreign entities against the WTO rules. Such market interference will lead to costly trade retaliations.”

ABOUT THE AUTHORS:

Rohan Samarajiva (rohan@lirneasia.net) is CEO of LIRNEasia, Board Member of Research ICT Africa and former Director General of Telecommunications, Sri Lanka. His full biography may be found here: <http://lirneasia.net/about/profiles/rohan-samarajiva/>

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