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H.E. Mr. Mogens Lykketoft, President of the 70th Session of the General Assembly
H.E. Mr. Ramlan Bin Ibrahim, Permanent Representative of Malaysia, President of the UN Security Council
H.E. Permanent Representatives of UN member states
Mr. Ban Ki-moon, UNSG

Poitiers, August 23rd, 2016

Copy: Mrs. and Mr. Heads of State and Government of countries members of the United Nations.
US Senators and Representatives, Mr. Lawrence Strickling, Administrator NTIA.

Object: My 4-11-16 and 7-5-16 letters ([exh. 1](#), [exh. 2](#)) concerning (1) the pertinence of my application for the position of UN Secretary General, and (2) the presentation of my vision statement ([exh. 3](#)); **the critical issue of the Internet Governance**; and the US Congress ongoing debate on *whether the US should relinquish its authority over ICANN*. [The PDF version of this letter is at: <http://www.pierregenevier.eu/npdf2/UN-cand-UNSG-3-23-8-16.pdf>].

Dear Mr. Lykketoft and Mr. Ramlan Bin Ibrahim,
Dear Permanent Representatives of Member States,
Dear Mr. Ban Ki-moon,

1. Referring to my 4-11-16 and 7-5-16 letters ([exh. 1](#), [exh. 2](#)) concerning the pertinence of my UNSG application and the presentation of my vision statement ([exh. 3](#)), I take the liberty of writing you again (1) to make few additional remarks on my proposal to create a new Internet IO, (2) to forward you a letter ([exh. 0](#)) I am sending concurrently to the US Senators and Representatives who are – I believe - **still** debating on '*whether the US should relinquish its authority over ICANN*', **but possibly not for long**, (3) to comment briefly the results of the first two straw polls, (4) to point out again the pertinence of my UNSG application and (5) renew my solicitation to be nominated for the UNSG position to defend the proposals I presented you.

A The Internet Governance Issues and the ongoing debate in the US Senate and House of Representative on whether the US should relinquish its authority over ICANN.

2. As I mentioned it in my 4-11-16 letter ([exh. 1](#)) and you know it, the US is now considering giving up the limited control it has over *ICANN* to the *Global Internet Multistakeholder Community*, and the transfer could happen as soon as **September 30th, 2016** if the deadline is not extended another year ([exh. 4](#)). I believe that it is absolutely critical that '*you*' (the UN member states, the US Senators, Representatives and Government,) go back over the reasons why the US is giving up its authority over *ICANN* to the *Global Internet Multistakeholder Community*, and analyze the different arguments that were presented and not presented, so that '*you*' (the UN Member States, and the US Senators, Representatives and Government) can take the best possible decision on this important subject for the world, and in particular for achieving the SDG and Paris Agreement objectives. To help you in your analysis of the situation, I will (1) use and comment (a) 2 research documents written by **Mr. Lennard Kruger** [US Congress Specialist in Science and Technology Policy, ([exh. 4](#), [exh. 5](#))], and (b) the remarks made during the 5-24-16 US Senate hearing on this issue, and (2) point out the critical information and arguments that '*you*' did not take into consideration.

1) *The remarks of Mr. Kruger on the Internet governance issues.*

3. According to **Mr. Kruger**, the objectives of the transition for NTIA are stated as follow: '*NTIA has stated that it will not accept any transition proposal that would replace the NTIA role with a government-led or an intergovernmental organization solution. In addition, NTIA told ICANN that the transition proposal must have broad community support and address the following four principles:*

- **support and enhance the multistakeholder model;**

- **maintain the security, stability, and resilience of the Internet DNS;**
- **meet the needs and expectation of the global customers and partners of the IANA services; and**
- **maintain the openness of the Internet**. [exh. 5, p. 6];

4. Also for **Mr. Kruger**, the debate on the Internet Governance is summarized as follow: 'Thus, governments such as the United States and the European Union **support ICANN's multistakeholder model**, while at the same time advocating increased governmental influence within that model. By contrast, **other nations support an expanded role for an intergovernmental model of Internet governance**. The debate has been summarized by NTIA as follows: 'By engaging all interested parties, **multistakeholder processes encourage broader and more creative problem solving, which is essential** when markets and technology are changing as rapidly as they are. **They promote speedier, more flexible decision making than is common under traditional, top-down regulatory models** which can too easily fall prey to rigid procedures, bureaucracy, and stalemate. But there is a challenge emerging to this model in parts of the world... Some nations appear to prefer **an Internet managed and controlled by nation-states**. ... We do not support any of these elements. ' [exh. 5, p. 22].

5. Finally, for **Mr. Kruger**, the '**supporters of the transition** argue that by transferring its remaining authority over ICANN and the DNS to the global community, the U.S. Government **will bolster its continuing support for the multistakeholder model of Internet Governance**, and that this will enable the US to **more effectively argue and work against proposal for intergovernmental control over the Internet**. The argument follows that if NTIA does not relinquish authority over the IANA functions, the United States **will continue to be in the paradoxical and problematic position of opposing moves in intergovernmental fora to increase the power of governments in governing the Internet**, while at the same time maintaining its unilateral authority over the Internet DNS by virtue of the IANA contract.' 'Supporters of the transition also point out that the U.S. government and Internet stakeholders have, from the inception of ICANN, envisioned that U.S. authority over IANA functions would be temporary, and that the DNS would eventually be completely privatized. According to NTIA, this transition is now possible, given that "ICANN as an organization has matured and taken steps in recent years to improve its accountability and transparency and its technical competence." [exh. 4, p. 17].

2) The pretended advantages of the multistakeholder model.

6. Based on these different statements, we can make the following remarks. First, the objective of the transition for US Government is **(1) mainly to support the multistakeholder model ... that it believes '... encourage broader and more creative problem solving, which is essential when markets and technology are changing as rapidly as they are ... and ... promote speedier, more flexible decision making than is common under traditional, top-down regulatory models** which can too easily fall prey to rigid procedures, bureaucracy, and stalemate.'; **and** it is also **(2) a tactical maneuver** since the 'US' thinks that the transition '**... will enable the US to more effectively argue and work against proposal for intergovernmental control over the Internet.**' ['The argument follows that if NTIA does not relinquish authority over the IANA functions, the United States will continue to be in the paradoxical and problematic position of opposing moves in intergovernmental fora to increase the power of governments in governing the Internet, while at the same time maintaining its unilateral authority over the Internet DNS by virtue of the IANA contract.']. But there is **no specific will (1) to improve** the way the Internet is functioning [the objective is to '**maintain the security, stability, and resilience of the Internet DNS; meet the needs and expectation of the global customers and partners of the IANA services; and maintain the openness of the Internet**'], and **(2) to use the Internet more efficiently (a) to resolve the problems that the (International) community (including the US) is facing and (b) to help a larger number of people.**

7. And I don't think that we can really say that the multistakeholder model '**encourages broader and more creative problem solving**'; for example, ICANN uses **several hundred, if not thousands**, of different independent organizations and businesses with whom it must sign **complicated** legal contracts to allow them to sell the domain names and to collect the annual fee for the site; and of course this is not at all the best way or a **creative and efficient** way to work because one unique organization could do **exactly the same work (a)** with a much smaller number of persons, **(b)** with much less resources and at a much lower cost (!), and therefore **(c)** while saving a lot of money that could be reinvested **(1)** to improve the Internet functioning, **(2)** to fight cyber-criminality and the promotion of violent extremism and terrorism on the Internet, **(3)** to increase the number of Internet users, in particular in poor countries, and **(4)** to transfer the information technologies to poor countries.

8. And by the way, **(1)** these different independent businesses and organizations do not make important profits with the sale of the domain names, and therefore do not create ('*useful*') jobs with this task,

(2) they cannot ask their clients (site owners) for specific information that it would be important for the community to have, and cannot verify the information that is given to them, and (3) finally, they cannot compute the appropriate fee for the Internet site owners (meaning a fee dependent on the use of the Internet resources by the site owners, among other parameters). Also, **unlike** the supporters of the multistakeholder model mentioned it, we cannot really say that the *multistakeholder model 'promote speedier, more flexible decision making than is common under traditional, top-down regulatory models'*, when you know that it took ICANN **seven years of debate** to finally decide to allow the creation of a large number of new gTLD (generic top level domain) and that when it finally did take its decision, it made many unhappy [in particular governments (!)], and the benefits for the community are not always obvious, as the example of the .xxx gTLD shows [[exh. 5](#), p. 16].

[8.1 During the 5-24-16 Senate hearing, several senators made remarks that confirm my comments. For example, **Senator Daines** questioned the idea that the multistakeholder with ICANN and its half a dozen advisory committees having each several subcommittees performed so differently from a 'bureaucracy'; **Senator Johnston** mentioned some important and proper 'principles': **'All changes are not progress, all movements are not forward'** and **'if it is not broken, don't fix it'**; and he asked few related interesting questions; for example, he asked the panel of participants 'what was broken in the actual system of governance?', and indirectly 'why would the transition resolve the problem?', and the representatives of the Internet community had a hard time identifying what is broken in the actual system, and instead **it became fairly clear (1) that the goal of the transition is political** and mainly to prevent the UN or **supposedly** other governments *from taking control of the Internet*, and (2) that the transition would **not** resolve a technical problem, would **not lead to progress**, and would **not** be a move forward. Finally, **Senator Sullivan** asked: *how will the transition advance the US interest?*, and here again the participants in the hearing had a hard finding credible arguments to respond to this question because there are none.]

3) *The arguments of those who would like to delay the transition.*

9. Mr. Kruger also described the arguments of those in the US Congress who would rather delay the transition, and he explains this: *'Those opposed, skeptical, or highly cautious about the transition point out that NTIA's role has served as a necessary "backstop" to ICANN, which has given Internet stakeholders confidence that the integrity and stability of the DNS is being sufficiently overseen. Critics assert that in the wake of the Edward Snowden NSA revelations, foreign governments might gain more support internationally in their continuing attempts to exert intergovernmental control over the Internet, and that any added intergovernmental influence over the Internet and the DNS would be that much more detrimental to the interests of the United States if NTIA's authority over ICANN and the DNS were to no longer exist. Another concern regards the development of the transition plan and a new international multistakeholder entity that would provide some level of stewardship over the DNS. Critics are concerned about the risks of foreign governments—particularly repressive regimes that favor censorship of the Internet—gaining influence over the DNS through the transition to a new Internet governance mechanism that no longer is subject to U.S. government oversight.'* [[exh. 5](#), p. 17-18]. And these arguments, although they support the delay for the transition, which, I believe, is critical, may not be sufficient to delay the transition.

10. There is an argument that it is important to point out (1) because it comes back several times in Mr. Kruger's documents, (2) **because it is not true** and (3) because it makes it more difficult to find the best possible solution for the Internet Governance; this argument is that **'if the Internet were controlled by the UN, it would limit the freedom of speech on the Internet'** [*'The committee also stated that it "continues to be concerned about this process and supports the continued stewardship role of the United States over the domain name system in order to ensure the security of the .gov and .mil domains and to protect the freedom of speech and expression internationally.'*, June 16, 2015, Senate Appropriations Committee ([exh. 5](#), p. 11)] or the Internet would **'fall under the control of countries that favor censorship'** [see also: *'these powers and actions have been controversial when, for example, antiterrorism concerns may be used to justify censorship or the suppression of free speech on the Internet.'* ([exh. 5](#), p. 11)]; the UN is **not** against **the freedom of speech** (which is a human right) and does **not** *'favor censorship'*, on the contrary, **the UN promotes the respect of human rights** including the freedom of speech. And if it is true that some UN member states have stricter laws that limits the freedom of speech, these member states do it for specific reasons linked to their special situation (different from the situation in the US or France.) and recent history. Moreover, they are **not** trying to impose their view (on this subject) on others, and **they do not vote the laws in other countries**, they just want to keep their right to decide what is best for their countries and their situation.

11. Also the UN is **not** under the control of a particular country or group of countries, some countries pay higher dues than others, and they like to remind it to everyone once in a while, but each member state has one vote at the UNGA like any other member states. Moreover, if some states have more

influence, the US, France, or even G7 countries are certainly **not** the member states with the less influence, on the contrary. I think that we can also say that the UN promotes **economic growth** everywhere around the world, including in the US, so the UN is **not** against the US businesses or the US business men, on the contrary, the UN likes very much US business men like Mr. Ted Turner who created the UN foundation and donated more than a billion dollars to finance UN projects, or Mr. Bill Gates who gave an important part of his fortune to help the World Health Organization vaccinate as many people as possible and save hundreds of million lives, or finally like Mr. Bloomberg who works as a special envoy for the UN and gives his time and expertise to help the UN achieve its objectives in the important area of climate change [and some US business men do not seem to have such a bad opinion of the UN either, otherwise they would not support its work].

[11.1 During the 5-24-16 Senate hearing, the representatives of the Internet community mentioned few times China, Russia and the UN, as if they were exactly the same type of entities, or as if China and Russia **controlled** the UN, or finally as if their objectives was to control the Internet **to eradicate free speech** on the Internet, all of which are not true; nothing in the proposals presented by UN **member states**, including China and Russia, attempted to put a limitation on free speech everywhere around the world. Also representatives of the Internet community, **or at least one of them**, mentioned that if the transition did not go through, it would hurt the US economy, slow down economic growth and in particular in the Internet sector, **but I believe that this is wrong**. If the UN created a new Internet IO, part of the UN system, it would also create economic growth everywhere around the world, including in the US, economic growth is essential to achieve the SDG and taking billion of people out of poverty and giving them access to the Internet will necessarily create growth in the US that, as you know it, sells a significant part of the Internet technologies, and has also large international corporations that are leaders in the online commerce industry. **For the Internet to continue to grow significantly and rapidly** as it has done during the past 24 years, **we must take billions of people out of poverty**; and to take billions of people out of poverty, **we must use the Internet more efficiently** than we have done it, and **only the UN can do both**; only the UN and its agencies are responsible for helping poor and less poor countries in their development efforts, not ICANN.]

12. As we just saw it, the arguments presented by both sides **are** not all accurate, and the objective of the transition is **not** to improve the functioning of the Internet or to use more efficiently the Internet to resolve our global problems, and the US Representatives and Senators were not given a chance to study some important arguments, but ICANN and the multistakeholder community are not the only ones responsible for this situation. The UN has also a part of responsibility in this situation; and **since (or if)** the US Congress and Government have **not** taken **yet** their decision *to relinquish their limited authority over ICANN*, and they still have the possibility to extend the deadline to launch this transition process to **September 30th, 1997**, then you should ask them to delay the decision until **9-30-17** and to give the UN the possibility to present a detailed proposal of what the UN can do with the Internet to better serve the interest **of the US, of the UN and all its member states, and of all the people around the world**. Before I describe you into more detail the many benefits of creating a new Internet IO, I would like to summarize the proposals 'you' (the UN member states) have made in this area of the Internet governance and to analyze briefly these proposals also.

4) *The arguments of the UN member states in favor of a greater control of the Internet by UN or by governments in general.*

13. Mr. Kruger summarizes also the proposals 'you' (UN member States) made. He writes ([exh. 5](#), p. 21-22): '*... in 2005, the ... WSIS considered four models of Internet governance, of which three would have involved an intergovernmental body to oversee the Internet and the domain name system. While the WSIS ultimately decided not to pursue an intergovernmental model in 2005, some nations have again advocated an intergovernmental approach for Internet governance. For example:*

- *India, Brazil, and South Africa (...) proposed that "an appropriate body is urgently required in the U.N. system to coordinate and evolve coherent and integrated global public policies pertaining to the Internet." The IBSA proposed body would "integrate and oversee the bodies responsible for technical and operational functioning of the Internet, including global standards setting."*

- *In ..., the government of India proposed (...) the establishment of a new institutional mechanism in the United Nations for global Internet-related policies, to be called the United Nations Committee for Internet-Related Policies (CIRP)...*

- *Another group of nations, including China and the Russian Federation, proposed a voluntary "International Code of Conduct for Information Security," for further discussion in the U.N. General Assembly...*

- *On January 13, 2015, the same group of nations released a revised International Code of Conduct for Information Security which states that all States must **play the same role in, and carry equal responsibility** for, international governance of the Internet, its security, continuity and stability of operation, and its development ... [See code of conduct, [exh. 6](#)].*

14. Although I agree with these UN member states that the UN should '*managed the Internet functions*', I regret that they did not describe **the great flaws** of the **multistakeholder model of Internet**

governance, that was surely appropriate at the beginning when the Internet just started, but that has become inappropriate and inefficient in **several critical** areas over the years. Also, although the Internet is an incredible tool that can help the UN and its member states in many areas, these UN member states proposals did not stress the many benefits that **the US, the UN and its member states** could gain if a new Internet IO, part of the UN system, was created; but, to me, **their point of view is still important**, and there seems to be a significant number of UN member states (89 states) that are in favor **(1)** of giving more control over the Internet to the UN and **(2)** of *creating an environment for the greater growth of the Internet*, as the comments of Mr. Kruger on the effort to modify the ITR show. Before I conclude this section, I would like to look at the position of the US on this effort to modify the ITR.

15. Mr. Kruger writes the following on this ITR revision subject. *'During the WCIT, a revision to the ITRs was proposed and supported by Russia, China, Saudi Arabia, Algeria, and Sudan that sought to explicitly extend ITR jurisdiction over Internet traffic, infrastructure, and governance. ... The proposal was subsequently withdrawn. However, as an intended compromise, the ITU adopted a nonbinding resolution (Resolution 3, attached to the final ITR text) entitled, "To Foster an enabling environment for the greater growth of the Internet." Resolution 3 included language stating "all governments should have an equal role and responsibility for international Internet governance" and invited Member States to "elaborate on their respective positions on international Internet-related technical, development and public policy issues within the mandate of ITU at various ITU forums."* Because of the inclusion of Resolution 3, ..., **the United States declined to sign the treaty**. The leader of the U.S. delegation stated the following: **The Internet has given the world unimaginable economic and social benefits during these past 24 years—all without UN regulation. We candidly cannot support an ITU treaty that is inconsistent with a multi-stakeholder model of Internet governance. Of the 144 eligible members of the ITU, 89 nations signed the treaty, while 55 either chose not to sign (such as the United States) or remain undecided'** ([exh. 5](#), p. 21-22).

16. The leader of the US delegation is using an argument that is **not** entirely true, I believe, when says *'The Internet has given the world unimaginable economic and social benefits during these past 24 years—all without UN regulation'*; it is true that the Internet gives *'unimaginable economic and social benefits'*, but we **cannot** say that these benefits have reached **the entire world** when **less than half of the world's population** has access to the Internet, billions of people remain poor and *'an estimated four billion people live outside the protection of the law and those that live at or below the poverty line face institutional, legal and administrative barriers ...'* [see background note of your 6th 2014 high-level event on the post-2015 development agenda]. **To conclude this section**, the arguments that were presented on this Internet governance issue were **not** strong and **not always** accurate arguments, and **certainly not** unquestionable arguments; moreover the flaws of the multistakeholder model and the benefits for everyone of creating a new Internet IO were **never** even discussed by the US Congress or the UNGA, so it is urgent to change this. And I will now try to describe into more detail why the **multistakeholder model** is not an appropriate model of governance for the Internet and why there are many benefits in creating a new Internet IO, part of the UN system.

B The many benefits of creating a new Internet International Organization, part of the UN system.

17. In my vision statement ([exh. 3](#)), I described you some of the flaws of the *multistakeholder model* of Internet Governance and some of the benefits associated with the creation of a new Internet IO, but I must come back into more detail on some of the arguments that I presented you.

1) The flaws of the multistakeholder model of Internet governance.

18. The first problem is the fact that **many different organizations** (private business, non-profit organizations) **(1)** are running **small part** of the Internet (like root name servers,) and **(2)** are doing sometimes identical tasks that are necessary for the Internet to run properly (like selling the domain names, collecting the fee for the domain name, or managing a registry). This is a **serious problem** for several reasons : **(1)** the management of the Internet is **not optimized**, many different organizations do **exactly the same** work that could be done more efficiently and **for less money** by just one organization; **(2)** the cost of running the Internet is not optimized, and **a lot of money and resources** that **could be used (a) to do other important things** (like increasing significantly the number of Internet users, fighting more efficiently cyber-criminality and the promotion of violent extremism) and **(b)** to improve the Internet functioning, **are wasted**; **(3)** it is difficult to know fairly precisely how much it cost to run the Internet, and impossible to compute a **fair annual fee** for the different types of site owners (...); **(4)** since most of the organizations [registry, registrar] that sell the domain names and collect the annual site fee **are private** or non-profit organizations, they cannot collect certain

information that would be useful for the community and they cannot verify the accuracy of the information they collect; and (5) finally it is impossible to put in place a fair and coherent global Internet fee system that is based on the use of the Internet resources and on the revenues and profits generated by this use.

19. Also, the *multistakeholder model* **prevents us** from having a **coherent and performant information system on the Internet** with all the benefits that the Internet, the countries, the businesses, and the people could gain. There are about **3,4 billion Internet users** and about a **billion websites** ($\frac{3}{4}$ of which are not active according to the statistics I read), and these numbers continue to increase, but we do not have a lot of information on the website owners (not to say that we have **almost no** information on the website owners, especially from the big corporations), and collecting several important information from the different website owners would allow us, **among others**, (1) to monitor the performance of **the Internet Industry**, (2) to promote and support economic growth in this industry, and (3) **to fight more efficiently** (a) the promotion of terrorism and violent extremism on the Internet and (b) cyber-criminality. The more we wait to create this performant Internet information system, and the more difficult it will be to create one in the future; and the more we lose **precious historical** data that we could be already collecting [for example, we could easily be collecting information to know precisely, who operates these more than **300 million active websites**, for what purpose, how much money is made with these sites, how many employees are working on them (if any), how many users visit them, how much Internet resources they are using, etc.].

20. ICANN and the Internet community surely understand what I am explaining you here, and necessarily know that because of the *multistakeholder model* of governance, the International Community and **the US** are wasting important amount of money and a chance (1) to improve the Internet functioning and (2) to use the Internet **more efficiently** to resolve our global problems (like poverty, inequalities, global warming, terrorism, ...). In its **8-12-16 IPS report** ([exh. 9](#)), ICANN writes on page 6: '*the continued secure and stable operation of the Internet DNS, under the multistakeholder model where no entity or country can exert control, is vital to ensuring that the Internet remains free and open, and continues to foster innovation*'; ICANN makes it look like everything that a government does is bad, and that governments (or the UN) would **not** be able to ensure '*that the Internet remains free and open, and continues to foster innovation*', but **without the US government** and its financial effort, we would probably not have the Internet, and **without engineers** like Berners-Lee **at CERN**, a public international organization **financed** by European countries, we would probably not have the world wide web (...), so governments and international organizations (in particular the UN) **can foster innovation**, can **hire talented engineers**, and **could make sure that the Internet continues to operate in a secure and stable manner, and remain free and open**, it is obviously in everyone's (the public's) interest. So, even if ICANN, the *Global Internet Multistakeholder Community*, and NTIA (...) have worked hard on the transition, **it is critical** to give a chance to the UN to present an alternative proposal that fixes the multistakeholder model flaws before any transition (if any).

[20.1 If the representatives of the Internet community could not and did **not identify what is broken in the actual system** in response to Senator Johnston question during **5-24-16** hearing, it is because **what is broken is the multistakeholder model**, as we have just seen it and you cannot fix that with another similar multistakeholder model not supervised by the US.]

2) *The new Internet International Organization's advantages.*

a) The possibility to manage the Internet more efficiently and to generate revenues much more important than what ICANN receives for everyone's benefits.

21. A new Internet IO - that would perform the *Internet related functions* of ICANN, IANA, IAB, IETF, ISOC, registries, registrars (...) - would not just (1) address all the flaws of the multistakeholder model and (2) manage the Internet more efficiently, it would also (3) give us a chance to use the Internet more efficiently to resolve some our important global problems **without losing** the best features of the multistakeholder model, like the possibility to consult (a) the private businesses from the Internet industry [Internet services providers,] and (b) the universities and research institutes (...) on certain technical issues [the IO, including the UN, organize already this kind of consultation (for example to prepare the SDG, experts from all around the world have been consulted and have rendered their recommendation,...)]. This new Internet IO could easily optimize the management of the Internet; for example it could have (1) **one team** in charge of selling all the domain names (from the different gTLD) and collecting the Internet fees for each type of site, instead of several **hundred** different teams to do this same work; and (2) a department handling all the root name servers, instead of having different operators like Verisign, USC (...). This new IO could also develop and maintain a computer application that

calculates the **appropriate** fee for each type of sites owners based on the use of the Internet resources and on **the revenues and profits** generated by this use; and organize the verification of the information it collects in cooperation with national administrations.

[21.1 The Internet is important for everyone (for the public, businesses, administrations, everywhere), so universities like USC, the University of Maryland, or businesses like Verisign, should not run part of the Internet; **it is not their role in society**; a public and international organization should assume this task (...). The work of ICANN (...) linked to the DNS, the protocols, the numbering, ..., and the architecture, is a very technical work that should be done in an **independent** and **professional** manner to maintain a high level of services for the users; but there are also some related issues or tasks like controlling the content of site **while respecting the human rights** including the principle of **free speech**, that are important also and that could be done **more efficiently** by the UN in cooperation with the UN member states; and the UN could find the **right balance** between the international control that would help everyone and the national control that is done at the national level for certain countries and certain situations, so that the system works more efficiently for everyone. **Finally, the UN is better equipped than ICANN to point out a problem when a member state's specific use of the Internet violates the human rights like the freedom of speech.**].

22. This new Internet IO **could** and would be **allowed** to generate revenues **much more important** than what ICANN receives, and, at the same time, it would have the resources that ICANN does not have to improve (1) the Internet functioning and (2) the services it renders to the users, including the large corporations that are websites owners. If Google [and other big corporations like the big banks], paid a \$50 000, or even \$200 000 **annual fee** for its google.com [google.fr (...)] domain names [or for domain like CreditAgricole.com], it would **not** hurt very much their **\$1 billion** or more **quarterly profits**, but it would allow this new Internet IO to generate annual revenues **well above \$1 billion**, and part of these revenues could be used to render special services for the people around the world, for the UN member states (including the US), and **for these big corporations** like (a) increasing **significantly** the number of Internet users and **potential customers for them**, and (b) fighting more efficiently cyber-criminality that is a grave problem for them, and for banks in particular. If we create this new Internet IO, we should also consider the creation of a joint department between this new Internet IO and Interpol to fight more efficiently cyber-criminality and the promotion of violent extremism and terrorism online.

[22.1 Recently, *Barclays* became the first bank **to support Interpol efforts in combatting cybercrime**; as the head of Interpol IGCI explains it '*the scale and complexity of today's cyber-threat landscape means cooperation across all sectors is vital*'. This new IO in cooperation with the UN and its member states, and Interpol, would also be more efficient in fighting the promotion of violent extremism online because of its expertise and of the additional resources it could generate. Mr. Kruger reserves a section of his document on **this subject of fighting terrorism online** (exh. 5, p. 27), and he explains (1) that ICANN does not, at this time, regulate the **Internet content**, so it cannot block sites that promote terrorism, and (2) that it is **unlikely** that the stakeholders allow it to do that, which is absurd. It is true that the definition of '*terrorist*' may vary in different countries, but I **don't** think that there is one UN member state that supports officially the **Islamic state** (terrorist group) or **Al-Qaeda** or even **Boko Haram**, and these terrorists groups are clearly identified by the UN and qualified as a threat to peace and security, so if we created a new Internet IO, it would be probably easy to obtain a **unanimous resolution** from the General Assembly forbidding the promotion of these terrorist groups online and asking this new Internet IO with possibly the help of Interpol and under the control of a special jurisdiction (a) to block any site that promotes the violent extremism of these groups, and (b) **to arrest those who put them online**. Again the UN is **not** against free speech, but this kind of speeches is clearly recognized as dangerous for the world.]

b) The possibility to develop and maintain new global Internet applications necessary to resolve specific global problems and the development of the alternative to market capitalism.

23. Finally, this new Internet IO could also be tasked to develop (or organize the development of) and to maintain - in cooperation with UN member states - global Internet **applications** that would be used by the UN and its member states (a) to resolve certain **specific global problems** [in the field of peace and security, development, human rights, international law (...), in fact in practically all the areas the UN and its specialized agencies are working in], and (b) to help many people around the world at the same time and also UN member states. As I mentioned it in my vision statement, this way of working **puts us in a WIN-WIN situation**; rich countries spend money to resolve **one of their problems** and at the same time they **decrease their ODA obligations**, and poor countries benefit from (1) the new advanced administrative, justice, economic ... systems and processes rich countries have developed (in cooperation with poor countries) and from (2) the related global computer applications to implement them **at no or at little cost** for them, which is critical to achieve the SDG. This is, of course, a technical and financial challenge that ICANN cannot achieve again for many reasons.

24. Examples of such applications are, of course, the global computer applications necessary to

implement a **common legal aid system** everywhere around the world (or at least in every UN member state that wants it) that I described you in my letter dated **1-18-15** ([exh. 17](#)) and mentioned again in my **4-11-16** letter ([exh. 1](#)). Also, if we want to develop the **alternative to market capitalism** [the second proposal of my platform], we need to have a very efficient international information system, and to develop this international information system (and the necessary Internet applications to create it), we need this new Internet IO [again the objective is to develop a new economic system that will remunerate everyone in relation with his/her **relative** contribution to society's progress and to help us decrease inequalities, defeat poverty, fight global warming, and achieve the SDG and the Paris Agreement objectives]. The new IO's last responsibility I will mention here would be to design a **coherent strategy** to increase the number of Internet users and to organize the transfer of information and telecommunication technologies to poor countries. For example, **fewer than 7%** of households in LDC (about 950 million persons) have access to the Internet, so of course increasing this number significantly and transferring the appropriate Internet technologies to LDC's administrations would play a critical role in their development [help improve the institution, including justice system, create economic growth ...] and in their graduation.

C The UNSG selection process so far and the pertinence of my UNSG application.

1) The result of the first two straw polls and the responsibility of the UNSG.

25. You already had 2 straw polls which put twice Mr. Gutierrez in first position, but he did not obtain a '*unanimous*' vote the second time. Moreover, the progress of Mr. Vuk Jeremic and of Mrs. Susanna Malcorra, and the fact that 5 candidates have as much, or more, support than they have '*discourage*' seems to show that you are not yet sure to have found the right candidate for the post or that you are cautious. The Internet Governance is a **critical** issue for the UN and for the people of the world, and obviously an issue that '*you*' (the UN member states) and the US Congress have discussed often during the **past 15 years** at least [US Congress had **40 hearings since 1997** on this subject according to Mr. Kruger, [exh. 5](#), p. 28], but **none** of the 12 candidates has discussed this important issue in detail or made proposals to try to resolve the disagreement between the member states on this issue, although the **disagreement** between the UN member states on this issue of the Internet governance is based mostly on inaccurate information and on the fact that some important arguments were not taken into consideration, and there are many benefits associated with the creation of the new Internet IO, including benefits for **the US, the US economy**, (...) and of course the UN.

26. During the last informal dialog (the one with Mrs. Figueres), the Ambassador of Japan, Mr. Koro Bessho, seemed a little bit annoyed by several candidates' response to the question on the reform of the UN Security Council, namely the response that '*the UNSC reform concerns the member states*'; and I think he is right, every time there is a disagreement between the member states on an **important** issue that **may** affect the maintenance of peace and security (as the reform of the UN Security Council, and, **to me, the Internet Governance**), the UNSG is necessarily concerned, and he/she must help the member states find a common ground (as he does when he uses his *good offices*). So, given the difficulty of achieving the SDG and Paris Agreement objectives, I don't think you can ignore this issue of the Internet Governance; and the candidates should not have ignored it as they did. The remarks I made here on this issue are **indirectly** and **involuntarily** critic against the UN Secretariat, the present UNSG, and his close high-level collaborators or former ones [of the CEB like Mr. Gutierrez, Mrs. Bokova, Mrs. Clark (and also Mrs. Malcorra who has worked closely with Mr. Ban Ki-moon)] because the UN Secretariat did not do enough to find a solution on this Internet issue that would be acceptable to all the member states and beneficial to everyone, but you have a chance to correct this error now.

[**26.1** And the remarks I made here are also **indirectly** critic **against France** because I did not just explain to Mr. Hollande, to the government and to the politicians in France that the legal aid system was unconstitutional and very dishonest for the poor, **I also talked to them about my proposals**, including my proposals related to the Internet Governance, and obviously, they did not just ignore them, but as I explained you already, they also let the justice cheat and harass me constantly **during the past five years** by forcing me to file pleading after pleading to denounce the most obvious lies and treacheries; preventing me by the same manner from defending my proposals properly. So if we are in the situation we are in now, meaning the US ready to give up the control it has over ICANN (**not to the UN**) after two years of preparation work, it is because the French government and politicians not only did nothing on my remarks, but also let the justice rob me and harass me (!). If France continues to refuse to nominate me for the UNSG post, you should not allow that I do not get a chance to defend my proposals **publicly** in the context of the UNSG selection process; and if you believe in what the UN is doing, and in particular the **human rights upfront initiative**, you should point out France's dishonest behavior on the legal aid issue **for more than 25 years**, and/or encourage Mr. Ban Ki-moon to point out France's dishonest behavior, it is important for the world and for France also. If the UN can admit its fault that led to the cholera epidemic in Haiti, France can also admit its grave fault due to its unconstitutional legal aid system and compensate the victims over 25 years also. And if it refuses the UN should inform the people.]

2) *The pertinence of my UNSG application.*

27. Obviously, there is still a (strong) **possibility** that the US Congress and Government decide to go on with the transition process that they have started in 2014 since Mr. Strickling has accepted – **on June 9** - the transition process proposed by ICANN (see the his letter to ICANN, [exh. 7](#)) and ICANN has fulfilled its obligation to return on **August 12** an implementation planning status report (see ICANN's letter, [exh. 8](#), and the IPS report, [exh. 9](#)), but the Internet Governance issue is a critical issue **for the US, for the UN and for the world**; and it has **not** been **properly** discussed **publicly** or as it should have been, as we saw it above, so I believe that it is still important and useful for everyone to give me a chance to discuss my proposals **publicly** during the UNSG selection process. And, of course, at the same time, you should suggest to the head of state of your country to ask the US Congress and Government to **immediately** extend the deadline of the transition to **9-30-17** to give the UN a chance to present *an alternative proposal* for the Internet governance. If the US Congress and Government accept, **the UN** and '*you*' (the member states) should start working on this proposal immediately, and I would be the best person to work on this project at the head of the UN, I believe.

28. According to my understanding of the UNSG selection process, you can still accept the nomination of a candidate at this late stage (if one country decides to nominate a new candidate); and it seems also that you have set another straw poll on **August 29**, so, of course, I continued to prepare myself for the eventuality of my late nomination, and if one UN member state accepted to nominate me, I could go to New York **on a short notice**, for example in early (or mid) September to meet **(1)** '*you*' during an informal dialog and **(2)** the UN Security Council members as the other candidates did; and I would have ready also a 21 pages document in which I have **(1)** listed more than 100 questions you asked during the previous informal dialogs, **(2)** identified more than 30 different UN issues that you covered with your questions, and **(3)** given you a fairly detailed point of view on each of these issues, so that, even if I do not cover one subject sufficiently in detail during the informal dialog, you can know my point of view or the solution I propose to resolve the problem that concerns you in particular. This document should also allow you to evaluate my application more rapidly after the informal dialog, to avoid any delay in the selection process, so that you can still take your decision before October if you decided to choose one of the nominated candidates or me.

D Conclusion.

29. According to Mr. Kruger's 2 recent research documents ([exh. 4](#), [exh. 5](#)), the US Congress and Government are about to take a very important decision on the subject of the Internet Governance without having studied all of the pertinent arguments on this subject; and it seems **(1)** that, during your successive debates on this subject, '*you*' also never had a chance to evaluate certain important arguments, and **(2)** that this may affect the quality of your decision to appoint the new UNSG. So I believe that '*you*' (the UN member states) and the US Senators, Representatives and Government should review your positions on the issue of the Internet Governance based on the information that I have given you here. Above **(1)** I have analyzed in detail the arguments that were presented to the US Congress and that you presented as well, I have **(2)** pointed out the obvious mistakes that were made in the different argumentations, **(3)** I have identified several important arguments that have been completely ignored or forgotten, and **(4)** I have also summarized the many benefits of creating a new Internet IO, so I hope that these information and arguments will be sufficient to encourage you to ask the US to delay its transition decision and to allow the UN to present an alternative proposal within the **next six months**.

30. Because of the urgency of the matter, I have also written concurrently to the US Senators and Representatives ([exh. 0](#)) to present to them the same explanations that I have given you here and to encourage them to delay for another year the transition process that has started **in 2014**, and that is now obviously in its final phase since NTIA has agreed **on 6-9-16** that ICANN's transition plan fulfilled the requirements imposed by NTIA ([exh. 7](#)), and ICANN has sent on **8-12-16** the implementation status report confirming that they are ready for the transition before the end of September 2016 ([exh. 8](#), [exh. 9](#)). This Internet Governance issue is critical for the UN, for its member states (**including the US**) and for everyone in the world for many reasons that I have described you above, including the fact that it will help the UN member states in their effort to maintain peace and security and to achieve to the SDG and the Paris Agreement

objectives within the time frame of **2030**. The creation of a new Internet IO would also **(1)** support the work of almost all the departments, programs, funds and agencies within the UN system, and **(2)** support (or fits perfectly in) several ongoing programs [Addis Ababa action plan, Vienna Program of action, Istanbul plan of action,...], so it is critical that you consider the issue of the Internet governance during the UNSG selection process.

31. I had already explained 'you' the importance of creating this new Internet IO **2005 (exh. 15) and 2006 (exh. 14)**, but sadly the arguments that I had presented and that are summarized above have been ignored in each and every one of the International forum or meeting 'you' (or your colleagues experts in this area) had to address this issue since 2005. So I believe that a **public** discussion on this subject **is long overdue**, and it is in the interest of the UN, of the World and of the US that you take the opportunity of the UNSG selection process to give me a chance to defend verbally my platform of proposals **which put a strong emphasis on using more efficiently the Internet**. Of course, I am still ready to go to New York to meet you to discuss these problems; and I will have ready a (21 pages) document in which I responded to many of your questions into more detail, to give you the possibility to evaluate my application rapidly after the Informal dialog. Since I sent you my vision statement in April, at about the same time as the other candidates gave you their vision statements, you already had quite some time to think **about the implications** of my various proposals and to evaluate their many benefits, which should make the study my point of view much easier.

32. As you know it is difficult for me to send a copy of my letter to every one of the UN member states representatives, so I would be grateful to those of 'you' who will receive this letter by email or mail, if they could make sure that **this new letter is received** by all the other representatives of member states, and also by Mr. Lykketoft and Mr. Ban Ki-moon. I also would be grateful to you if you could forward this letter to the heads of state or of government of your countries urgently, so that they can eventually encourage the US Congress and Government to delay its Internet Governance transition process and also ask them if, – at the light of the additional information presented here -, they would accept to nominate me to make sure that I can defend my proposals verbally in front of you and in particular that this Internet Governance issue and the proposal to create a new Internet IO is urgently discussed **publicly**. I look forward to hearing from you and remain

Yours sincerely,

Pierre Geneviev

PS. The PDF version of this letter is at <http://www.pierregenevier.eu/npdf2/UN-cand-UNSG-3-23-8-16.pdf>. Please let me know if you cannot access certain documents (with the Internet links), I will send you a pdf copy of the document.

Exhibits.

- Exh. 1: Letter sent to the US Senators and representatives dated 8-23-16, [<http://www.pierregenevier.eu/npdf2/let-us-congress-23-8-16.pdf>]
- Exh. 1: Letter sent to M. Lykketoft and the UNGA dated 11-4-16, [<http://www.pierregenevier.eu/npdf2/UN-cand-UNSG-11-4-16.pdf>]
- Exh. 2: Letter sent to M. Lykketoft and the UNGA dated , 7-5-16, [<http://www.pierregenevier.eu/npdf2/UN-cand-UNSG-2-5-7-16.pdf>].
- Exh. 3: Vision statement, [<http://www.pierregenevier.eu/npdf2/vision-8-4-16.pdf>]
- Exh. 4: Mr. Kruger's Internet research report dated 6-10-16, [<http://www.pierregenevier.eu/npdf2/uscong-internet-gov-res-10-6-16.pdf>].
- Exh. 5: Mr. Kruger's Internet research report dated 3-23-16., [<http://www.pierregenevier.eu/npdf2/uscong-internet-gov-res-23-3-16.pdf>].
- Exh. 6: China, Russia (...) Internet Code of conduct, 1-13-15, [<http://www.pierregenevier.eu/npdf2/China-Russia-int-cod-conduc-1-13-15.pdf>].
- Exh. 7: Letter dated 6-9-16 from Mr. Strickling to ICANN, [<http://www.pierregenevier.eu/npdf2/NTIA-to-ICANN-6-9-16.pdf>].
- Exh. 8: Letter dated 8-12-16 from ICANN to Mr. Strickling, [<http://www.pierregenevier.eu/npdf2/ICANN-to-NTIA-8-12-16.pdf>].
- Exh. 9: ICANN's implementation status report dated 8-12-16, [<http://www.pierregenevier.eu/npdf2/iana-imple-plan-status-12-8-16.pdf>].
- Exh. 10: Letter to the deputies, senators and journalists, 5-17-16, [<http://www.pierregenevier.eu/npdf2/let-polit-press-media-17-5-16.pdf>].
- Exh. 11: Letter to M. Hollande dated 3-17-16, [<http://www.pierregenevier.eu/npdf2/let-Hollande-cand-UN-17-3-16.pdf>].
- Exh. 12: Brief biography, [<http://www.pierregenevier.eu/npdf2/bio-SG-can-17-3-16.pdf>].
- Exh. 13: 2nd UNSG application dated 1-12-11; [<http://www.pierregenevier.eu/npdf2/letungaBP-Pre1-12-11-4.pdf>].
- Exh. 14: 1st UNSG application dated 6-14-06, [<http://www.pierregenevier.eu/npdf/ungeneralassemb.pdf>].
- Exh. 15: Letter to the UNGA dated 11-29-05; [<http://www.pierregenevier.eu/npdf/uscongress10-20.pdf>].
- Exh. 16: Letter to US Representative Becerra dated 5-23-16; [<http://www.pierregenevier.eu/npdf2/let-Becerra-25-4-16.pdf>]
- Exh. 17: Letter to the UNGA dated 1-18-15; [<http://www.pierregenevier.eu/npdf2/letunga-7-1-18-15.pdf>].