



GIPI Progress Report: 4th Quarter 2001 February 5, 2002

Overview

GIPI promotes the adoption of legal and regulatory frameworks that will support the growth of an open, affordable and user-controlled Internet – an Internet that can drive economic growth and advance human development in countries struggling to overcome the digital divide. By the end of its first full year, GIPI was operating in 13 countries.

GIPI's local policy coordinators were working with all sectors to convene dialogue and build informed consensus among stakeholders, commenting on draft legislation, providing objective expertise on policy issues, and promoting among policymakers a better understanding of the legal environment needed for the Internet to develop.

Country Activity Highlights

Here is a small sample of what GIPI accomplished in the closing months of 2001.

- In **Armenia**, GIPI was a key participant in the national ICT Council and was looked to regularly by government ministries, business groups and international organizations for policy analysis.
- In **Azerbaijan**, GIPI chaired a working group that drafted a total of 10 laws affecting Internet policy. The legislative package was approved by key Ministries and is awaiting approval of the Cabinet.
- In **Belarus**, GIPI was asked by local ISPs to help them create a Belarus ISP Association. GIPI also is playing a major role in organizing the country's first international e-commerce conference.
- In **Brazil**, where activities have not formally begun, GIPI is developing a partnership with a highly-respected local NGO, with the intent of starting full operations in 2002.
- In **Georgia**, GIPI was working with a coalition to secure better management of the .ge domain, and was developing a charter for the Georgia Providers Association.
- In **India**, a country coordinator was hired at the end of December and immediately prepared comments for the regulatory authority urging the lifting of licensing restraints on VoIP.
- In **Indonesia**, the GIPI coordinator worked with local government officials and citizen groups to formulate policies on information and communication issues.

- In **Kazakhstan**, GIPI prepared and submitted to the government a comprehensive background paper on Internet legislation, entitled "The Regulatory Environment in Kazakhstan in the Field of Information and Internet Development."
- In the **Kyrgyz Republic**, GIPI has been coordinating a series of meetings with government agencies and private sector groups to devise a workable plan to end the telephone monopoly and introduce competition.
- In **Nigeria**, GIPI had a major impact on the draft IT Bill and two draft telecom bills. The former, with changes recommended by GIPI, has been approved by the Ministries of Science and Technology and Justice and will soon be transmitted to the National Assembly.
- In **Russia**, GIPI has been providing expert policy analysis to "Electronic Russia," a caucus of influential Duma deputies who are interested in working together on ICT development laws.
- In **Tajikistan**, where operations have just begun, a coordinator and a lawyer were hired in September. Their early activities are focusing on establish a policy network among the country's ISPs and other businesses.
- GIPI's activities in **Ukraine** included analysis and commentary on the draft law "On e-document and document processing." GIPI's legal analysis played a key role in preventing adoption of a Ukrainian Security Service proposal to require registration of all Internet users.
- In **Uzbekistan**, GIPI was a central participant in a government working group drafting a national ICT development strategy, and later was asked to participate in the follow-on legal working group on ICT policy.

GIPI's Role in Policy Development

GIPI works through open, consultative processes based on objective legal analysis, drawing on international models and best practices. GIPI expertise manifests itself through:

- Expert assistance on proposed amendments to the law "On information" in **Azerbaijan**, and analysis of a draft law "On informatisation and information resources" in **Kazakhstan**.
- A web site on Internet policy development in **Uzbekistan** – www.gipi.uz.

- A listserv for service providers, other businesses, NGOs, media and state agencies in **Georgia**.
- “**Best Practices**” papers on policy issues ranging from licensing of ISPs to taxation of E-commerce.

CDT staff provide legal analysis and support to the GIPI country coordinators. CDT has prepared detailed comments on a proposed electronic signature law in **Russia**, an e-commerce bill in **Armenia**, and an IT bill in **Nigeria**. CDT also produced a variety of studies, e.g. a memo on the pricing of Internet access, highlighting the advantages of flat rate pricing of telecomm services. These studies are all available on GIPI's new web site, www.internetpolicy.net.

CDT has established a **brain trust** of lawyers with expertise in Internet policy issues who are making themselves available for periodic assistance on a *pro bono* basis. Members of the brain trust analyze draft laws and prepare policy briefings more generally applicable across multiple countries.

GIPI Partnerships

In late summer, GIPI signed a **global Memorandum of Understanding with the United Nations Development Programme (UNDP)** covering cooperation on policy and regulatory reform, design and implementation of ICT strategies, capacity development, entrepreneurship support and awareness building.

In September 2001, **USAID awarded a multi-year grant** to the Internews Consortium for the dot-GOV program. The consortium consists of Internews, CDT, as well as other partners and expert consultants. USAID plans to use dot-GOV to provide millions of dollars for Internet policy reform in developing countries over the coming five years, as part of a broader assistance program, dot-COM, that also support access and education.

The award for dot-GOV was made on the basis of a proposal that was built upon the GIPI approach and principles. While dot-GOV activities will be administratively separate from GIPI, the project will be closely coordinated to maximize the effectiveness of GIPI.

GIPI is a partner organization in the **Digital Opportunity Initiative** led by the Markle Foundation and the UNDP. GIPI anticipates joint work with these organizations to be formulated early in 2002.

Funding

Fund-raising efforts have yielded the following support for GIPI's work:

- There is a strong potential for **European Union funding** for one or more GIPI projects in Asia.
- GIPI has obtained additional **support for its work in Eastern Europe** through a USAID subcontract covering GIPI projects in two countries (tentatively identified as

Bosnia and Bulgaria), as well as major expansions in the GIPI web site.

- The AOL Time-Warner Foundation has renewed its generous financial commitment and the Microsoft Corporation has increased its funding. The Open Society Institute (OSI) has pledged funds to continue support of programs in central Asia as well as to initiate several new programs in the Balkans. We are grateful to these organizations for their support for our activities.
- We are also very grateful to our current supporters, including the Markle Foundation, the Knight Foundation, the US State Department, Verisign, General Electric, OSI Kyrgyzstan, OSI Azerbaijan, the Armenia Chapter of the Internet Society, the Swedish International Development Agency, USAID and the World Bank.

Proposed Expansions in GIPI Operations

GIPI staff have targeted the following additional countries as possible locations for GIPI projects as funding becomes available: **Bangladesh, Bosnia, Bulgaria, Jordan, Mozambique, Pakistan, Philippines, Romania, Senegal, Serbia, Tanzania, and Vietnam**.

GIPI country **assessments** countries serve as a starting point for identifying suitable new projects.

- GIPI staff undertook an assessment mission to **Argentina, Brazil and Chile**. Each of these has made progress in telecomm liberalization, creating the competition that is also conducive to Internet growth. In each country, however, there are on-going issues of concern, and local stakeholders expressed interest in having access to the international expertise that the GIPI project offers. The assessments led to a decision to begin a GIPI project in **Brazil**, leaving open for the future the possibility of GIPI work in either Argentina or Chile.
- GIPI intends to undertake assessments shortly in both **Mexico and Korea**.
- The dot-GOV project has sent GIPI staff on several trips to **Africa**, where GIPI is planning additional assessment activities.

A major area for consideration in 2002 is GIPI's role in Europe, particularly vis-a-vis the **European Union**. There is substantial potential both for trans-Atlantic dialogue and for collaboration in the developing world. GIPI has been exploring the creation of a European unit, which could be crucial in attracting European funding.

In November, senior GIPI staff spoke at a meeting of the **European Internet Foundation (EIF)** in Brussels. Members of the European Parliament who chair EIF expressed support for GIPI goals and a desire for future collaboration.

COUNTRY REPORTS

Armenia

Country Coordinator: David Sandukhchyan

Overview

GIPI Armenia has been involved in a number of ICT issues, making significant contributions to the development of policy regarding regulation of telecommunication carriers, e-commerce legislation, proposals for mandatory email retention, and cyber crime.

Activity Highlights

- GIPI is a key participant in the national ICT Council, and has established its credibility with the Ministry of Industry and Trade. Consequently, GIPI is often asked to review and comment on draft legal documents, and GIPI has recently been asked to lead the Council's legislative working group. Currently, the Trade Ministry is considering a proposal to dramatically reduce profit taxes for ICT enterprises.
- In November, GIPI presented to the Council a concept paper on telecom regulatory reform, including establishment of an independent regulatory body.
- At the end of 2001, GIPI assisted the Industry and Trade Ministry in detailing the contradictions between existing Armenian legislation and a draft decree requiring ISPs to retain subscriber emails. As a result of this intervention, coupled with the criticism of civil rights NGOs, the decree was abandoned. The government went forward, however, in trying to impose the data retention obligation by other means, a move that GIPI and others are challenging judicially.
- GIPI worked to create an ISP association. So far, about half Armenia's ISP have agreed to join; those in favor include the provider of voice over IP services. Further progress is expected in early 2002.
- The GIPI AM coordinator was one of three Armenian delegates to the Council of Europe conference on cyber crime in Budapest. At the end of the conference, 30 states, including Armenia, signed the COE Convention on Cyber Crime, requiring harmonization of criminal and procedural legislation regarding computer data and Internet traffic. GIPI AM will be working to ensure that Armenia's ratification of the treaty incorporates international human rights standards.
- GIPI provided the Justice Ministry with draft e-document law based on the principles of technology neutrality, voluntary accreditation of certification centers, and elimination of restrictions on e-commerce, such as licensing of e-commerce companies and obligatory use of certified digital signatures.

Linkages: People and Organizations

GIPI Armenia forged a number of linkages with key people and groups:

- GIPI provided materials on e-commerce and telecom regulation to the Standing Parliamentary Committee on Science, Education and Culture.
- The Deputy Minister of Industry and Trade has proposed that GIPI become a permanent member of the ICT Council, whose meetings are chaired by the Prime Minister.
- GIPI has developed a relationship of trust with officials at the monopoly carrier ArmenTel, thus placing GIPI in the dialogue about policy issues regarding the future of telecomm regulation in Armenia
- GIPI is working with the American Chamber of Commerce on the development of e-government.
- GIPI has signed a Cooperative Agreement with ISOC Armenia under which ISOC funds the salary of a lawyer to help GIPI on e-commerce legal issues. GIPI and ISOC are also jointly developing "Guidelines on Electronic Commerce" for distribution to Armenian entrepreneurs. Both groups also worked together on issues related to the legal context for charging fees for domain name registration.
- GIPI Armenia is a regular participant in the deliberations of the UNDP ICT Consultancy Group; recent interest has focused on the possibility of a joint venture between the Armenian telecom and the major ISP, Arminco.

Azerbaijan

Country Coordinator: Yashar Hadjiev

Overview

GIPI AZ has made significant progress in policy development and coalition building, and is widening its network of partners and supporters. As co-chair of the Cabinet of Ministers working group on ICT, the GIPI Country Coordinator has a central role in the national dialogue concerning development of ICT policy.

Activity Highlights

- The GIPI Country Coordinator co-chairs the Cabinet of Ministers working group for the preparation of ICT legislation. The working group has completed drafts of:
 - β Law on electronic digital signature.

- β Rules for licensing enterprises that develop state information resources.
- β Rules for licensing encryption devices and systems.
- β Rules for introducing a state information resource registry.
- β Rules for establishing information resources as national resources to be protected as state property.
- β A conceptual plan for developing IT development priorities.
- At the request of the Communications Ministry, GIPI is coordinating a project to analyze international IT regulatory models with a view to recommending legal initiatives for Azerbaijan.
- The Communications Ministry invited GIPI to help develop a ministry consultative council on ICT, to include representatives from business and international and national NGOs, for the purpose of developing more balanced ICT legislation. GIPI and the head of the Ministry's legal department worked together to develop a charter for the council.
- GIPI participated in court proceedings advocating repeal of an additional phone charge for dial-up Internet access.
- GIPI has been working with the Economic Development Ministry to review:
 - β The Ministry's control of telecom tariffs.
 - β The Ministry strategy for telecom privatization, and privatization of elements of the Ministry itself.
 - β Making the Economic Development Ministry the state partner in future joint ventures in ICT, in place of the Communications Ministry.
- GIPI has discussed with the Deputy National Security Minister the creation of a plan for a government information network and a draft e-government law.
- GIPI has been meeting with local ISPs to discuss the creation of an Azerbaijan Internet Association
- GIPI met with a member of Parliament and the vice rector of the Technical University to discuss forming a deputies' group to advocate for ICT issues in Parliament.
- At the meeting of the Internet Corporation for Assigned Names and Numbers (ICANN) in California, GIPI AZ gave a presentation on Azerbaijan during the roundtable of the non-commercial domain name holders constituency.

Linkages: People and Organizations

- At the ICANN meeting, the GIPI AZ Coordinator met with key ICANN senior staff to discuss problems facing the Internet in Azerbaijan.

- GIPI is working with a number of institutions, including the International Center for Not-for-Profit Law (ICNL) and the OSCE's Media and Politics program, to develop joint ICT projects.
- With the Chair of the State University Examination Commission, GIPI is discussing coordination on the development of policy concerning education and ICT.
- In November, GIPI signed an MOU with the UN Resident Representative in Baku, covering collaborative activities for UNDP/GIPI in ICT development.
- There was on-going dialogue with OSI-Azerbaijan on the proposal for funding a GIPI AZ lawyer.
- GIPI is working with USAID and UNDP to prepare for the creation of a national ICT Management Institute.
- With the Eurasia Foundation's Synergy Project, GIPI is discussing a Caucasus regional project to train and network Internet policymakers.

Belarus

Country Coordinator: Vadim Dryganov

Overview

The GIPI program in Belarus was initiated informally by the webmaster for Internews Russia, based in Minsk, who developed contacts with a number of key players in the Belarus ICT scene, and began work with local ISPs on the creation of an ISP Association in mid year. The GIPI Country Coordinator was hired in late 2001, and at the end of 2001 the project was just beginning in earnest.

Activity Highlights

- A memorandum of understanding was concluded between GIPI, UNDP Minsk, and the government to provide a framework for cooperation and to facilitate collaboration in areas of mutual interest regarding "ICT for Development" activities in Belarus.
- The GIPI Coordinator is starting to help to organize an international e-commerce conference, scheduled for 2002.

Linkages: People and Organizations

Once in place, the GIPI Coordinator started a series of meetings with stakeholders, including the Belarus Internet Forum, the National Price and Marketing Center, and the Academy of Sciences.

Georgia

Country Coordinator: Nino Kuntseva-Gabashvili

Overview

The GIPI office in Georgia has made progress in developing support for reform initiatives among key stakeholders and policymaking bodies. GIPI has been working in a balanced and objective fashion primarily with three important groups: the State Information Department, the Parliamentary Committee on Sectoral Economy and the National Global Development Gateway Project. Recently, GIPI GE has been meeting with other government agencies to establish a more ubiquitous presence.

Activity Highlights

- GIPI helped organize a briefing for Parliament on Internet reform. Forty organizations, including the UNDP and Soros Foundation attended the session, which was chaired by the head of the Economic Policy Committee. GIPI presented the following initiatives:
 - β End of the license regime for ISPs;
 - β Introduction of Internet and related terms to Georgian legislation (e.g. civil code, criminal code and tax code);
 - β Development of government web sites with requirements for regular updating.
- Participants agreed to adopt the GIPI proposals and to create a special web site to support the initiative – this was Parliament’s first decision ever to put information online.
- Following the above meeting, GIPI helped prepare two draft laws, “On normative acts” and “On the structure of government agencies.” These are now being reviewed with other NGOs.
- The chair of the Economic Policy Committee asked for GIPI’s expert assistance in preparing draft laws on e-trade, e-signature and e-document.
- Contacts with IRIS and Georgia Young Lawyers Association (GYLA) have led to joint work on a draft law to harmonize Georgian criminal law and the European convention on cyber crime.
- GIPI provided expert assistance in the preparation of draft legislation on the topics of cyber pornography and the production and dissemination of computer viruses.
- GIPI has developed a charter for the International Association of Information Lawyers.
- As a result of discussions the GIPI Coordinator had at the November ICANN meeting on the delegation of the functions of the .ge domain name, GIPI is working with the Internet Development Group to help them submit the documentation necessary to legalize the delegation that was granted to them some two years ago. This

work will help set positive conditions for competition among Georgia’s service providers.

- With contacts in the ITU International Training Centers Initiative and the Georgian Technical University, GIPI Georgia is encouraging the establishment of a CIS ICT Training Center.
- A memo prepared by the GIPI GE Coordinator on the role of ICT in democratization and development of a modern economy received wide circulation in the local media and among NGOs and foreign missions.
- GIPI has prepared expert analyses on a variety of draft laws including those on local government, executive authorities, communications, and post and license laws.

Linkages: People and Organizations

- GIPI has contacted IRIS who are working with the (GYLA) to make changes to the country’s criminal code.
- To facilitate the passage of its draft legislation through government channels and Parliament, GIPI Ge is making linkages with allies in various places, so that they, rather than GIPI, can present the draft laws and work to overcome anticipated opposition. GIPI anticipates working with key individuals, such as the President’s Parliamentary Secretary, in this regard.
- In November, GIPI met with personnel at the U.S. Embassy’s Public Affairs Section, who are willing to support initiatives that facilitate government dissemination of information, by means such as the creation of e-government sites that provide public access to laws and regulations.

India

Country Coordinator: Rishi Chawla

Overview

The GIPI project in India started just at the end of 2001 and is still defining its priorities. This progress report therefore contains only a few highlights of what will be the main targets of activity in early 2002. Early indications are that considerable work will involve public education and coalition building as well as working with regulatory bodies to free up Internet regulation.

Planning Highlights

- GIPI IN will endeavor to formalize a partnership with a local NGO; organize the functioning of the GIPI India office; identify key stakeholders and introduce GIPI to them at various forums and through series of meetings, seminars and conferences; assess the Indian ICT policy and regulatory framework and needed reforms.

- Internet telephony is currently illegal in India and banned by the government. GIPI India will work closely with ISPAI (the Internet Service Providers Association of India) and other concerned organizations and individuals to organize public opinion in support of allowing Internet telephony without restrictions. GIPI India will participate in the consultation process of the Telecom Regulatory Authority of India (TRAI).
- As in other countries, the most common way that people access the Internet in India is via the telephone system. The tariff for local calls is incremental, i.e. clients pay for three minute segments, making Internet access very expensive. GIPI will be exploring options for a flat rate or reduced rate for Internet access calls, pointing to the experience of other countries.
- GIPI will be working towards developing consensus on a fair revenue sharing formula between Basic Service Operators (BSOs) and ISPs. Increased use of the Internet has resulted in additional revenues to the BSOs through provision of leased lines and through Internet access calls. ISPs feel that the regulator needs to examine these benefits and come up with a revenue sharing formula. GIPI India will provide expert analysis on this issue in various venues, including the TRAI, and in dialogue with the BSOs about the benefits they could receive through equitable revenue sharing.
- A low rate of computer ownership is one of the main barriers to the growth of the Internet in India. In this context, cyber cafes offer a cost-effective and accessible mode of Internet access. GIPI will be helping to establish an association of cyber café operators, and helping them to overcome legal barriers to establishment of new cafes, especially in remote areas.
- GIPI will be examining why Broadband (Cable/DSL) Internet is not popular in India as yet. The Coordinator plans to work with the local cable operators and their association, and compare their experience with that in other countries with respect to the technical, commercial and regulatory context. Following these interviews, GIPI will devise recommendations in collaboration with suitable partners.

Indonesia

Country Coordinator: Mas Wigrantoro Setiyadi

Overview

The Indonesia office of GIPI has been building a network among stakeholders and has been engaged in a process of public education on Internet policy issues through an extensive series of presentations at meetings, seminars and conferences. As a result, this one-person

office is starting to make a reputation for itself in this large and populous country.

Activity Highlights

- GIPI participated in drafting policy for government content integration as part of the Indonesia Country Gateway project of the World Bank
- GIPI has participated in a series of meetings to discuss the creation of an Indonesian regulatory body and a national ICT council.
- On a visit to Makassar, GIPI worked with local government agencies and entrepreneurs to review local regulations on information and communications, and discussed the use of the Internet for education with various community groups.
- GIPI collaborated with participants from many parts of Indonesia at a Wireless Users Community workshop (see below) to lay the foundation for establishing a self-regulatory body among WIPs.
- GIPI collaborated with the Indonesia Internet Business Community (IIBC) to put on a seminar on e-government; participants included government and business representatives, including the State Minister for Communications and Information.
- GIPI served as moderator for a conference on “The Internet and Small Business Development in Indonesia” organized by the Asia Foundation, USAID and CastleAsia.
- GIPI's ID Coordinator has made numerous presentations on Internet policy issues at a number of seminars and conferences and through interviews and articles in TV, radio and print outlets, including:
 - β Telecoms investment and tariff policy – seminar organized by Indonesia Telecommunications Watch
 - β Institutional policy for CTC development – video conference organized by USAID and World Bank
 - β IT Challenges – national seminar organized by University in Yogyakarta
 - β Indonesia ICT Policies – an internet seminar organized by Yayasan Sekolah 2000
 - β Internet and ICT Policy – seminar bringing together dot-com companies, application service providers, ISPs and press media.
 - β Restructuring and Privatizing Telecoms – panelist in industry discussion.
 - β Wireless Users – workshop in East Java organized by an association of wireless ISPs
 - β Success in the implementation of E-Government – a seminar for senior government officials
- GIPI produced a series of articles that were published in local media, including Warta Ekonomi, Forum and Teleset magazines.

Linkages: People and Organizations

The GIPI Coordinator has been building relationships with key government officials, academics, and groups involved in Internet policy, including

- β The State Minister for Communications and Information, and other new Ministry officers
 - β The Indonesian ICT Society (Mastel)
 - β The University of Panjadjaran
 - β The head of the National Information Agency
 - β The Director General of Post and Telecommunications.
 - β Indonesia Internet Business Community (C2BC).
- In December, GIPI met with USAID in Jakarta to discuss possible future dot-GOV projects.
 - As a result of contacts with Commission IV (Telecommunications and Transportation) at the DPR RI, GIPI was asked to hold a workshop on ICT for Commission members.

Kazakhstan

Country Coordinator: Irina Kubasova

Overview

In October 2001, GIPI was invited to join the National Council on Information formed by the Ministry of Transport and Communications. As one of only two foreign-supported NGOs on the Council (the other is the IT Forum, created by the World Bank's Gateway Project), GIPI KZ now enjoys a status equal to ISPs and other Internet stakeholders. This new status affords GIPI access to key government officials and a forum for advocating policy reform.

Activity Highlights

- As a result of GIPI's work on per-minute tariffs, Kazakh Telecom has developed a special rate for Internet users, now under review by the Anti-Monopoly Committee.
- At a national conference on intellectual property, GIPI's Coordinator presented a paper covering the issues of domain registration, network publications, copyright protection and protection of information resources. The conference was attended by personnel from the Ministries of Communications, Justice and Economy.
- GIPI helped prepare a globalization roundtable at the Presidential Strategic Research Institute on how Kazakhstan could best join the global information society.
- Kazakh Telecom continues its legal action against GIPI for publication of a critical article in Komsomolskyaya

Pravda; the district court has ruled for GIPI, but Kazakh Telecom has appealed the court's dismissal of Kazakh Telecom's case.

- GIPI drafted and submitted the following:
 - β An outline for a law "On e-trade" to the Communication Ministry's Information Committee
 - β A chapter on e-commerce to be included in the draft law "On trade." GIPI worked with the Ministry of Economy to respond to concerns expressed by the Ministry of Justice.
 - β A second draft of the law "On informatization and information resources." GIPI's Coordinator circulated this second draft widely and incorporated comments in a version now sent to the Informatization Committee.
 - β An analysis of Kazakhstan IT-related legislation and a list of key IT and Internet regulations. This, too, involved working with the Informatization Committee.
 - β A revised and nearly completely re-written draft law "On electronic document and electronic digital signature". The GIPI KZ staff drew on comments from GIPI US. Government review is expected in May-June 2002. Changes include: (a) simplified procedures for receiving a signature, (b) elimination of unnecessary regulation of e-document circulation, and (c) equal status between paper and electronic signatures, thus significantly promoting e-commerce.
- GIPI reviewed and commented on:
 - β Draft rules that would make it more difficult for ISPs to install radio modems and other wireless equipment
 - β A presentation by the Kazak Ambassador to the US on intellectual property protection in the Kazakhstan Internet; the opportunity to answer the Ambassador's questions allowed GIPI to point out that the nation's ratification of a number of international treaties required Kazakhstan to undertake further legal reforms related to this topic.
 - β Current intellectual property law to the Intellectual Property Rights Committee of the Ministry of Justice; GIPI is deeply involved in coordinating views and incorporating them into revised legislation.

Linkages: People and Organizations

- GIPI's KZ Coordinator has met with officials of the Ministries of Transport and Communications, Economy and Trade, the Committee on Communications and Informatization, and the Directorate of Development and Management of Information Projects, as well as Parliamentary committee chairs, deputies, senators, and staffers.

- GIPI has extended its network of contacts in the private sector and with NGOs.
- GIPI participated in working meetings of KazRENA, a research and education network created to implement NATO's Silk scientific and academic network project in Kazakhstan.
- The chair of the government's Intellectual Property Rights Commission asked for GIPI's assistance in drafting a law "on legal protection of databases and software programs."
- The GIPI Coordinator met with the Academy for Educational Development (AED) about preparing a proposal for a regional IT law seminar series for government officials.
- With the Deputy Chief of the Legal Department of the Prime Minister's Secretariat, GIPI agreed to provide technical assistance on IT law.
- With the Chief of Management in the Ministry of Justice, GIPI agreed to help analyze IT-related regulations sent to Justice by other ministries.
- GIPI is working with National Information Technologies, a commercial organization with close connections to the government, in preparing for a special Communications Ministry session on investment.
- GIPI is developing good relations with the chair of the Communications and Informatization Committee, the main decision-making body on IT issues in the country. The Committee sees GIPI as an expert on IT law reform and frequently consults the Coordinator on legal issues.

Kyrgyz Republic

Country Coordinator: Shamaral Maichiev

Overview

In support of its work to help the Anti-Monopoly Committee to end the monopoly of KyrgyzTelecom, GIPI KG has been working with GIPI Armenia, where an unsuccessful telecom privatization has left Armentel an exclusive license to provide international phone and data connections. The two GIPI offices are working together to develop legal arguments for ending the Kyrgyz company's monopoly. GIPI continues to work with the Kyrgyz government and the UNDP on the development of the national ICT strategy. The President has been involved personally in recent discussions on the strategy.

Activity Highlights

- GIPI is a key coordinator of roundtable discussions to revise the national ICT strategy document to take into account comments by stakeholders, including the

Ministry of Transport and Communications. As currently drafted, the document reflects open Internet principles as advocated by GIPI.

- GIPI is updating the www.ict.kg web site to keep the public informed of developments.
- GIPI has been collaborating with the Anti-Monopoly Committee and the Telecom Operators' Association to organize a series of meetings to devise a workable plan for ending KyrgyzTelecom's monopoly.
- The GIPI Coordinator participated in a Ministry of Communications working group on technology investment. GIPI and UNDP were tasked with developing a strategy, concept and calendar plan for attracting technology investment to Kyrgyzstan. Meetings in November included donors and private investors; more meetings are planned for the coming months.
- GIPI is deeply involved in preparing a draft law "on electronic digital signature." The draft is now fully compliant with the relevant European Union Directive and includes (a) a clear definition of digital signatures and their legal status and (b) the concept of voluntary (as opposed to mandatory) certification of digital signatures.
- GIPI met with Kyrgyz parliamentarians to discuss laws that might stimulate the telecoms sector. Additional meetings are planned for the coming months. Discussion topics included:
 - β Privatizing KyrgyzTelecom, and limiting its monopoly;
 - β Simplifying ISP licensing;
 - β Changing the laws "On licensing" and "On electrical and postal communications".
- GIPI is working on two draft laws: "On electronic signature" and "On information resources".
- GIPI is preparing the first of what will be a series of quarterly analyses of Internet development in Kyrgyzstan.
- In collaboration with IREX and UNDP, GIPI is organizing ICT training for personnel in relevant ministries and departments

Linkages: People and Organizations

- GIPI is meeting regularly with OSCE, ABA, Soros Kyrgyzstan and others to explore ways of increasing access to information in the country.
- GIPI participated in a workshop on "High Speed Satellite Internet Access" organized by the Helios Net company.
- GIPI conducted a training workshop for GIPI coordinators and other public interest representatives from across the NIS on Internet policy issues.

Nigeria

Country Coordinator: Maxwell Kadiri

Overview

GIPI Nigeria has been building a coalition of key individuals and groups. A focal point for discussions has been legislation to implement the new IT Policy of the Nigerian Government. Because of GIPI's wide contacts and credibility with both governmental and non-governmental agencies, GIPI's comments were highly influential in the framing of the IT bill.

Activity Highlights

- Based upon its relationship with the National Information Technology Development Agency (NITDA), GIPI Nigeria was invited to comment on the government's IT Policy Bill. Written commentary prepared by GIPI legal experts was well received by the DG of NITDA. Based on GIPI's comments, the bill was substantially revised. The new draft has met the approval of various Ministries and is now with Attorney General's Office, from where it will be sent to the Federal Executive Council for approval.
- GIPI Nigeria was involved in reviewing two draft telecom bills pending in the House of Representatives, and participated in a consultative exercise with the Communications Committee to identify salient points for careful consideration.
- GIPI Nigeria has been a lead organizer of an e-readiness assessment conference to be held in Lagos in late January 2002. The conference forms part of the larger program of conducting an ICT audit in the country, in conjunction with the NITDA.
- GIPI Nigeria facilitated the ISP Forum, part of an African Information Technology Education Trust (AITEC) organized Nigerian e-business and Internet conference.
- GIPI participated in a Nigerian Universities Network (NUNET) conference designed to increase awareness of the benefits of effectively using IT in Nigeria's tertiary education system.
- Relations between ISPs and the national telecom NITEL were explored at the 2001 inaugural meeting of the Internet Service Providers Association of Nigeria (ISPAN). GIPI briefed the group on its activities. Key issues identified included the .nd domain problem, the obtaining of E1 lines from NITEL, tax issues, tariff increases by the telecom, and online scams.
- GIPI participated as one of three delegates from Nigeria to an African Computing and Telecommunications (ACT) Summit in South Africa, where the African Internet Service Providers Association (AFRISPA) was

formed. (This trip led to the invitation from NITDA to participate in the official review of the IT Policy Bill.)

Linkages: People and Organizations

- GIPI hopes to forge increasingly strong links with the Nigerian Internet Group, a local NGO. GIPI has been included in the editorial board for the NIG newsletter, which will provide a vehicle for publicizing GIPI's activities within the ICT community.
- Other groups with which GIPI Nigeria is actively exchanging views and exploring future relations include:
 - β The Computer Association of Nigeria (COAN)
 - β The Computer Professionals of Nigeria (CPN)
 - β The ICT program of the National Universities Commission (NUNET)
 - β The Communications Committees and the Science and Technology Committees of both chambers of the National Assembly
 - β The Internet Service Providers Association of Nigeria (ISPAN)
 - β AITEC Worldwide and AITEC Nigeria
 - β The Information Technology Industry Association of Nigeria (ITAN)
- The GIPI Coordinator has developed a funding proposal to expand its functions, which has been submitted to the Abuja office of the Open Society Initiative for West Africa (OSIWA).
- Officials at the French Embassy have been approached and indicated preliminary interest in Internet exchange points in Nigeria; the Coordinator will be following up in early 2002.
- The GIPI Coordinator participated in the inaugural session of the Nigerian-American Information Initiative (NAII), organized by the US Embassy in Abuja. The meeting introduced new ICT funding initiatives of the US and other donors, with the intent that these programs should be coordinated to prevent duplication of effort by recipient agencies.
- In Abuja, GIPI has been exploring possible linkages with the British Council.

Russia

Country Advocate: Fyodor Kravchenko

Overview

The GIPI program in Russia started work in earnest in mid 2001, when key senior staff were appointed. Since its main objective is to promote the adoption of ICT legislation supporting open and transparent information and communications systems, most of GIPI's first half year of operations has been spent in providing expert

legal and policy analysis to various entities within the State Duma. GIPI analysis was instrumental as the Duma Information Policy Committee prepared laws “On digital signatures” and “On e-commerce.” The former law passed in late November 2001; the latter is expected to be approved in January 2002.

Activity Highlights

- Five Duma committees are involved in the preparation of ICT legislation. Consistent with its independent posture, GIPI works with all participants in the policy development process, and has perhaps been of most assistance to a non-political professional group – the Duma Legal Administration (LA). The LA has the important role of analyzing all federal legislation presented to the Duma, and its conclusions need to be taken into account by all Duma factions and individuals when considering legislation. The LA asked GIPI to examine the draft laws on digital signatures and e-commerce to identify any contradictions with existing legislation.
- Towards the end of 2001, GIPI began cooperating with a coalition of Duma deputies, “Electronic Russia.” Composed of deputies from all factions in the Duma, the goal of this caucus is to promote the passage of laws establishing a framework favorable to ICT development in Russia.
- With UNDP, GIPI is working with the Chief Information Officer of the Government Information Administration to organize a CIS summit conference for the spring or summer of 2002 on information society principles.
- In November 2001, GIPI participated in a Civic Forum, held at the Kremlin, designed to increase dialogue on ICT development between civil society and government. The Forum attracted almost 5,000 Russian NGOs – the largest gathering of such groups for many years – and was attended by the President and many senior government officials. At the Forum, working with the Glasnost Defense Foundation, GIPI organized a roundtable discussion on “Guarantees and Methods for Ensuring Openness of Government Information.” One outcome of the roundtable was a set of recommendations prepared by GIPI, urging high level (Prime Ministerial) support for federal legislation to require mandatory federal executive agencies to place information on the Internet. This recommendation was cited by the Minister for Print and Broadcasting as one of the most positive outcomes of the Forum.
- GIPI is monitoring possible moves by the Ministry of Communications to implement licensing restrictions on web hosting services, and is exploring ways of eliminating a “fee” currently being charged by the same

Ministry on all services which it licenses, including ISPs.

- GIPI is working with the Ministry of Justice to find ways to put limits on an initiative that would require ISPs to provide an unlimited back-channel tap to the secret services.

Linkages: People and Organizations

- GIPI has been working with UNDP, which has been redesigning its approach to ICT development in Russia. GIPI helped facilitate the visit of senior advisors from UNDP headquarters, and arranged for meetings with key government, Duma, private sector and NGO officials. As a result, GIPI expects to be cooperating with UNDP Russia on implementation of a reformulated ICT strategy in 2002.
- GIPI maintains on-going contact with the Government Information Administration’s Chief Information Officer. In recent months he has been working to introduce elements of e-governance to Russia – a series of measures intended to make government officials more accessible to the public. Because this person plays a key ICT development role outside the country (being an ICT advisor to the UN Secretary General and often representing Russia at international conferences), GIPI believes it can work with him to encourage the development of Russia as a leader for progressive ICT legislation throughout the CIS.
- GIPI has joined the “Internet and Law Conference,” an informal working group of academic, governmental and commercial members, who are working together to develop a roundtable on ICT policy issues.

Tajikistan

Country Coordinator: Asomiddin Atoev

Overview

GIPI operations in Tajikistan are fairly new: a coordinator and a lawyer were hired in September. Their early activities were focused on establishing contacts and networking with the country's ISPs and other operators. In November GIPI helped organize a roundtable of ISPs, government officials, donors and academics to discuss the problems of obtaining a non-commercial ISP license for TARENA, the new academic networking association in Tajikistan.

Activity Highlights

- The GIPI staff are finalizing their strategy document, which includes an analysis of the ICT context in Tajikistan. This will be discussed and approved by GIPI HQ in early 2002.

- On December 26th, GIPI TJ got a grant from OSI/TJ for \$2,700 to conduct a 3-day seminar for informatics professors from institutions of higher learning throughout the country. The seminar will train them on Internet policy and help them get involved in the creation of a national ICT strategy in Tajikistan.

Linkages: People and Organizations

GIPI is working to build a collaborative relationships with key parties, including:

- The Communications Ministry's State Communications Inspectorate (GIS);
- Tajiktelecom, the national data exchange network operator;
- The country's commercial ISPs and the non-commercial e-mail provider, CADA;
- The operators of wireless services.

Ukraine:

Country Coordinator: Maria Shkarlat

Overview

GIPI has had considerable success in overcoming proposed legislation that would have had severe negative consequences for Internet development. GIPI increasingly is taking a role that is both proactive and mediating in issues conflicts related to ICT, and is using reasoned analysis to find suitable proposals and solutions.

Activity Highlights

- In September 2001, GIPI conducted a 20-person seminar on the development of electronic government in Ukraine. Participants from business, government and NGOs discussed computer networks, database creation, use of the Internet and creation of web sites. The meeting concluded with the participants deciding to work together to make joint recommendations on Internet policy.
- GIPI prepared a detailed analysis of the draft bill "On e-documents and document circulation." GIPI pointed out that this bill would not be effective without simultaneous consideration of legislation on electronic digital signature. Based on this analysis, the Cabinet of Ministers decided to hold hearing on both laws jointly.
- Ukraine is developing a government database, and issues of protection of personal data are becoming acute. In this context, GIPI organized public hearings on two draft bills on the protection of personal data, attended by international organizations, service providers, and government officials. Of the two bills, one, proposed by a Member of Parliament, has proved more workable. It was rewritten with help from GIPI,

and is now compliant with EU requirements; the bill is being prepared for its first reading in Parliament in the coming months.

- GIPI developed legal arguments showing that an initiative by the Security Service of Ukraine (SBU) to register all Internet users would be contrary to Ukraine law. As a result, the SBU withdrew its proposal.
- GIPI provided analysis on a draft bill "On offshore programming." This is seen as a key to success of entrepreneurship in software production, and includes regulation on tax privileges for enterprises on foreign contracts.
- GIPI is active in a roundtable on ICT in Ukraine that was initiated by the State Communication and Information Committee, UNDP and the International Renaissance Foundation. There is wide participation, including representatives from the National Bank, the Academy of Science, large provider companies, computer producers, computer experts and members of the Cabinet of Ministers. GIPI heads one of five sections, that on "Legislation in the information sphere and protection of network information." A subgroup of the round table has been formed and is drafting bills to regulate computer nets and establish e-government.
- GIPI was approached by a group of Internet café owners who wanted to create their own association. GIPI helped train three owners on topics related to organizational development, including strategic planning and rights protection. One of their problems is a government drive to seize unlicensed software, which has resulted in many cafes being forced to close down. GIPI has helped the Association to negotiate with the Government and Microsoft to move all cafes to properly licensed software, following a six month moratorium on criminal proceedings.
- Since October 2001, GIPI has been producing a news digest on Internet topics. The material is also being published on two web sites. GIPI staff have published articles in a number of media outlets, including newspapers, computer and business magazines.
- GIPI is playing a mediating role in a dispute relating to domain registration in Ukraine, working with AURIU (the Association of Participants of the Internet Market) and others to explore ways of solving domain name problems in Ukraine. GIPI is providing opportunities for both sides to participate in consultations and have their views heard and understood.
- Similarly, GIPI is trying to help resolve a conflict between service providers and Ukrtelecom on licensing and access to networks. GIPI's analysis has suggested that a unilateral action by the telecom to break off contract relations was unjustified, and these conclusions have been aired through the Internet Association of Ukraine and other publications. The topic has been

widely covered in national mass media. GIPI is now studying the possibility of amending Ukraine's legislation on communications. GIPI has proposed that IP operators should not be subject to licensing.

Linkages: People and Organizations

- GIPI maintains strong relations with the State Communication and Information Committee in the formulation of ICT policy, as well as with several key MPs.
- GIPI is an associate member of the Association of Participants of the Internet Market and of the Internet Association of Ukraine.

Uzbekistan

Country Coordinator: Shaukat Valitov

Overview

The GIPI program in Uzbekistan has been working closely with a local NGO, the Center for Economic Research, on a number of exciting initiatives that have the potential to change the face of ICT development in the country in the coming five years. Collaboration with UNDP and other partners has also yielded fruitful results.

Activity Highlights

- GIPI UZ participated in two ICT policy and legislation working groups, both of which have submitted their reports to the government. In this connection, GIPI helped draft laws "On informatization" and "On information security." Following on from this, the State Committee on Science and Technology (GKNT) asked GIPI for expert analysis of the new law on information security issues. This work will continue into 2002.
- GIPI UZ received two grants from OSI-Uzbekistan, to develop a www.gipi.uz web site. GIPI UZ has launched an Internet policy list for Uzbek officials – internet@internews.uz. In cooperation with the UNDP, the list will be expanded during 2002 to serve both English and Russian-speaking audiences.
- After several months' of collaboration, GIPI and the Center for Economic Research (CER) produced a draft paper on "ICT development 2002-2005" and submitted it to the President's Economic Council. The collaborative working group was led the Chief of the Cabinet of Ministers' Information and Analytical Department. The GIPI Coordinator prepared sections on legislation and policy, which included the following recommendations:
 - β An end to the UzPak monopoly;

- β The need for transparent legislation and regulations to foster ICT development;
- β Reduced tariffs on computer imports;
- β Elimination/reduction of licensing burden on ISPs;
- β The creation of an ICT Council.

- GIPI was been working with a wide range of ICT stakeholders concerned with Resolution 52, which provides UzPak with a monopoly on international connectivity. The Resolution seemed likely to be repealed in September, but this was deferred after the September 11th attacks, on the ground that central control of telecomm was necessary for security and anti-terror reasons.
- More recently, GIPI has found that attitudes towards the UzPak monopoly are changing again and a growing number of people, including government officials and politicians are seeing the monopoly as unproductive and not conducive to Internet development.
- The CER/GIPI working group also discussed the need to promote computerization of Uzbekistan, including government tax incentives.
- Through the work of the GIPI coordinator, license fees for data network services were dramatically reduced. Another outcome of the discussions was a recommendation for elimination of customs duty on computer imports.
- GIPI is working with the CER and the Development Gateway project to jointly plan a conference on the newly-completed national ICT development plan and the Gateway project's Uzbekistan development portal. The conference, scheduled for March 2002, is possibly the first in a series of seminars and workshops to raise public and government awareness of ICT policy issues.
- Through his work with the national ICT Council, GIPI's UZ Coordinator convinced officials to revise an October decree on licensing. The new decree, issued in November, dramatically reduced licensing fees and also extended the license period for data network and ISP activity from 1 year to unlimited.
- GIPI is looking for donor support to fund the development of a series of ICT policy roundtables and Internet training seminars for MPs, as requested of GIPI by the Oliy Majlis (Parliament) Secretariat.

Linkages: People and Organizations

- In October GIPI signed an MOU with a national think tank, The Center for Economic Research (CER), allowing for joint ICT activities in future.
- In December GIPI and UNDP Uzbekistan drafted an MOU, which includes a plan to hold a national ICT summit in 2002



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