GLOBAL INTERNET POLICY INITIATIVE

ANNUAL PROGRESS REPORT - 2003

H I G H L I G H T S :

- **GIPI begins work in Vietnam; survives Belarus' NGO crackdown; hires new coordinators in Kazakhstan and Uzbekistan; and closes in Bosnia-Hercegovina and Nigeria.**

- **GIPI-BG coordinator elected to ICANN's Board of Directors.**

- **National Internet peering exchanges created in India, planned in Nigeria.**

- **Russia makes the Internet a "universal service" obligation.**

- **Regional cybersecurity conferences in Bulgaria, Indonesia and Serbia.**

- **Regional project to harmonize ICT laws in the South Caucasus.**

ACTIVITIES INDEX (See paragraphs indicated by country name & letter)

Advising/informing parliament: *Azerbaijan–D*, *Belarus–F, Kazakhstan–C, Russia–C, Tajikistan–H*

Cybercrime legislation: *Azerbaijan–E, Bulgaria–F, Georgia–D, Indonesia–B*

Digital Divide: *India–H, Tajikistan–C, Ukraine–B,E*

E-commerce/E-signatures: *Azerbaijan–D,E, Georgia–B, Kazakhstan–A, Uzbekistan–A,F,I, Vietnam–C,E*

E-government: *Armenia–E, Georgia–C, India–G, Indonesia–D*

E-readiness assessment: *Belarus–A, Bulgaria–G, Serbia–A, Tajikistan–A, Uzbekistan–C, Vietnam–A,H*

Fighting spam: *Russia–D*

Information security: *Russia–A,E, Serbia–E, Uzbekistan–D*

Intellectual property rights: *Georgia–A, Uzbekistan–B,F*

Internet cafes: *Bulgaria–E, Kyrgyzstan–G*

Internet governance: *Bulgaria–A,B*

Internet in schools: *Tajikistan–C,G*

ISP associations: *Bosnia-Hercegovina–B,C, Serbia–B, Tajikistan–I*

ISP licensing/rules: *Armenia–A,B, Azerbaijan–A, Bulgaria–C*

ISP/telco relations: *Azerbaijan–A,B, Bosnia-Hercegovina–B, India–E, Serbia–B,C*

Legalizing VoIP/Internet telephony: *India–H, Kyrgyzstan–F*

National ICT strategy: *Armenia–C, Georgia–D, India–H, Kyrgysztan–C, Nigeria–B, Russia–B,G, Tajikistan–F, Ukraine–C, Uzbekistan–H*

Online censorship: *Belarus–B, India–F, Kazakhstan–D, Nigeria–E,F, Ukraine–B, Vietnam–H*

Peering exchanges: *India–A,D, Nigeria–D*

Privacy protection: *Armenia–D, Belarus–G, Georgia–F, India–C, Ukraine–G, Uzbekistan–D*

Promoting public involvement in policymaking: *India–B, Kyrgyzstan–B, Nigeria–A, Russia–E, Serbia–C, Ukraine–A,D,E, Vietnam–G*

Publicizing the Internet: *Belarus–B, Indonesia–E, Nigeria–E,F, Ukraine–B*

Reducing access costs: *Armenia–F, Azerbaijan–A, Indonesia–C, Kyrgyzstan–E*

Reform of country-level domain name registration: *Azerbaijan–C, Tajikistan–E*

Support for local language content, services and applications: *Tajikistan–D, Vietnam–C*

Telecommunications reform: *Armenia–D,E,F,G, India–A, Indonesia–A,F, Kazakhstan–B,C,F, Kyrgyzstan–A,C, Russia–C, Serbia–C,D, Ukraine–F, Vietnam–B,D*

Wireless access: *Armenia–F, Indonesia–G, Kazakhstan–E, Nigeria–C, Serbia-E*

ARMENIA (David Sandukhchyan, coordinator):

A. In January 2003, simplified rules for licensing Internet Service Providers (ISPs) came into effect in Armenia. Under the new rules ISPs will no longer be required to submit detailed technical plans to get a license and the regulator will have less control over ISP business decisions. GIPI-AM had put great effort into achieving this change, working with the World Bank and Armenia's ICT Development Council.

B. In February, GIPI-AM reviewed the new rules for Internet services drafted by the Ministry of Transport and Communication. Our coordinator identified potential problems for ISPs (e.g., ISPs would be responsible for verifying that their customers use only government-certified modems, Internet cafes must register the identities of all their customers, etc.). The Ministry revised their draft rules to incorporate GIPI-AM's suggestions.

C. GIPI-AM made substantial contributions to the Armenian government's "Action Plan for Information Society Development."

D. Our coordinator advised the Ministry of Justice on the drafting of a new law on telecommunications and worked with them to stop the Ministry of Transport and Communication from imposing user surveillance and data retention requirements on Armenian ISPs and Internet cafes.

E. In September, GIPI-AM reviewed the legal and regulatory framework proposed for e-government in Armenia and recommended changes to the government's proposals.

F. At the request of the Internet Society of Armenia, GIPI's coordinator drafted a model contract for telecenters wishing to use VSATs to bypass ArmenTel's monopoly on international data circuits. GIPI also criticized the communication ministry's restrictions on the Armenian academic network's use of VSATs and recommended a more permissive policy. In the 3rd quarter, our coordinator prepared a recommendation for reducing the surcharges imposed on VSAT links by the government and state-owned enterprises. These surcharges are up to 5 times the cost of the underlying services. Wider use of VSATs and a reduction of the surcharges would dramatically reduce the cost of Internet access in Armenia.

G. The World Bank asked GIPI-AM's coordinator to assess the legislation drafted for Armenia by the WB's foreign legal consultants in the fields of telecommunications and utility regulation.

AZERBAIJAN (Yashar Hajiyev, coordinator):

A. In the first quarter of 2003, the Ministry of Economic Development's Telecommunications Tariff Committee made several decisions likely to promote Internet development, for which GIPI-AZ had worked over many months: the first was to reduce the cost of leased lines for ISPs, the second was to abolish the requirement that leased-line customers must subscribe to the ISP owned by the Ministry of Communications for a period of time before they can buy access from another ISP; and the third was to maintain a special low tariff for unmetered dial-up access to the Internet during the next two years.

B. The Ministry of Communications did not welcome these decisions. Later in the year, they began blocking private ISPs' access to Baku's telephone network, demanding that the ISPs pay extra for data transmission. GIPI helped 6 of the ISPs file a claim for court protection against the ministry. In October, the court ruled that the ministry's actions were illegal and awarded the ISPs over $250,000 in compensation.

C. The National ICT Strategy Agency (NICTS) tried to take control of the country's top-level domain name registry, ".az." GIPI-AZ organized several meetings to discuss this with other stakeholders. Our coordinator wrote articles explaining ICANN/IANA's recommendations for ccTLDs and the importance of private-sector and user-community involvement in their operation. In the end, NICTS forced the ccTLD administrator to concede certain rights to the agency.

D. As part of NICTS' working group on law, GIPI-AZ made recommendations embodying international "best practices" in e-signature law to Azerbaijan's parliament, the Milli Mejlis. However, when the draft law was released, it did not

reflect this input. GIPI's coordinator met with the Internet Society of Azerbaijan and the Ministry of Communications ICT Council to discuss the draft. The meeting endorsed a statement written by our coordinator criticizing the legislation for recognizing as valid only e-signatures issued by authorities licensed by the Azerbaijan government. Our coordinator then wrote a more detailed critique highlighting the provisions contrary to EU recommendations and problems that would be created for international e-commerce. Both documents generated intensive discussions in the government and mass media.

E. In June, GIPI-AZ's coordinator started work on a regional project funded by the Eurasia Foundation, for the "Approximation of Information Legislation of South Caucasus Countries with European Union and Council of Europe Standards." This project is jointly implemented by the GIPI coordinators in Armenia, Azerbaijan and Georgia. Their aim is to identify and remove legal and regulatory barriers to the development of e-commerce in the region; to adopt intellectual property rights standards consistent with European practices; and to adopt cybercrime laws responsive to both civil liberties and security concerns.

BELARUS (Vadim Dryganov, coordinator):

A. In February, GIPI-BY assisted a World Bank working group preparing an "E-Readiness" assessment for Belarus. GIPI-BY supplied market data, identified needed reforms in licensing policies and telecom regulation, and pointed out barriers to the development of alternative networks (VSAT, VoIP, etc.).

B. In March our coordinator helped organize Belarus' 5th Internet Forum, an event that attracted more than 200 participants including members of Parliament. Thirty-three lectures on topics of interest to the Internet community were offered. The forum also featured a roundtable where ISPs discussed issues of mutual concern ranging from prices to peering exchanges.

C. In July, as part of a general crackdown on foreign-funded NGOs and independent media (which many people connect to President Lukashenko's plan to run for a third term in office, a move that would violate Belarus' constitution), Internews had to close its office in Minsk. But because GIPI is implemented in Belarus by an independent NGO (the Information Development Promotion Foundation), GIPI-BY survived this action. Nevertheless our coordinator had to apply for government approval of his workplan and obtain letters of support from state institutions. In the end, GIPI-BY was allowed to continue working, but without any tax exemption.

D. In September, the President ordered the Ministry of Information to produce a draft law on mass media which would, among other things, strictly regulate online content and require government approval for all domestic websites providing news and political information. The draft was kept secret and discussed only in closed meetings, but our coordinator got an early copy and wrote an 11-page critique of the draft. He remains in frequent contact with parliamentarians regarding this ominous legislation.

E. The government accepted a proposal from UNDP to organize a series of workshops on ICT policy for interested members of Belarus' parliament in partnership with GIPI-BY and the Academy of Sciences. The first workshop, set for 21 January 2004, will be on the theme of "Informatization and Information

Society in Belarus." Positive lessons from nearby countries like Estonia, Poland Russia and Lithuania will be presented.

F. Our coordinator is drafting a law "On Securing Personal Information," which took on greater significance after we learned that the government's "E-Belarus" program entails the creation of vast databases about the country's citizens. No existing law authorizes the collection of such data or regulates the content or use of such databases.

G. Our coordinator was successful in preventing the introduction of anti-spam legislation that could have been used to limit the distribution of many types of public information without stopping spamming.

BOSNIA AND HERCEGOVINA (Anisa Setka, coordinator):

A. Anisa Setka became GIPI's coordinator for BiH in January.

B. The second workshop for members of the Bosnian ISP Association took place in Sarajevo on 20 February. ISPs from Sarajevo, Mostar, Tuzla and other cities participated, along with representatives of the Ministry of Communication, Telecom BiH and journalists. The workshop was led by Joseph McNamee, the European ISP Association's regulatory affairs manager. It focussed on ISP licensing and relations among the Bosnian ISP Association, the ministry of telecommunications and the regulatory agency. The Balkan ISP Workshop Series is sponsored by the Open Society Institute.

C. The third ISP workshop was held on 27 May in Sarajevo. Cormac Callanan, founder of Ireland's ISP association, led the discussion about the de-monopolization of telecommunications in BiH. During his visit, he also spoke at the UNDP's National Forum on ICT Policy.

D. GIPI-BA ended its work in mid-year due to lack of funds.

BULGARIA (Veni Markovski, coordinator):

A. GIPI-BG's coordinator was elected to the Board of Directors of the Internet Corporation for Assigned Names & Numbers (ICANN), and also as Chairman of the Board of Bulgaria's IT Development Association.

B. In February our coordinator spent two weeks in Geneva at a preparatory meeting for the World Summit on the Information Society (WSIS). He subsequently attended WSIS in December, participating in both Civil Society Bureau and intergovernmental activities.

C. In March, GIPI-BG convinced the Ministry of Transport and Telecommunications to remove new requirements for ISP licensing from the draft telecom law while it was under final consideration. This, and other changes recommended by GIPI-BG were all accepted. The new telecommunications law was enacted in September.

D. During the summer, GIPI-BG began advising Bulgaria's new Association of Internet Clubs.

E. GIPI-BG and Internews organized a major conference for the Bulgarian and American Governments on "Regional Cooperation for CyberSecurity in Southeastern Europe" (8-9 September). Held in the presidential compound just outside Sofia, Bulgaria's President spoke at the opening session. Presentations from the conference are online at http://www.cybersecuritycooperation.org.

F. With assistance from GIPI-BG, the Bulgarian parliament drafted a request to the government to increase its commitment to the development of "Information Society" as the focus of the country's accession to the European Union. The request was signed by all of the parties in parliament.

GEORGIA (Nino Kuntseva-Gabashvili, coordinator):

A. In March, as a participant in the US State Department's International Visitors Program, our coordinator visited the United States to learn more about intellectual property rights.

B. Working with the International Association "Transparency, Informatization and Democracy," GIPI-GE organized a roundtable for small and medium-sized businesses on the "Development of E-Commerce in Georgia: Problems and Perspectives." During the discussion, GIPI-GE offered comments on Georgia's draft e-commerce and e-signature laws. Because of shortcomings in these drafts, our coordinator translated some better international models into Georgian and distributed them.

C. GIPI-GE's coordinator organized meetings with donor organizations, NGOs, international organizations and government bodies to promote the creation of an "E-Tbilisi" strategy.

D. Our coordinator was invited to participate in the group created by the Ministry of Justice to recommend changes to the criminal code to encompass cybercrime. These changes were approved by Georgia's parliament.

E. As noted above, under AZERBAIJAN, the GIPI coordinators in Armenia, Azerbaijan and Georgia were awarded Eurasia Foundation grants to identify steps needed to harmonize the South Caucasus' ICT laws with European directives and norms. At their first group meeting in Tbilisi (6-9 April), they decided to focus on electronic commerce, e-signature regulation, protection of personal data and copyrights for online content.

INDIA (Rishi Chawla, coordinator):

A. GIPI-IN has been involved from the start in creating the National Internet Exchange of India (NIXI). Our coordinator convened meetings, developed business models, researched technical options, led the process of registering NIXI as a nonprofit company, and designed its website (www.nixi.org). Perhaps most importantly, he worked with the Ministry of Communications and IT to get an $858,000 grant from the Indian Government to build the peering exchange. NIXI started operating in four cities during the 2nd quarter of 2003. Our coordinator now serves on its Board of Directors.

B. Our coordinator helped register the Computer Society of India and the Society of IT Professionals at the Telecommunications Regulatory Authority of India (TRAI), to increase the representation of civil society in TRAI's consultations.

C. The Internet Service Providers Association of India asked our coordinator to help them prepare comments on the government's draft data protection and privacy law.

D. GIPI-IN's coordinator presented NIXI at the July 2003 meeting of the South Asian Network Operators Group (SANOG) in Sri Lanka. There he was asked to help India's ISP association organize the next SANOG meeting, to be held in Bangalore in January 2004. In October 2003 he was elected "Fellowship Chair" of SANOG, responsible for conference fund-raising and the awarding of travel grants to some attendees at SANOG meetings.

E. The ISP Association and TRAI both sought GIPI's help in researching ISP/telco revenue-sharing arrangements in other countries. Our coordinator focussed on the example of Hungary, where 30% of the revenue from dial-up Internet traffic is given by the phone companies to the ISPs.

F. In September, the Ministry of Communications ordered India's ISPs to block access to an email-list run by an ethnic separatist group that the government regarded as a terrorist organization. Since the list was hosted on Yahoo, the result was the blocking in India of *all* Yahoo Groups. Our coordinator wrote letters of protest and encouraged others to do likewise, while researching technical options that might let ISPs block just the banned list. The Government eventually told the ISPs to block only the one list and even that requirement is no longer enforced. However, GIPI-IN's coordinator saw this case as setting a precedent for the arbitrary censorship of other Internet-based discussions. So he felt that a stronger response was needed to protect user rights in the future. After some legal research and consultations with other activists, GIPI-IN assembled a group of organizations to file Public Interest Litigation in Delhi's High Court. The complaint focused on the procedures followed by the government in deciding what email messages to censor and how to implement the blocking. Our coordinator also advised the ISP Association to take legal action if the government imposes additional costs and responsibilities on them for censoring online content.

G. GIPI-IN and the Computer Society of India convened a seminar in November on "Future trends in E-governance." The following month, our coordinator helped the Computer Society organize its national convention, which attracted almost 800 people.

H. In December, the regulatory agency TRAI invited stakeholders and the public to recommend ways to accelerate the development of broadband Internet in India. Our coordinator publicized this opportunity for public involvement in policymaking and circulated his own comments, which emphasized the importance of encouraging ISPs to install points-of-presence in villages and poorer regions, having every Indian state create at least one peering exchange, de-licensing wi-fi, eliminating the bank guarantee that every ISP must obtain before it can launch its business, recognizing VoIP as the "killer application" to drive broadband growth, etc

INDONESIA (Mas Wigrantoro Setiyadi, coordinator):

A. Indonesia is implementing a law that requires the creation of an independent regulatory body for telecommunications. GIPI-ID reviewed proposals for the new agency and provided recommendations to improve the process of staff selection, licensing procedures and other aspects of the agency. As a result of this input, GIPI was invited to continue advising throughout this process.

B. In March, GIPI-ID collaborated with several other organizations to convene a cybersecurity workshop attended by about 300 people. During the fourth quarter our coordinator presented his draft cybercrime law to Indonesia's parliament and spent a significant amount of time discussing it with MPs.

C. GIPI-ID is working to eliminate the city of Jakarta's tax on antenna towers as it increases the cost of wireless Internet access and might be imitated by other Indonesian cities

D. In July, Indonesia's president approved Decree Number 3/2003: "Guidance for the Development of National Electronic Government." This guidance was produced by the National E-Government Task Force of which GIPI-ID is a member. The task force finalized the National Policy on Electronic Government at the end of 2003.

E. GIPI-ID was asked to advise the new Institute for Development and Empower-ment of Information Society (LPPMI, in Indonesian). The founders of LPPMI are recent university graduates who want to increase awareness of Information Society issues and services among marginal social groups.

F. In October, our coordinator spoke on the importance of cost-based telephone tariffs at a seminar for civil servants organized by the University of Indonesia and a government ministry. He also chaired the policy session of a workshop on digital television.

G. GIPI-ID participated in a meeting called to draft a ministerial decree on wireless Internet access in the 2.4 GHz band. A long-running dispute had developed between the licensed users of the band, who pay for their channels and who are the incumbents, and newcomers who want free use of this band for "wi-fi." The government has been siding with the licenseholders, but GIPI-ID suggested this meeting to see if compromise was possible. At the end of the year the decree was still not finished, indicating that a compromise remains elusive.

KAZAKHSTAN (Sofiya Issenova, coordinator):

A. A new coordinator began working for GIPI-KZ in February: Sofiya Issenova. One of her first projects involved discussions with the Research Institute of Legality, Law and Order to identify areas of possible collaboration.

B. GIPI-KZ urged government officials to crack down on Kazakhtelecom for acting as if it was above the law. The anti-monopoly agency brought a suit against telecom and the Ministry of Justice issued a statement about telecom's obligation to respect the law.

C. GIPI-KZ analyzed the draft law "On Communications" and proposed amend-ments. Some of our recommendations were accepted and our coordinator began developing contacts among members of parliament for additional new legislation.

She also helped prepare some of the bylaws needed to implement the draft law "On Informatization."

D. During a workshop organized by the American Bar Association for Supreme Court judges and local lawyers, our coordinator raised the sensitive issue of website blocking in Kazakhstan. Some of the participants noted that this form of censorship violated human rights and the freedoms guaranteed by Kazakhstan's constitution. Our coordinator helped Harvard Law School's Berkman Center for Internet & Society to investigate website blocking in Kazakhstan.

E. GIPI-KZ's coordinator met with a group planning to form an Association of Internet Publishers in Kazakstan. She agreed to advise the association on legal issues.

F. Our coordinator attended a Regional Conference on Telecommunications Sector Development in Central Asia, organized by European Bank for Reconstruction and Development (30-31 October). Contacts made at this event are proving helpful as our coordinator prepares a roundtable for the first quarter of 2004, in partnership with UNDP, on "Administrative Barriers to ICT Development in Kazakhstan."

KYRGYZSTAN (Lira Samykbaeva & Shamaral Maichiev, coordinators):

A. At the start of the year, Kyrgyz Telecom's international services monopoly officially ended, and as part of the move toward a competitive marketplace, a "universal service fund" was proposed. It was to be financed either by burdensome license fees on ISPs and other private telecom operators, or through a tax on their income. GIPI-KG worked with other stakeholders to focus attention on the lack of guarantees that the universal service fund would actually be used to expand rural connectivity. Political support for the fund faded and the government postponed its creation.

B. A new Kyrgyz constitution was ratified in the first quarter of 2003. CIIP's contribution was a provision establishing a new right of citizen access to information held by the government. Once ratified, CIIP's staff began drafting a regulation "On the procedure for dissemination of public information through the Internet," for the presidential administration.

C. A working group was created that included government officials, NGOs and businessmen to plan the implementation of the National ICT Development strategy. Our coordinator participates in this working group, co-chairing the subgroup on law. In this capacity, CIIP is reviewing the country's ICT laws and will submit recommendations and an agenda for legal reform. A key element must be a new law on telecommunications. CIIP's preliminary draft telecom law has already been sent for comment to the relevant ministries and government departments, and circulated among telecom operators and parliamentary committees.

D. During the 2nd quarter of 2003, responsibility for implementing GIPI in the Kyrgyz Republic passed from Internews-KG to the new Public Foundation "Civil Initiative on Internet Policy" (CIIP). This is part of our strategy to create local ICT policy advocacy institutions which can survive without Internews' help.

E. CIIP prepared a list of additional types of ICT equipment that it thought should be exempted from import duties by the Customs service. During the process of

enactment, the Kyrgyz parliament expanded the scope of the exemptions to include value-added taxes. The combined effect of the customs and VAT exemptions is likely to reduce the cost of imported computers and computer parts by up to 20%, making them affordable to many more people.

F. Regulations were adopted during the summer legalizing Internet telephony. GIPI-KZ had worked for this for a very long time. However, the cost of a VoIP telephone license was set at around $120,000. That amount seems acceptable to the large ISPs, although it shuts out smaller ISPs.

G. CIIP helped to organize an Association of Cyber-cafes, and then signed a Memorandum of Understanding and Cooperation with them. The first goal is to simplify the rules under which they are licensed.

NIGERIA (Maxwell Kadiri, coordinator):

A. GIPI-NG's coordinator helped organize a new "Civil Society Coalition on ICT Policy and Development in Nigeria."

B. As requested by the National Information Technology Development Agency (NITDA), our coordinator produced an analytical survey of Nigerian laws that need to be repealed or amended to facilitate the growth of an IT-driven economy.

C. GIPI-NG prepared a report criticizing the current restrictions on use of the ISM bands for commercial wireless Internet access. In response, the Nigerian Communications Commission agreed to work toward a solution more acceptable to the wireless ISPs. In the meantime they postponed for 10 months a deadline by which commercial wireless Internet providers were supposed to vacate the ISM bands.

D. An Internet Exchange Point Workshop, planned by our coordinator and funded by the French Embassy in Lagos, the National IT Development Agency and the Packet Clearinghouse, took place in Lagos, 24-27 June. Eighty-seven participants representing ISPs from all parts of Nigeria attended. At the conclusion of the event, the ISP Association of Nigeria announced their intention to establish Internet exchange points at various locations in the country. A mailing list was set up to facilitate transparent decision-making in the runup to creation of the exchange points.

E. Our coordinator approached the organizers of the African Computing and Telecommunications Summit, planned for Abuja in August, with the idea of including a Forum on the Internet in West Africa. The organizers of the Summit agreed and our coordinator helped to plan the Forum.

F. The Commercial Service of the American Embassy in Nigeria invited GIPI-NG to make a presentation at their annual conference/exhibition which had the theme this year of "Preparing Nigeria for the Global Knowledge Economy."

G. With help from the French Foreign Ministry, our coordinator was able to attend a joint meeting of the African Network Operators Group (ANOG) and the African Regional Internet Registries (AFRINIC) in Kampala, Uganda. He presented Nigeria's country position paper at the meeting.

RUSSIA (Aleksandra Belyaeva, coordinator):

A. The Citizens' Initiative for Internet Policy (GIPI-RU's implementing partner in Moscow) and Internews won a grant from the Carnegie Corporation of New York for a two-year project on information security policy in Russia. The grant will enable GIPI-RU to organize workshops, translate policy documents, arrange visits by experts and sponsor legal research. "We want to ensure that Russia's regulatory framework for information security reflects internationally recognized best practices," said George Sadowsky, GIPI's executive director.

B. In April GIPI-RU organized a roundtable on the "Strategy of ICT Development in Russia." Representatives of the Government, the Federation Council, international organizations and private businesses attended. The aim was to coordinate the work of groups involved in ICT policy advocacy.

C. In May, GIPI-RU succeeded in obtaining two changes to the draft law "On Changes and Amendments to the Federal Law 'On Communications.'" The first involved adding the Internet to the definition of "universal service." As a result, the law set the goal of having a public Internet access point in every settlement of more than 500 people. Another GIPI-RU achievement was that the law lets people choose to be billed for local telephone service with either a metered or a flat-rate tariff. GIPI-RU supported this for the benefit of dial-up Internet users. However, there are still serious problems with the law, and legislative corrections are needed. Since the Duma elections in December brought about many changes in the committees responsible for ICT law, our coordinator is advising the new lawmakers about the need for new legislation.

D. During the summer, GIPI-RU helped form a National Anti-Spam Coalition. The group is working on amendments to the law "On Advertisements" and planning to create judicial precedents to help courts use existing laws to restrict spam.

E. GIPI-RU participated in a roundtable convened by Russian governmental bodies (the Federal Security Service, the Security Council, the Ministry of Domestic Affairs, the Ministry of Communications, etc.) on "Actual Problems of Information and Communication Security" (9-11 September). The purpose was to seek consensus within the government on issues related to information security and the use of electronic documents. GIPI-RU tried to open the meeting to the public, but succeeded only in having a few nongovernmental experts invited.

F. GIPI-RU made two presentations at an ICT policy conference in Kamchatka which was organized by UNESCO, UNDP and the Russian Ministry of Culture (2-7 September): one on "Cybermedia: problems of legal regulation," and another on e-government now and in the future. GIPI-RU also helped organize the 11th All-Russia Conference on "Problems of Legislation in the Information Sphere" (17 December) and participated in two video conferences organized by the World Bank on "Electronic Development in Russia: Key problems, Priorities and Examples of International Experience."

G. In December, GIPI-RU, the Internet Providers Union and the Russian Ministry of Education held a joint workshop for 78 representatives of public Internet access centers in 47 cities across Russia. GIPI-RU plans to organize further meetings with the access centers.

SERBIA (Slobodan Markovic, coordinator):

A. In January, our in-depth assessment of Serbia's ICT policy environment was submitted for review by USAID and then posted on GIPI's website (http://www.internetpolicy.net/about/serbia-assessment.pdf).

B. Two of our OSI-sponsored Balkan ISP Workshops took place in Belgrade during 2003: Joseph McNamee, regulatory affairs manager for EuroISPA, and Cormac Callanan, president of INHOPE, met with ISPs, journalists and political figures to discuss local Internet/telecom issues and the work of the Yugoslav ISP Association.

C. At the end of May, GIPI-YU helped to organize the Serbian Telecommunication Users Group (STUG). Conceived as a complement to GIPI, the hope is that this new membership-based NGO will be able to generate more pressure for telecom reform than an NGO just for Internet users. STUG's website at http://www.ukt.org.yu/ aims at becoming the main clearinghouse for information about telecom services and their problems in Serbia.

D. Serbia's Constitutional Court dismissed the petition filed by GIPI-YU and several ISPs in 2002 for a decision on whether Telecom Serbia's monopoly is unconstitutional.

E. A grant from the Fund for an Open Society enabled the hiring in September of Jelena Surculija to work as GIPI-YU's legal consultant. Ms. Surculija had been the Senior Media Law Expert in the Belgrade office of the Organization for Security and Cooperation in Europe (OSCE). Her main task is to create a "roadmap" of measures needed to make Serbian ICT laws consistent with the European Union's.

F. The Stability Pact's eSEEurope Initiative asked GIPI-YU to organize the civil society panel at their regional cybersecurity conference in December, and to install a wi-fi system for the delegates (see http://www.dataprotection2003.info).

TAJIKISTAN (Asomiddin Atoev, coordinator):

A. In March, GIPI-TJ prepared a report on the ICT situation in Tajikistan for the Ministry of Communications. The report noted the positive impact of competition in the local Internet market, with the number of active Internet users growing rapidly (more than a 400% increase during the previous 12 months).

B. In May a new local NGO, the "Civil Internet Policy Initiative" (CIPI), became responsible for GIPI-TJ's implementation. As in the Kyrgyz Republic, this is part of our strategy to make GIPI less dependent on Internews. No change in personnel was involved.

C. GIPI-TJ's coordinator helped Tajikistan's Tax and Law Institute prepare a seminar on "Internet in Education" (29 April). Attended by representatives of government, the academic community and business associations, it focussed on tax incentives for promoting ICT use in rural areas, and on the need for new curriculum modules dealing with ICTs for both students and teachers.

D. GIPI-TJ's coordinator contributed substantially to the ICT section of the UNDP's *National Human Development Report for Tajikistan*. But publication of the *Report* was delayed because experts could not agree on how to translate many basic ICT

terms into the Tajik language. In view of this problem - which also affects the drafting of legislation and translations of international treaties – GIPI-TJ organized a roundtable on 19 May with the Tajik Academic Research and Educational Networking Association (TARENA) to reach consensus on a Tajik glossary of ICT terms.

E. In June, the Internet Corporation for Assigned Names and Numbers (ICANN) recommended that the ".tj" top-level country domain be re-delegated to the Tajik Presidency's IT Centre. GIPI-TJ had helped draft the request to which ICANN was responding, and our coordinator convened a local stakeholders' meeting tto discuss new rules for administering the domain. The rules were finalized in October and adopted in December. An interesting feature of the rules is that any ISP can register domain names.

F. As a member of the State Working Group for E-Strategy Drafting, our coordinator made more than 30 proposals for amending the draft e-strategy. In September all of his proposals were accepted, except for one about tax exemptions for the import of computer and telecommunications equipment. On that point, an analysis of the economic impact was requested by the Ministry of Finance. Our coordinator is working with other interested parties to provide that analysis, but meanwhile, the National ICT Development Strategy was adopted by presidential decree in November.

G. In October GIPI-TJ's coordinator participated in a series of meetings among potential donors and implementers to discuss a nationwide connectivity project for high schools.

H. The first of a series of monthly ICT workshops for members of Tajikistan's parliament was held in November. Reflecting the limited experience that most MPs had with computers, it was very elementary: our coordinator explained the superiority of word-processors over typewriters in drafting legislation, the value of legislative databases, and showed the kind of government information and search tools that are available on the Internet. The December workshop introduced them to email. This series will continue in 2004.

I. In December 2003, six of the ten ISPs in Tajikistan met to approve the charter for association which GIPI-TJ's coordinator had drafted in 2002, thereby creating the Tajikistani Association of ISPs.

UKRAINE (Maria Shkarlat, coordinator):

A. GIPI-UA signed a Memorandum of Understanding with Ukraine's Parliament for GIPI-UA to create an online forum to promote public access to, and discussion of, Ukraine's IT laws and policies.   Draft laws on e-documents, e-signatures, telecommunications, open source software and national information policy were posted on the website during January 2003. Online discussion of these laws began in February.

B. GIPI-UA and the Ukrainian Internet Association held joint press conferences in seven parts of the country during March. These events focused on the importance of training in the use of information technology for local community development. In December, our coordinator was elected to UIA's board.

C. GIPI-UA participated in an international congress entitled "Information Society: Development Strategy in the 21st century" which was held on 1-2 April in Kyiv. Our coordinator spoke on "The Experience of International Organizations in Information Policy Development."

D. In May, GIPI proposed to the Ukrainian Parliament's Information Council that it create a Public Consultative Committee. This was agreed and leading NGOs in the ICT sphere were invited to provide the Council with input on an ongoing basis.

E. On 15-16 May GIPI-UA conducted a "training trainers" workshop as part of a project entitled "Effective NGOs through Internet Use." The participants, identified in earlier sessions as having leadership qualities, will spread their knowledge to additional civil society NGOs in 10 regions of the Ukraine.

F. On 9 July, a new law "On Telecommunications" was approved by the Ukrainian parliament. The process of developing this law - which attempts to insulate licensing and regulation from government interference - began at a roundtable organized by GIPI-UA in November 2002. President Kuchma initially refused to sign the bill, but a modified version was signed and came into effect on 18 November 2003. In December a working group was formed to create the Independent Regulatory Council on Telecommunications, as called for in the law. Our coordinator was invited to join the working group.

G. At the end of October, Ukraine's security services (SBU) presented their draft law "On Monitoring Telecommunications," which provoked outrage, internationally and domestically. The SBU agreed to have their legal expert participate in a discussion of the draft on GIPI-UA's online forum. A transcript and streaming-audio/video recordings of a public hearing on the law convened by GIPI-UA were also posted on the GIPI-UA website. In December a parliamentary committee imposed several conditions on their acceptance of the law, taming its rights-threatening character and shifting the cost of implementation back into the government's budget. However, another committee noted that even in weakened form, the law could threaten Ukraine's accession to the European Union, so the debate continues.

UZBEKISTAN (Shaukat Valitov and Farid Abdrshin, coordinators):

A. GIPI-UZ has been working with the UNDP in drafting new legislation on e-signatures, e-documents, e-payments and informatization. All of these laws were submitted to Parliament in March.

B. GIPI-UZ organized a seminar on intellectual property in Uzbekistan on February 4th. The event was designed to make lawmakers aware of the current lack of legal protection for electronic publications. Further seminars are planned on related issues.

C. GIPI-UZ's coordinator helped select national experts for UNDP as they prepared to assess Uzbekistan's "e-readiness." Our coordinator also participated in selecting e-readiness indicators and drafting the assessment.

D. Our coordinator discussed the idea of training civil society organizations and political activists in Central Asia how to use secure communication technologies at a "Tactical Communications" meeting in Amsterdam, 23-24 April.

E. Our coordinator also participated in events for NGO leaders during the annual meeting of the European Bank for Reconstruction and Development (EBRD) in Tashkent (4-5 May).

F. In addition, our coordinator prepared a draft "Resolution on the Status of Electronic Publications" for Uzbekistan's patent agency and organized a seminar to discuss this document on 20 May.

G. Long-time GIPI-UZ coordinator Shaukat Valitov won a Muskie Fellowship to study law in the United States, so he was succeeded by Farid Abdrshin in the 4th quarter of 2003. Farid had been a legal advisor to investors in various telecom projects in Uzbeksitan, and a contributor to the UNDP e-readiness assessment mentioned just above.

H. Our new coordinator spoke on "The Conception of a National Framework for ICT Regulation and the Internet" at Uzbekistan's National ICT Summit (23-24 September).

I. Four laws are now being considered by the Parliament which will form the basis for Information Society regulation: "On informatization," "On electronic digital signature," "On electronic documents" and "On electronic commerce." Our coordinators (previous and current) were part of the working group that drafted these laws.

VIETNAM (Nguyen Thu Hue, coordinator):

A. In March, GIPI-VN began its work with the hiring of Duc Le as coordinator. His first task was to prepare an assessment of the local telecommunications and Internet markets, to identify the most pressing policy issues. Upon completion of the assessment, Nguyen Thu Hue was hired to continue GIPI-VN's work.

B. Promoting competition in the (near-monopoly) telecommunications sector is one of GIPI-VN's primary goals. Our coordinator and legal advisor raised that issue at the First Roundtable on ICT for Development, convened by the UNDP and the Ministry of Post and Telematics (Hanoi, 21-22 May). They continued pressing for liberalization through their involvement in the process of defining Vietnam's Telecommunications Development Plan to 2010. GIPI-VN provided copies of good model IT laws from other countries in hopes of influencing the drafting of Vietnam's IT law.

C. The first meeting of the GIPI-VN Task Force was on 22 July. The participants decided that e-commerce should be GIPI-VN initial focus. Discussions were held with the Ministry of Trade, which was developing e-commerce legislation, leading to an agreement on GIPI-VN's contributions to the process: gathering comments on the draft e-commerce law from GIPI-VN's European legal advisors; helping to edit the English translation of the e-commerce ordinance; helping to draft a glossary of Vietnamese e-commerce terms; and helping to translate and publish a book on e-commerce for small-and-medium enterprises written by GIPI-VN advisor Ton Wagemans. In exchange, the ministry will keep GIPI-VN informed about its e-commerce work and contribute to an "e-forum" that will be created on the GIPI-VN website.

D. The National Institute for Post and Telematics Strategy (NIPTS) asked for GIPI-VN's help in several policy areas linked to liberalization of the telecommunica-

tions market: how to determine the proper prices for ISP access to the fixed telephone network, how to use licensing to regulate market development and identifying the telecom reforms needed for Vietnam to join the World Trade Organization (WTO). A related request came from the prime minister's office, for help in determining the proper retail price levels for public access to the Internet.

E. At GIPI-VN's suggestion, NIPTS organized a meeting on 21 August between the ICT Law group and the Ministry of Trade. The former is drafting a new ICT law and the latter is drafting a new e-commerce law. They had not been sharing information with each other, yet GIPI-VN saw the need to bring them together to avoid inconsistencies in their respective law projects.

F. The example just cited – of separate groups drafting overlapping laws without consulting one another – proved to be typical. Subsequently, GIPI-VN found that in addition to the e-commerce and ICT laws, the Ministry of Science has started work on a "cyber law," while the National Assembly wants to enact a law on electronic transactions. This led our coordinator to write a memo in November on problems and opportunities in the drafting of ICT legislation in Vietnam. The hope is that a more systematic approach can be found without reverting to a monolithic lawmaking process.

G. GIPI-VN's bilingual website opened in November: (see http://www.gipi-vn.org/). Translated documents, links, domestic news and summaries of policy discussions can be found there, with an online forum planned for the future.

H. On 18 December, GIPI-VN's coordinator participated in the final roundtable convened by UNDP and NIPTS to create an ICT for development strategy in Vietnam. Some spoke at this meeting about the need for more Vietnamese-language material to be put online, while others called for a reduction in content controls. The adopted Action Plan includes a request to "adjust" the Ministry of Information and Culture's rules for the licensing of content.