**MINISTRY OF TECHNOLOGY, COMMUNICATION AND INNOVATION**

**Subject:** Multi-Stakeholder Forum on Internet Governance

**Date:** Wednesday 22 April 2015

**Time:** 10:10hrs

**Venue:** Conference Room, Ministry of Technology, Communication and Innovation (MTCI), Level 4, New Government Centre, Port Louis.

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| **Members Present:** |
| **Ministry of Technology, Communication and Innovation (MTCI)** |
| **Administrative Staff** |
| 1. Mr. J. Phokeer
 | - | Permanent Secretary (**Chairperson**) |
| 1. Mr. S. Purmessur
 | - | Deputy Permanent Secretary |
| 1. Ms. U. Shewraj
 | - | Assistant Permanent Secretary |
| **Technical Staff** |
| 1. Mr. S. Ramgolam
 | - | Project Manager |
| **Secretariat** |
| 1. Mr. P. Gorden
 |  - | Intern, Service To Mauritius (**Acted as Secretary**) |
| **National Computer Board (NCB)** |
| 1. Mr. I. Limalia
 | - | Representative of the Executive Director |
| 1. Mr. V. Mulloo
 | - | Manager, Government Online Centre (GOC)  |
| **Central Informatics Bureau (CIB)** |
| 1. Mr. K. Valaydon
 | - | Project Manager |
| **Information and Communication Technologies Authority (ICTA)** |
| 1. Mr. T. Dabeesing
 | - | Director Information Technology |
| **Mauritius Telecom (MT)** |
| 1. Ms.V. Cathapermal
 | - | Senior Executive Regulatory Affairs |
| 1. Mr. J. Lim
 | - | Executive (Data and IP) |

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| **Mauritius Bankers Association** |
| 1. Mr. S. Beegun
 | - | Regional ICT Consultant, Afrasia Bank |
| **Internet Society of Mauritius (ISOC)** |
| 1. Me. A. Radhakissoon
 | - | President ISOC |
| **University of Mauritius** |
| 1. Mr. S. Sathan
 | - | Lecturer |
| **Mauritius Chamber of Commerce and Industry (MCCI)** |
| 1. Mr. B. Pillay
 | - | Manager |
| **Data Communications Ltd (DCL)** |
| 1. Mr. G. Ramalingum
 | - | Executive Chairman |
| **Hot Link Co Ltd** |
| 1. Mr. J. Ng
 | - | Managing Director |
| **Mauritius Internet Users** |  |  |
| 1. Mr. S. Moonesamy
 | - | Consultant, Eland Systems |
| 1. Mr. N. Sookun
 | - | R&D System, Stella-Telecom |
| **FODY Technologies (.mu registrar)** |
| 1. Mr. B. Gentil
 | - | Director |

* 1. **Welcome**
	2. The Chairperson welcomed the members present and declared the meeting open.

**2.0 Purpose of Meeting**

2.1 The Chairperson informed the members that:

 (i) at the previous meeting of the Multi-Stakeholder Forum held on 26 February 2015, it was decided that, in view of pertinent issue(s) regarding the dot mu (***.mu***) domain, a ***.mu*** *Select Committee* was setup under the chair of Mr. S. Moonesamy to work-out a Governance Framework for the ***.mu* country code Top Level Domain (ccTLD)**; and

 (ii) subsequently, two working documents had been submitted to the Ministry by the said *Committee* and circulated to members of the Forum;

2.2 The Chairperson added that the purpose of the Meeting was to (i) take note of the documents submitted by the ***.mu*** *Select Committee*; and (ii) discuss the way forward regarding implementation of the proposals.

2.3 The Chairperson invited Mr. S. Moonesamy, representative of the Mauritius Internet Users, to make a presentation on the proposals.

**3.0 PowerPoint Presentation**

3.1 Mr. S. Moonesamy made a PowerPoint presentation (Annex 1 refers) highlighting the following:

 (i) **.mu** Select Committee;

 (ii) a way forward;

1. Policymaking;
2. Technical; and
3. Commercial.

 (iii) not-for-profit entity;

 (iv) proposed action plan;

**4.0 Issues Discussed**

4.1 Mr. Moonesamy pointed out the following:

(i) a non-for-profit and legal entity would have to be setup to act as the ***.mu*** *Council*;

(ii) all stakeholders would have equal status in the setting up of the ***.mu*** *Council*;

(iii) all stakeholders would be able to participate in the decision making process of the ***.mu*** *Council*; and

(iv) the Ministry of TCI would have to make necessary amendments to the ICT Act.

4.2 The representative of the ICTA informed that

(i) the ***.mu*** *Select Committee* had agreed that:

 (a) there were problems with regard to the ***.mu*** (1) at the Policy Level; (2) in the Legal Framework and (3) at the Commercial Level;

(b) the ***.mu*** *Council*, which would be the formal agency, would be responsible for the ***.mu*** policy and would be the one filing the case for redelegation;

(c) with regard to the technical aspect, it would be preferable to come up with a local setup with an escrow at the international level. The process might take much time, but in the long run it would be a sustainable solution for the ***.mu***; and

 (d) the Multi-Stakeholder Forum would elect the members to sit on the ***.mu*** *Council*.

 (ii) with regard to the technical setup for hosting the technical registry and the *modus operandi* to make it happen, he was of the opinion that:

1. a holistic approach need to be adopted, whereby a resource person would champion the whole governance as well as the technical issue and come up with the best model;
2. in this context, a consultant with hands-on experience in the related field could be hired to perform the above-mentioned tasks in a fast-track manner; and
3. it was up to the members of the Multi-Stakeholder Forum to decide thereon.

4.3 Mr S. Moonesamy was of the opinion that the hiring of a foreign consultant should be the prerogative of the ***.mu*** *Council* to decide upon.

4.4 Mr. Radhakissoon pointed out that:

 (i) he was agreeable that there was a need to formalize and give a legal recognition to the entity to be setup;

 (ii) putting the ***.mu*** *Council* in an Act would not be the proper solution, as the *modus operandi* of the Internet Society was a bottom-up approach, which would not fit the existing culture at the level of the regulator(s) which were top-down processes;

 (iii) in view of financial implications, there would be need to formalize the said entity so that it be accountable and transparent;

 (iv) the said entity could be formalized as (a) an association under the Registrar of Association; (b) a company limited by guarantee under the Companies Act; or (c) a Société under the Civil Code of Mauritius;

 (v) he was of the opinion that the most suitable solution would be for the ***.mu*** *Council* to be formalized by incorporation under the Companies Act as a private company limited by guarantee; and

 (vi) he enquired if the technical proposal made by the ***.mu*** *Select Committee*, which had been circulated to members of the Multi-Stakeholder Forum, would be the one to be adopted, and to which Mr. S. Moonesamy informed that it was just for information purposes.

4.5 The representative of Mauritius Telecom (MT) pointed out that:

 (i) before a decision is taken as to whether the ***.mu*** *Council* would be a company or NGO or association, there would be need to define the parameters of the said Council in the first instance; and

 (ii) in this regard, there was need for a model that (a) would meet the objectives of the Internet Community; and (b) would have a legal status so that there is some accountability in view of finance involved.

4.6 Mr. Ramalingum, pointed out that:

 (i) a small sub-committee of 3 to 4 persons, could be setup to work on the legal framework and regulation of the ***.mu*** *Council*;

 (ii) subsequently, the working documents of the sub-Committee could be circulated to members of the Multi-Stakeholder Forum; and

 (iii) given the current status of the Mauritian Internet Community and the fact that the ***.mu*** *Council* would be setup from scratch, there would be no harm for foreign technical expertise to be hired to help Mauritius in such endeavour;

4.7 Mr. N. Sookun, representative of the Mauritius Internet Users, was of the opinion that an association would better suit the Internet Users as it would be member driven.

4.8 The Committee took note that:

(i) amendments to the ICT Act would be brought through the ICT (Amendment) Bill or the Ministry of TCI (Miscellaneous Provisions) Bill;

(ii) the ***.mu*** *Council* need to be based on a tripartite system consisting of Public-Private-Civil society;

(iii) Government would have to be part of the ***.mu*** *Council* but should not be the one driving the said Council;

(iv) membership to the ***.mu***Forum would be left open and not restricted;

(v) as a matter of good governance, the model for the Mauritius Chamber of Commerce and Industry (MCCI) which was an association, could be used for the setting up of the ***.mu*** *Council*;

(vi) accountability would also be towards the Internet Community;

(vii) the consultant would (a) come up with an holistic picture of what would be the best business model so that the ***.mu*** *Council* would be able to operate in an autonomous manner; (b) look at the technicalities to be put in place; (c) act as a trigger in view of the redelegation process to be initiated at the level of the *Internet Assigned Numbers Authority (IANA)*; and

(viii) the technical registry could be hosted at the Mauritius Internet Exchange Point (MIXP) at Ebene. A request could be made to ICTA for seed money to set up the technical registry.

**5.0 Way Forward**

5.1 The Committee agreed to the following:

 (i) the work of the ***.mu*** *Select Committee* was over;

 (ii) a sub-Committee with the following members would work-out the legal framework of the ***.mu*** *Council*, taking into consideration the MCCI model and proposed governance framework:

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| **No.** | **Institution** | **Name** |
| 1. | Internet Society of Mauritius (ISOC) | Me. A. Radhakissoon |
| 2. | Mauritius Telecom | Me. V. Cathapermal |
| 3. | Mauritius Chamber of Commerce and Industry (MCCI) | Me. B. Pillay |

 (iii) the Information and Communication Technologies Authority to hire an expert to provide assistance and help the Multi-Stakeholder Forum to chart the way forward.

**6.0 End of Meeting**

6.1 The Meeting ended at 11:15hrs with a note of thanks from the Chairperson.

**28 April 2015 Ministry of Technology, Communication and Innovation**