

A very brief guide to Internet Governance and the emerging organization of multi stakeholder participation

Abstract

One result of the 4 year World Summit on Information Society (WSIS) was the formation of the multistakeholder Internet Governance Forum (IGF). This forum is a radically new form of organization for the UN as it allows for participation by the various stakeholders of the Internet, as opposed to being restricted to government representatives. Internet governance is a relatively new area of discourse that is becoming a hot issue of international dialogue. This paper briefly discusses the origins of the debate and the meaning of Internet Governance as well as outlining some of the ongoing activities in this area. The paper also discusses some ways in which the reader can get involved in the debate and why they may want to.

Arriving at a definition of Internet Governance

Arriving at a definition of Internet governance has proven to be difficult. The nations and experts who gathered in Geneva for WSIS² 2004 could not figure it out after a week of argument. The nations assembled for WSIS eventually asked the UN Secretary General (UNSG) to initiate a working group on Internet governance (WGIG) to develop the definition that had been so elusive and troublesome for the world's diplomats. The working group³ was formed in 2004. It consisted of 40 experts chosen from government diplomats, from the public sector, and from civil society, in politics, business and technology. It took this group of experts several months of consultations, debates and drafts to come up with the following working definition.

Internet governance is the development and application by governments, the private sector, and civil society, in their respective roles, of shared principles, norms, rules, decision making procedures and programmes, that shape the evolution and

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- 1 About the author: The author of this report followed the WSIS process from the Phase 1 meeting in Geneva 2003 and to its conclusion in Tunis 2005. She continues to be active in the subsequent organization of new Internet Governance structures.
 - 2 World summit on the Information Society <http://www.itu.int/wsis/>
 - 3 WGIG – Working Group on Internet Governance. The author was a member of this group. Great quantities of information on the deliberations of the group can be found at <http://www.wgig.org>. This information includes biographies of the participants, all intermediate working papers, comment papers sent in by individuals and agencies as input in the work of the WGIG, as well as transcripts of consultations.

utilization of the Internet. ⁴

One of the important aspects of this definition is the indication that Internet governance is not equivalent to activities performed by governments alone. While governments in the industrial age have taken on many governance functions, in the case of the Internet, the role of governments has been limited. One of the primary goals of the International Telecommunications Union⁵, was to gain a foothold in the management of the Internet, an enterprise they have been effectively shut out of. As an UN system Intergovernmental organization, their goal was to increase the role for governments and for themselves, as the representative of governments, in the control of the Internet. A main result of the WSIS process is that the participation in Internet Governance has changed character and potentially new stakeholders will have the opportunity to participate.

In order for the multistakeholder approach to work, the stakeholders (that is the users of the Internet) must get involved. Before elaborating further on the concept of Internet Governance and the genesis of the Internet Governance Forum, I would like to outline a few of the reasons for, and methods of participation.

What is gained by participating?

I think an answer to this question depends on the interests of the participants. In this section I will list, as bullet items, some of the values I see in participation.

To have a chance to affect the agenda of Internet governance of the next few years. In some cases this has already had a visible effect, for example in the spread of the multistakeholder modality. In other cases, for example, the inclusion of women's issues or support for disadvantaged populations, there is still a lot to be done. A quick glance at the schedule for the Athens meeting shows that these issues have not been brought to front and are not the topic of any of the workshops. This can be changed in the future years of the forum. But only if the people who care about these issues become active.

To build a network of activists and experts from many parts of the world. These contacts are important in developing projects dealing with development in challenged areas and for disadvantaged populations.

For the social science researcher, the confluence of government, public sector and civil society is a new phenomenon that is leading to new forms of organizational behavior. This is having a large, and as yet not understood, effect on the dynamics of international cooperation.

4 From the WGIG Report. A 5 page description of the process that went into developing the definition, explanation of each word in the definition and a sampling of some of the definitions offered by various WGIG members can be found in the Background report published by the WGIG. Pages

5 ITU – the UN agency historically responsible for telecommunications <http://www.itu.int>

The personal value and excitement of participating in the creation of new ways of interaction for international governance. The Internet is a relatively new force in the history of the world. To many it is seen as important a milestone in history as the industrial revolution. It remains to be seen whether this is indeed the case, i.e., history will tell. What is certain is that the new methods in knowledge production and information sharing are changing the basis for international cooperation and this is bringing about a new dynamic in the means and actors in governance. Rarely does a person have the chance to participate in something with the potential for such radical change.

How is participation arranged/expected to be arranged?

There are several ways in which one can participate.

By attending the Athens IGF meeting.

By participating in public sector and civil society groups. These groups have participated in preparations for the Athens meeting and will soon start planning for the IGF activities that will continue over the next 4 years.

By participating in working groups or ongoing efforts that may result from the meeting in Athens.

By sending individual statements and recommendations to the IGF secretariat.

By attending the consultations that will be held in preparation for the IGF meeting in 2007.

In terms of attendance at the Athens meeting and future consultations, the meetings are mostly open. In the consultations so far and for the Athens meeting, participation has been open to anyone who either:

Was accredited for the WSIS process⁶.

Sends a note to the IGF secretariat explaining why they are interested.

Since the IGF is mandated as open and inclusive, I expect that the procedures will remain similarly flexible through the life of the forum.

The WSIS process and Internet Governance

Originally Internet governance was defined in a narrow sense by WSIS as control of the logical infrastructure of the Internet, i.e. the addresses used to identify each node⁷ attached to the network, commonly known as IP addresses,⁸ domain

⁶ LTU is listed as an accredited civil society entity by the WSIS process.

⁷ I am using this term as opposed to a simpler term such as computer, because IP addresses are not being attached to many entities, such as mobile telephone, airplanes, and refrigerators.

⁸ There are 2 versions of IP addresses; the legacy IPv4 addresses which as considered by some to be in shortage, and the newer and more plentiful IPv6 addresses.

names, especially the top level domain names⁹, and the systems responsible for translating the domain names into the IP addresses.¹⁰ This was certainly the focus for the ITU, the hosts of the WSIS process. However, the WGIG decided¹¹ that there was a much broader scope for Internet governance discussions. The WGIG outlined four policy areas that were objects of Internet Governance to varying degrees:

- (a) Issues relating to infrastructure and the management of critical Internet resources, including administration of the domain name system and Internet protocol addresses (IP addresses), administration of the root server system, technical standards, peering and interconnection, telecommunications infrastructure, including innovative and convergent technologies, as well as multilingualization. These issues are matters of direct relevance to Internet governance and fall within the ambit of existing organizations with responsibility for these matters;*
- (b) Issues relating to the use of the Internet, including spam, network security and cybercrime. While these issues are directly related to Internet governance, the nature of global cooperation required is not well defined;*
- (c) Issues that are relevant to the Internet but have an impact much wider than the Internet and for which existing organizations are responsible, such as intellectual property rights (IPRs) or international trade. The WGIG started examining the extent to which these matters are being handled consistent with the Declaration of Principles;*
- (d) Issues relating to the developmental aspects of Internet governance, in particular capacity-building in developing countries.*

9 TLDs are labels such as .com, .edu, .info and .cat (the name that has been assigned to Catalonia) that are found in every web address (URL).

10 The Domain Name System (DNS) system is used for this purpose. This is a system that is distributed throughout the network in order to give a scalable service given the number of queries per second made for name to address translations. Even though it is a distributed system there is a unitary root that is replicated for scalability purposes. This single root, properly called the root zone, is currently under US department of Commerce control. This is a controversial situation.

11 While not the topic of this brief report, one of the major achievements of the WGIG is establishing a new method for decision within the UN. This was the first occasion within the UN system where a group composed of nations, the public sector and civil society were able to sit across a table as peers and come to decisions as a group. This model was not followed in the WSIS which had its own precedents and established procedures, but it is hoped that it will serve as a precedent for future UN efforts.

WSIS and the WGIG report

The WGIG report was approved by the UN Secretary General and then delivered to the WSIS, at which point the members of the UN, began deliberating their conclusions. At first there was a wholesale rejection of the WGIG report with the exception of the definition, which was accepted. While the members were thanked for their distinguished service, the report was seen as unacceptable. Once the nations involved in WSIS began to debate the issue anew, they frequently found themselves, however, converging on language that was reminiscent of the WGIG language.

To understanding the scope of the WSIS approved language¹² on Internet governance it is useful to look directly at some of the significant paragraphs from the Tunis Agenda¹³ and to discuss some of their implications.

58. We recognize that Internet governance includes more than Internet naming and addressing. It also includes other significant public policy issues such as, inter alia, critical Internet resources, the security and safety of the Internet, and developmental aspects and issues pertaining to the use of the Internet.

59. We recognize that Internet governance includes social, economic and technical issues including affordability, reliability and quality of service.

This statement is very important in that it is a firm recognition that Internet governance is not solely about names and numbers and about who controls the logical resources that are considered critical to running the Internet, but that governance needs to take into account the uses to which the Internet is put and that it needs to pay attention to the people who use the Internet as well as to those who do not yet have the capability to use it.

The governments also adopted another recommendation from the WGIG report; the establishment of a forum to allow for continued multistakeholder debate of the issue involved in Internet governance.

72. We ask the UN Secretary-General, in an open and inclusive process, to convene, by the second quarter of 2006, a meeting of the new forum for multi-

12 Approved language is an important concept. This is language, such as that in the Tunis Agenda that has been approved by the UN nations. Approved language is something that can be quoted with authority when dealing with national governments as it represents, to some degree – though less than treaty language – commitments that the nations have made.

13 The WSIS process produced four documents of which the Tunis Agenda was the last. The documents can be found at <http://www.itu.int/wsisis/>. It should be noted that Internet governance was but one thread of the WSIS effort. Another large amount of effort was dedicated to development projects and the ways of financing these projects. This short report merely notes these efforts but does not discuss them. The documents referred to in this note contain substantive sections on those topics.

stakeholder policy dialogue—called the Internet Governance Forum (IGF). The mandate of the Forum is to:

- a) Discuss public policy issues related to key elements of Internet governance in order to foster the sustainability, robustness, security, stability and development of the Internet.*

This sentence recognizes that whatever is done, it must not harm the running of the Internet. It has been called the Hippocratic Oath for the Internet.

- b) Facilitate discourse between bodies dealing with different cross-cutting international public policies regarding the Internet and discuss issues that do not fall within the scope of any existing body.*

This sentence recognizes that there are many international organizations which already provide Internet governance leadership. It mandated that any new group must not duplicate the effective work already being done, but must involve those other organizations in providing increased value to the Internet and its users. This is an important recognition of the fact that the Internet is already subject to governance even if the UN and member nations are not involved in those processes.

- c) Interface with appropriate intergovernmental organizations and other institutions on matters under their purview.*

This mandate gave the ITU a little of what it had been trying to achieve, a level of participation in Internet governance. More importantly, however, it also indicated that groups such as WIPO and UNESCO had some jurisdiction over the key policy issues, especially those related to issues that were broader than the Internet.

- d) Facilitate the exchange of information and best practices, and in this regard make full use of the expertise of the academic, scientific and technical communities.*

This sentence acknowledges the importance of those who built and maintain the Internet. While the Internet technical and operational communities were striving for equal recognition in the forum, this was the strongest support they were able to get from the nations. It was seen as somewhat ironic, since many of the policy issues are currently controlled by this group.

- e) Advise all stakeholders in proposing ways and means to accelerate the availability and affordability of the Internet in the developing world.*
- f) Strengthen and enhance the engagement of stakeholders in existing and/or future Internet*

governance mechanisms, particularly those from developing countries.

The forum should not only be a place for discussion, but should also attempt to arrive at suggestions for ways to achieve the main goal of WSIS – the spread of the advantages of the information society to those who are currently not included in digital world. That is, the efforts for governance must have a developmental scope.

- g) Identify emerging issues, bring them to the attention of the relevant bodies and the general public, and, where appropriate, make recommendations.*
- h) Contribute to capacity building for Internet governance in developing countries, drawing fully on local sources of knowledge and expertise.*
- i) Promote and assess, on an ongoing basis, the embodiment of WSIS principles in Internet governance processes.*
- j) Discuss, inter alia, issues relating to critical Internet resources.*
- k) Help to find solutions to the issues arising from the use and misuse of the Internet, of particular concern to everyday users.*
- l) Publish its proceedings.*

These last paragraphs describe the scope of the work to be done by the IGF.

The post WSIS process: formation of the IGF

In response to the call by WSIS the UNSG put into action a open process to develop the inaugural event. The first steps in the preparations included several public consultations.

The first public event in the formation of the IGF was an open consultation held in February 2006. This consultation covered several themes including the topics that should come into discussion in the IGF and the structure of the IGF itself. Following this meeting an ordered list of topics that had been discussed was compiled:

- 1. Spam*
- 2. Multilingualism*
- 3. Cybercrime*
- 4. Cybersecurity*
- 5. Privacy and Data Protection*

6. *Freedom of Expression and Human Rights*
7. *International Interconnection Costs*
8. *Bridging the Digital Divide: Access and Policies*
9. *Bridging the Digital Divide: Financing*
10. *Rules for e-commerce, e-business and consumer protection.*

Comments were then solicited from the public on the relative priorities of the topics, specifically asking for an explanation on why it was important to cover a particular topic in the first year. A synthesis of these comments was made available in mid April of 2006.

Simultaneous with this consultative process, negotiations held after the consultations led to a decision to appoint a multistakeholder advisory group (IGF-MAG) of approximately 40 individuals to advise the UNSG and the IGF secretariat on the organization of the IGF and in determining the agenda of the Athens' meeting. This group consists of approximately 20 individuals recommended by the governments and another 20 recommended by the public sector, civil society and the academic and technical communities. The committee was ultimately chosen by the UN Secretary General with the assistance of the IGF secretariat. This group then held open consultations in May before holding a closed planning meeting where they developed the initial draft of the agenda for the meeting. This initial recommendation was later refined in further consultations and then approved by the UNSG.

The UNSG sent an Internet message¹⁴ announcing the meeting, to be held 30 October - 3 November in Athens, Greece. The specific program for the meeting is quoted below:¹⁵

In accordance with the Tunis Agenda for the Information Society, Internet Governance for Development has been chosen as the overall theme of the meeting, with capacity building as a cross cutting priority. The programme will consist of Main Sessions and Workshops. The Main Sessions will be structured as follows:

- The first day will have an opening ceremony in the morning, and a general session in the afternoon on multi-stakeholder policy dialogue to set the scene for the common themes that run through the rest of the discussion for the next three days.
- The second day deals with the broad themes of openness and security.

14 <http://www.intgovforum.org/sg-letter-en.html>

15 <http://www.intgovforum.org/index.htm>

- *Openness - Freedom of expression, free flow of information, ideas and knowledge*

The Session is expected to take up the following issues: Free flow of information, freedom of expression, empowerment and access to knowledge

- *Security - Creating trust and confidence through collaboration*

The Session is expected to take up the following theme: Protecting users from spam, phishing and viruses while protecting privacy.

- The third day deals with diversity and access

- *Diversity – Promoting multilingualism and local content*

The Session is expected to take up the following issues: Multilingualism, including IDN, and local content

- *Access - Internet connectivity: Policy and cost*

The Session is expected to take up the following issues: Interconnection costs, interoperability and open standards

- The fourth day reviews the work of the previous days, with the Chairman summing-up the overall meeting

- The meeting will include an open microphone session taking stock of the Athens meeting, reviewing the working methods of the IGF and looking forward to the next meeting and the agenda for Rio de Janeiro

- It will conclude with a panel of young people who will look at emerging issues and issues of concern to youth, both from a technology and public policy perspective

Capacity building will be a cross-cutting priority throughout these sessions and thus should be included as a specific theme in each of the sessions.

In addition to the main program a parallel program of workshops will be held in

parallel with the Main Sessions, starting on 31st of October. A full schedule of the meeting can be found at: http://www.intgovforum.org/wksshop_program3.htm.

Conclusion

Much has been achieved from the days before the WSIS began. Perhaps the most important is that the developmental agenda is on the table both in terms of Internet governance and in terms of Internet development. A second critical advance has been the initiation of a multistakeholder process to guide the future of Internet Governance. Whatever one's views on the specific priorities dealt with by the IGF, this innovation in international dialog should not be underestimated. More than that, it is a process that should be supported by all stakeholders and it is a process that requires our participation.