The Amateur Computerist

http://www.ais.org/~jrh/acn/

Fall 2015 | Netizens Belong in Internet Governance | Volume 26 No. 1

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Introduction

Three Models for Internet Governance Multi-Lateral, Multi-Stakeholder, or Netizen Model?

The question taken up in this issue of the *Amateur Computerist* is: What is the nature of the governance needed for the Internet to develop, to thrive and to spread to more and more people around the world?

From October 19 to 22, 2015, the UN headquarters in New York held the 2nd Preparatory Session for the WSIS+10 Review. WSIS stands for the Summit sponsored by the United Nations that took place in two phases, in Geneva in 2003 and in Tunis in 2005. This Summit was called the World Summit on the Information Society (WSIS). The objective of these phases of the Summit was two-fold. One was to give an impetus and direction to spread the Internet around the world, particularly to those developing countries and peoples who did not yet have access to the Internet. The second objective was to resolve a struggle that was ongoing at the time over what would be the form of governance for the global Internet.

The Tunis Summit mandated that in ten years, the UN General Assembly do a ten year review of the progress of the objectives set out at the Geneva and Tunis WSIS meetings. The preparatory meetings toward that review were ongoing in Fall 2015 in order to create an agreement for a High Level Meeting which was to be held by the UN General Assembly on December 15 and 16, 2015.

Rather than review the achievements and shortcomings of the previous 10 years so as to evaluate the progress toward implementing the vision and goals set by the WSIS Summit, however, the WSIS+10 Review has become embroiled in the continuing controversy over what will be the form of governance of the global Internet. On one side of the controversy is the desire to have a shared form of governance in which all states are able to participate on an equal footing On the other side of the controversy are those states that are willing to accept the U.S. government's unilateral control over the essential functions of the Internet infrastructure.

This controversy should be fought out in public in a way that clarifies the underlying disagreements so a common agreement can be negotiated. Those favoring continued U.S. control over the Internet's infrastructure present their model for Internet governance as the "multi-stakeholder" model. Those on the other side of the controversy advocate the importance of governments maintaining control over Internet related decisions that will affect their citizens. A third view differing in part with those who argue for governments to maintain control over decisions affecting their citizens, is that citizens and netizens be empowered to participate in helping to determine what the decisions by their governments will be. The three models for Internet governance discussed in this issue of the *Amateur Computerist* therefore are the multi-stakeholder model, the multilateral model (governments controlling the decisions) and the netizen model

(citizens and netizens participating to help to determine the decisions of their governments.)

The netizen model of Internet governance emerged earlier than the multi-stakeholder model. The netizen model grew out of the research of Michael Hauben who recognized that there was a new form of citizenship, a global form of empowerment made possible by the development of the Internet. He recognized also that there were a number of online users who cherished the Internet and tried to utilize the empowerment it made possible for the public interest of spreading the Net and making this new social institution, this electronic commons into something that would benefit society and the people who populate it.

The outcome document of the WSIS Summit of 2003 and 2005 recognized this model for Internet governance and put forward the vision of a people-centered, inclusive and development-oriented information society.

An early draft, known as the Non-Paper, toward a 10-year Review document had as the first statement in its Preamble:

> We affirm the vision of a people-centered, inclusive and development-oriented information society defined by the World Summit on Information Society (WSIS) as well as the objectives and norms established in the Geneva Declaration of Principles, the Geneva Plan of Action, the Tunis Commitment and the Tunis Agenda for the Information Society.

In their comments submitted on the Non-Paper, several UN member nations commented on this statement finding it an important statement of principle for the continuing vision for the development of the Information Society.

A proposed form of governance presented in the Non-Paper in contrast to the people centered form of governance, is what is called the "multi-stakeholder" form of governance. This "multi-stakeholder" model, its advocates say, is one which rejects the UN multilateral system. In its place is put a system where a few governments claim they rely only on "stakeholders" to make the decisions about the Internet. Who these are is most often not known, but most likely to be powerful corporations

There are many problems with such a model. In general it excludes most governments and it excludes the obligation of governments to fulfill their responsibility to their citizens, i.e. to provide for the safety and well-being of their citizens

Moreover, these few powerful nations embracing the so called multi-stakeholder model choose which "stakeholders" to include in their discussion, and exclude most others.

One criticism of this "multi-stakeholder" model is that it is but a new way to undermine the sovereignty of nations, substituting some few "stakeholders" so as to justify excluding the majority of governments, their citizens and netizens from playing any role in the decision making process regarding the global Internet.

The articles in this issue provide a critique of the "multi-stakeholder" model and explain the "multilateral" and the "netizen" models. The latter two have gotten comparatively little coverage elsewhere.

For example, the articles by Parminder Jeet Singh, "Global Internet Governance: A Developing Country Perspective" and Michael Gurstein's "Democracy OR Multi–Stakeholderism: Competing Models of Governance" provide critiques of the multi-stakeholder model and document the democratic deficit with that model. Louis Pouzin's article, "What Future Governance Now that We Know?" proposes needed action to counter the structural conflict of interest built into the ICANN institutional organizational form. Qihen Hu's article "Institutionalized Oversight of Internet Resource Management" argues for a shared multi-lateral decision-making process for policy issues related to the Internet's infrastructure. And Karl Auerbach's "Open Letter to Congress Regarding NTIA and ICANN" documents the inherent hostility to oversight and accountability exhibited by ICANN.

"Netizen Participation in Internet Governance," by Izumi Aizu explains why netizens must be part of Internet governance. The two articles, "We Need an Internet of Citizens, of Netizens not an Internet of Things," and "On Citizen and Netizen Role in Decision-Making Process to Build the Information Society" are submissions by Ronda Hauben to the WSIS+10 Review Process.

The article "UNESCO Program at UN Obscures Controversy Over ICANN" describes a program held at UN Headquarters in 2014 to present a UNESCO report on freedom of expression. The UNESCO sponsored program however was turned into an advocacy event to promote ICANN with no critical perspective. No effort was made to provide an understanding of the public controversy over ICANN.

Another article titled "UN to Consider Future of

Internet Governance Forum," describes a meeting at UN Headquarters in 2010 exploring the UN General Assembly's need to understand the issues related to Internet governance so as to be able to make necessary decisions at the 5 year anniversary of the Tunis phase of the WSIS Summit. The two articles, "First Preparatory Meeting of United Nations WSIS 10 Year Review Reveals Problems," and "Observations on the 2nd Preparatory Meeting of the UN WSIS 10 Year Review" describe serious problems demonstrated by the two preparatory sessions held at UN Headquarters in the run up to the High Level meeting planned for December. These six articles are reprinted from Ronda Hauben's netizenblog (http://blogs.taz.de/ netizenblog) which covers the UN and netizen related issues.

There is a critical need for broad public discussion and understanding of the controversies underlying the choices that need to be made about the mandated ten year review of the WSIS targets and vision. The success of the process will have a bearing on how the Internet and netizens will develop and spread over the next 10 years. Public and citizen and netizen participation in these issues, will add vitality and support for the continuation and implementation of the WSIS vision of a people-centered, inclusive, and development oriented Information Society.

[Editor's Note: The following is a submission for the UN General Assembly WSIS+10 Review.]

"We Need an Internet of Citizens, of Netizens, not an Internet of Things"

Submission for WSIS+10 Review*

by Ronda Hauben
ronda.netizen@gmail.com

The vision of the people-centered, inclusive and development-oriented Information Society presented at the World Summit on the Information Society (WSIS) in 2003 and 2005 is a good vision and a vision that needs to help to encourage implementation actions.

Critical for the fulfillment of this vision is the need to understand the important role that netizens must play in carrying out the goals.

I participated in the WSIS Tunis Summit (November 16-18, 2005). Also I chaired a panel and made a presentation about Netizens at the side event for the WSIS meeting "Past, Present and Future of Research in the Information Society" (PPF) held in Tunis on November 13-15, 2005. The side event was sponsored in part by the 4S (Society for Social Studies of Science).

My presentation at the side event described how the Internet was developed and spread and how the discovery of the emergence of the netizen happened. It documented how the role of the netizen in the continued development and spread of the Internet was identified and embraced by many online users around the world. The vision for the development of the Internet was created by JCR Licklider based on his research in computers and human brain science. Licklider adopted a notion of cooperative modeling as a conceptual framework.

Similarly my talk presented the discovery in 1993 of the Netizen by Michael Hauben in his research about the social impact of the Net. Netizens, Hauben observed, "were active participants in helping to spread the Internet and to foster its continued development as an advance in communications that would be available to all." He clarified that Netizens were those people online who actively contribute to the development of the Net. He wrote, "These are the people who as citizens of the Net I realized were Netizens." (*Netizens: On the History and Impact of Usenet and the Internet*, p. ixx) He differentiates, however, between those whom he identifies as netizens and others online. "Netizens are not just anyone who comes online. Rather they are people who understand that it takes effort and action on each and everyone's part to make the Net a regenerative and vibrant community and resource." (*Netizens*, p. x)

In a presentation made to an ITU Workshop Izumi Aizu explained the importance of Hauben's concept of netizens toward "the global governing framework of the Internet [for which] we are tasked by the WSIS process." Aizu explained why it was necessary to "listen to those who are affected by the decisions it makes," and how "Netizens act as watchdogs, or function to provide appropriate Checks and Balances, to counter interests of others such as a provider of services, business, and government."(See next article in this issue.)

I am proposing that there is a need for the UN General Assembly (UNGA) to include in its WSIS+10

Review statement a recognition of the importance of input from and discussion by netizens as an essential characteristic of the people-centered, inclusive, and development-oriented Information Society.

The challenge is to recognize the need for a bottom up process to implement the WSIS vision. Also there is a need to accurately identify problems impeding the development and spread of the Net and to find a means to resolve the problems.

At the airport on my way home from WSIS in Tunis I met a colleague from an African country. He described the difficulties that government was having in his country in its efforts to spread the Internet. He described how there was a plan to wire the government offices in his region and to then use the government Internet connection to connect the local schools. What he found, however, was that when the job was given to private contractors to connect the government offices, they would not spread the connection elsewhere. The government plans to own and administer the connection had envisioned how this would make possible an inexpensive means of connection for the region's schools. This did not happen.

This is an example of how there may be different views of how Internet connectivity can be provided and the private sector and public sector can have different interests that can either impede or facilitate the spread of the Net to the public.

Providing a means for the citizen and netizens to learn of these different models for development and having the Net help to make public discussion and input possible can provide a means to identify the challenges and determine how to resolve them.

In her presentation on July 2, 2015 to the Informal Interactive Consultations, Divina Frau-Meigs proposed that what is needed is an "Internet of Citizens, of Netizens, not an Internet of Things."

I want to support Divina Frau-Meigs' statement that what is needed is an "Internet of Citizens, of Netizens, not an Internet of Things." I want to offer some clarification. The concept of Netizen in its origins is not a description of all users, but of those users who have taken on to contribute to the development and the spread of the Internet and to making possible the better world that more communication among people can create.

The concept of Netizen comes from the research and writing of Michael Hauben while he was a college student in the early 1990s. Michael was interested not only in how the Internet would develop and spread, but also in the impact it would have on society. In 1993 he sent out a set of questions across the computer networks asking users about their experiences online. He was surprised to find that not only were many of those who responded to his questions interested in what the Net made possible for their own needs, but also they were interested in spreading the Net and in exploring how it would make a better world possible. A network user with this social perspective, or this public interest focus Michael called a Netizen. Thus the Netizen was not all users, but users with a public purpose.

Another aspect is that the Net is international and has been from its very beginnings. Netizenship is not a geographically limited concept. To be a netizen is to be not only a citizen of one country, but also a citizen of the Net. Based on his research, Michael wrote the article "The Net and Netizens: The Impact the Net has on People's Lives." The article and the concept of the Netizen spread around the world via the Internet and the Netizens.

Michael and I included his influential article as part of a Netizens Netbook which was first put online in 1994. It was published in a print edition in 1997 in English and in Japanese, titled *Netizens: On the History and Impact of Usenet and the Internet.*

The concept of Netizen was part of WSIS in Tunis in 2005, yet it was sidelined or ignored at the UNGA WSIS+10 Review Consultation until Divina Frau-Meigs' talk. In its place we are told there are "stakeholders" – but "stakeholders" is a term used to identify those seeking to benefit corporate or institutional interests. Governments are charged with a public purpose and hence are only mistakenly called "stakeholders." Similarly, Netizens are not "stakeholders," but instead those who contribute for a public purpose, for the public interest.

One UN member nation delegate asked how to deal with problems online. Traditionally Netizens would take up to deal with problems that developed online. It is important not to seek to disenfranchise Netizens but to welcome Netizens and the concept of Netizenship into the heart of the WSIS+10 Review by the UNGA. For any future development of the vision of a "people-centered, inclusive, and development-oriented Information Society," the Netizens must be recognized and integrated into the WSIS process.

I propose that a web site be set up for the WSIS+10 Review that makes possible online discussion by Netizens of the issues related to the Review. There was such a web site for the 2003 WSIS and

some interesting issues were raised by Netizens. Also it is important that the outcome document not try to block views. If there are disagreements, the disagreements should be reflected as part of the outcome document.

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*This submission is my own view as a netizen and not the views of any organization. The original version is available at the UN WSIS+10 Review website: http://workspace.unpan.org/sites/Internet/Documents/UNPAN94996.pdf.
It also appears on the netizenblog at:
http://blogs.taz.de/netizenblog/2015/08/03/an-internet-of-citizens-of-netizens-not-an-internet-of-things/

[Editor's Note: The following Working Paper is based on a presentation made in February 2004.*]

Netizen Participation in Internet Governance[1]

by Izumi Aizu
Deputy Director,
Institute for HyperNetwork Society
izumi@hyper.or.jp

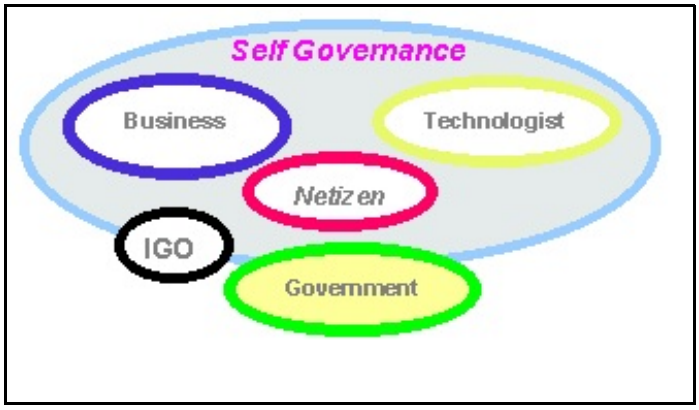
I have been involved with "Internet Governance," or areas of global Domain Name System management since around 1996. I was the Secretary General of the Asia and Pacific Internet Association (APIA), which was a formal member of the Steering Committee of International Forum on the White Paper (IFWP), a global coordination effort to forge a consensus for the setup of a new body to manage the DNS in 1998. IFWP was a global response from the Internet stakeholders to the call by the United States Government to "privatize" and "internationalize" the DNS management in an open and inclusive approach. We advocated the equal participation in the process and the body, eventually known as ICANN, from an Asia and Pacific regional standpoint.

Here, I like to provide my proposal of putting the "Netizens" into the global governing framework of the Internet [with which] we are tasked by the WSIS (World Summit on the Information Society) process.[2]

We are facing a new kind of challenge for the governance of the Internet. The Internet mades it possible to send and receive information from anyone's desktop, laptop, or even from mobile phones on the go, with minimal cost, very easily and instantly, to anywhere in the world, ignoring the geographic and institutional borders including that of the nation states. This fact poses transnational challenges that are difficult to solve by applying the traditional "nation" based approaches. Frankly, most of the current International or intergovernmental organizations were designed in the industrial age. Thus, they are not ready to deal with these national or global issues efficiently and effectively. They are slow to identify the issues, slow to come-up with solutions, slow to agree with each other, often constrained by national and bureaucratic borders, and too rigid to respond to the rapid, ever-changing technologies and their applications. For example, when they come up with legal frameworks against certain types of spam, the spammers would be already well ahead of the game creating new methods which are hard to trace and enforce. This is just a small example of the broader challenges we all face.

There is a clear need to establish a new governance model in which the Netizens from the Civil Society should play a vital role in cooperation with the government, international organizations, business sector and technical community.

The diagram below shows the framework I propose in which "self-governance" will take place. It is mostly carried out by the coordination and collaboration of all stakeholders: business entities who are mostly providers of services in the marketplace, along with technologists who develop the technical standards and manage administrative and operational functions of the network. Government can give a legal and policy framework but it is better to keep interventions minimal. Intergovernmental bodies and international organizations have their roles, as well.



What is necessary here is the participation of the Netizens.

First and foremost, the Internet is becoming an

everyday tool, or commodity, for most of U.S. in the world. In Japan [in 2004], more than 60% of population or 70 million people are now using the Internet one way or another, and 70% of subscribers are now enjoying the high-speed broadband connection, which gives you "always-on" feature. Korea has the highest penetration of broadband, with more than 80% penetration to the household and their actual usage is very very high. China, now reached the number two place in terms of number of Internet users, 80 million people, after the United States. [By 2015, China had more then 650 million users.] The development of I-mode in Japan gave rise to mobile phones for using services over the Internet, opening up the age of *ubiquitous* or *pervasive* networking. The Internet empowers an ordinary citizen with tremendous power – sending thousands of e-mails to millions of people at a cost of a few dollars, sending both positive messages as well as destructive viruses.

With this potential, millions of users are facing or creating societal challenges: in Japan, victims of online dating services with mobile or ordinary Internet are on the rise, targeting young women in schools with more than 100 serious criminal cases a year. P2P file exchange is posing a threat to commercial copyright holders, but it is also opening up new and creative ways of sharing works among citizens. Compared with these challenges, Domain Name and IP address management have far fewer serious problems now, but we may face more challenges.

For any Internet governance model to work, it should fit with the reality of local and a regional situation. As I have been working for the Internet community in the Asia Pacific region, I like to bring your attention to the very diverse situation of Internet development in our region, from highly-developed places such as Japan or Korea to just in their infancy in Afghanistan, East Timor and Iraq suffering from the wars and conflicts, or tiny economy of Bhutan or many other LDCs. Though Internet has been mostly developed by the Internet community in many Asian countries, similar to that of developed countries, I could say that governments play a greater role in supporting the Internet in infrastructure and capacity building activities in this region.

In the case of the Asia Pacific, there has been a very strong tradition of voluntary coordination and cooperation among the Internet communities. [You can see] all the "AP" organizations working on different areas of Internet management, from address and Domain Name management to infrastructure development or spam or security matters at: http://unpan1.un.org/intradoc/groups/public/documents/apcity/unpan016886.pdf page 4.

We have an annual summit called APRICOT which was first hosted in 1996 and acted as the coordination catalyst until now for many Internet activities in the region. This voluntary coordination is appreciated by governments but receiving no control nor much financial support at all. It is working just fine.

We should try to follow the governance model after the working architecture of the Internet which is based on the layered structure. Functions of each layer are different, so the governance models should also be different, suited to the distinct characteristics of the layer it belongs to. It is also necessary, however, to bring coordination among different actors at different layers together.

Emergence of the Netizen

The word "Netizen" was first coined by a 19-year-old student, the late Michael Hauben of Colombia University in New York in 1993. He was trying to identify the new residents of the network community and invented the term "Netizen," short for "Net Citizen." These active users of the computer networks were originally found in the technical community, but they now have spread into the civil society at large. Netizens are the main actors of the Information Society, as Prof. Shumpei Kumon of GLOCOM offered the theoretical analysis that in the Information Society, the social games are played around the *intellectual* values, not physical or property values like the industrial society. We see very active groups of Netizens affecting the society like the "slashdot" in U.S. or "2-channel," its counterpart, in Japan. We know many political activities are generated from online forums in Korea, where Netizen already became a common Korean term, affecting the outcome of a presidential campaign. In China, people are now starting to use online forums to criticize the government (sometimes). The rise of Netizens using mobile phones is articulated by Howard Rheingold in his book *Smart Mobs*, which showed the potentially large positive and negative impacts of using these cheap, open, mobile technologies.

Why should we let Netizens participate in this global governance of the Internet? First, for any democratic governance it is necessary to establish the *Consent of the Governed*, a basic principle of governance. But we should go further. The Netizens are the

main actors of the Internet development, as they are the great inventor and innovator of such tools as World-Wide Web (WWW) invented by the physics researcher Tim Berners-Lee, Mosaic and Netscape browsers developed by undergraduate students of University of Illinois led by Marc Andreesen, Yahoo was started as their hobby and later created as a real business by David Filo and Jerry Yang, students at Stanford University. ICQ, Amazon and e-Bay are all developed mainly by users of the Internet, not technology-driven engineers. Missing them from the governance structure is like playing the football game without any topnotch players. Third, decisions around Internet governance will affect so many end-users directly. One needs to listen to those who are affected by the decisions it makes.

Netizens act as watchdogs, or function to provide appropriate Checks and Balances, to counter interests of others such as providers of services, business and government. By involving them, they will also have more sense of responsibilities.

Let us also examine positive merits of having Netizens participate in the governance.

First, Netizens have direct knowledge and rich experience of most issues caused by the use of the Internet. If you are parents, quite often your children know much better about using the Net than you do. Likewise these active users are well aware of the challenges they are facing since most often they are part of actors who create these challenges themselves.

Second, Netizens are flexible, work more efficiently than many incumbent institutions where protocols and procedures take up too much time and process hence acting as barriers against timely decisions.

Third, Netizens are global citizens, not constrained by national boundaries. There are many communities of interest, spread globally, irrespective of geographic or other existing social boundaries. They will function complementally to the existing border-based management framework of international inter-governmental regime, *not* as opposition to them or undermining them.

Netizen participation will increase diversity. By making regional balance compulsory, Netizens from all the regions of the globe will participate in the governance activities. Netizens will counter economic imbalance, not dominated by large corporate interest, but adding nonprofit, non governmental forces. They will also provide cultural diversity with their multi-lingual and multi-cultural environment. Netizen participation will reduce the marginalization of the minority, too. By encouraging the Netizens to participate in governance, affirmative efforts to listen to the minority groups, persons with disabilities, women in vulnerable situations, linguistic minorities, all will have more opportunities for their voices to be heard.

Netizens share the view with the technical community that freedom at the edge of the network should be the core value of the Internet. Traditional telecom operators and mobile phone operators on the other hand may not necessarily share this vision. They tend to keep the central control and close the network which is convenient for the operators as well as many "passive" consumers. We are concerned that it may stifle the innovation and development of the Internet we have enjoyed so much so far.

There are risks of excluding Netizens from the global governance mechanism. We should consider these potential risks, too. If we only rely on technologists, they may lack the human viewpoints and tend to think things mechanically. If we rely too much on corporations, aspects of human rights might be compromised in the name of profit-making. Privacy protection and respecting freedom of speech may be less protected. And if we rely too much on a government or bureaucratic mechanism, then we may face narrow "top-down" approach or closed decisions.

In conclusion, we need to put Netizens into the self-governance mechanisms. This will help solve the dichotomy of private-sector only approach vs. strong government involvement. It will create an appropriate, more balanced structure. There are active Netizens in the developing parts of the world who will also enhance balanced participation.

In order to make effective participation of the Netizens, their autonomous, distributed and collaborative network of networks is necessary to exist. Efforts at ICANN AtLarge is one such example, trying to be bottom-up, coordinated globally, based on the subsidiarity principle, that addresses that local issues be solved locally first, seek for global solutions for only globally challenging issues. We also need to establish self-certification mechanism in place that works to provide legitimacy to the Netizens themselves.

Notes:

1. This paper is based on a speech presented at the ITU Workshop on Internet Governance, Geneva, February 27, 2004. This paper

is still a work in progress and welcomes your comments, criticisms and suggestions.
2. There is a WSIS Civil Society Internet Governance Caucus which has more than 60 individuals from most of the regions of the world and worked very hard to contribute to the Civil Society WSIS Declaration in its Internet Governance section. I suggest you to take the principles proposed there into serious consideration for the coming debate.

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* This Working Paper is online dated May 2004 at: http://unpan1.un.org/intradoc/groups/public/documents/apcity/unpan016886.pdf

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[Editor's Note: In early September 2015 an informal document called the Non-Paper was posted as part of the UNGA WSIS+10 Review Process at: http://unpan3.un.org/wsis10/Portals/5/WSIS%2010%20GA/WSIS%20nonpaper%20draft%20-%20final.pdf. The following was submitted as a comment on the Non-Paper.]

On Citizen and Netizen Role in Decision-Making Process to Build Information Society*

by Ronda Hauben
ronda.netizen@gmail.com

The first item in the Preamble for the Non-Paper states:

> We affirm the vision of a people-centered, inclusive and development-oriented information society defined by the World Summit on Information Society (WSIS) as well as the objectives and norms established in the Geneva Declaration of Principles. The Geneva Plan of Action, the Tunis Commitment and the Tunis Agenda for the Information Society.

This is an important statement of the vision for the information society. The statement of how to implement this vision as presented in the Non-Paper draft, however, is missing a critical element. This element was contained only in a partial manner in the Tunis Agenda for the Information Society, but at least it was included in this partial form. The statement that presented this partial means of implementing the vision was contained in item 90(d).[1]

This item stated:

> d) implementing effective training and education, particularly in ICT science and technology, that motivates and promotes participation and active involvement of girls and women in the decision-making process of building the Information Society.

The importance of this item is that it states that the goal of ICT is to motivate and promote participation and active involvement in the decision making process of building the Information Society.

The item, however, limits this objective to "girls and women." While this is a critical objective for women and girls, it is also important that it be an objective applied to boys and men of all ages, i.e., to all people.

The Non-Paper has an obligation to improve on the conceptual framework that the Tunis Agenda for the Information Society set, rather than to delete this objective all together. It is important to include a statement early on in the final output document that the goal of ICT is to motivate and promote participation, especially of users and netizens, and active involvement in the decision making process of building the Information Society.

In my submission for the WSIS+10 Review I wrote that "Critical to the fulfillment of this vision is the need to understand the role that netizens must play in carrying out the goals."[2]

I referred to the side event "Past Present and Future of Research in the Information Society" (PPF) of the Tunis Summit. In a panel at the PPF on the "Origin and the Early Development of the Internet and of the Netizens: their Impact on Science and Society," I presented a talk explaining why the participatory nature of the Internet is a critical aspect for its continuing development. I pointed to the work of JCR Licklider whose vision for the creation of the Internet as well as whose early work setting the technical foundation for it was a significant factor. Licklider not only recognized the need for a vision which would guide the continuing development of the Net but he also recognized the need for participatory action on the part of those online who would act as citizens of the developing net.[3]

Licklider proposed the need for people who cared about the Net to be involved in its continuing development. He suggested that this involvement could include those who would: study, model, analyze, argue, write, criticize, and work out each issue and

each problem until they reach consensus or determine that none can be reached.

In the early 1990's a college student found that there were a set of people online who were concerned about the development of the Internet and who were contributing to working out the problems of its continuing development. He proposed the term "netizen" building on the concept net.citizen which was being referred to at the time.

Netizens, as the student wrote, are those who embody the social conscious and public purpose similar to that which Licklider had considered important for the continued development of computer technology and for the public policy to support that development

The concept of netizen has spread around the world to include two uses, one refers to everyone on the net, and the second, as the college student intended, reserves the use of the word to refer to those who contribute to the development of the net. He wrote:

> Netizens...are people who understand it takes effort and action on each and everyone's part to make the Net a regenerative and vibrant community and resource. Netizens are people who decide to devote time and effort into making the Net, this new part of our world, a better place.

In her presentation to the WSIS+10 Review on July 2, Divina Frau-Meigs noted that what is needed is an "Internet of Citizens, of Netizens not an Internet of Things."

The concept of netizens, like that of citizens, embodies the notion of a participatory process that welcomes the active participation of those who have a social focus, a public interest focus in the further development of the Internet.

While there is among many a tendency to see Internet development as mainly a technical development, this misses the significant role that the people who are online play in the continuing development of the Net. The Net and Netizens are actually a symbiotic development and it is such a perspective that helps to carry on the continuing spread and evolution of the Information Society goals.

Notes

1. http://www.itu.int/net/wsis/docs2/tunis/off/6rev1.html item 90(d).
2. http://workspace.unpan.org/sites/Internet/Documents/UNPAN94996.pdf
3. http://www.columbia.edu/~hauben/tunis-wsis-2005/RHauben-Tunis-talk.pdf

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* This comment is online at: http://workspace.unpan.org/sites/Internet/Documents/UNPAN95298.pdf. All comments on the Non-Paper can be seen at: http://unpan3.un.org/wsis10/Preparatory-Process-Roadmap/Written-Comments-on-Non-paper

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Global Internet Governance: a Developing-Country Perspective*

by Parminder Jeet Singh**
parminder@itforchange.net

[*TWR* Note: In this 2014 review of global Internet governance from a developing-country viewpoint, Parminder Jeet Singh contends that the U.S. and its corporate allies are wary of any challenge to the default Internet governance regime they are shaping and establishing. However, unlike with global trade and intellectual property frameworks which were developed largely unilaterally and foisted by the North upon the developing world, there is still time for the South to develop a proactive strategy to shape the emerging global regime on Internet governance. Such an alternative should, in his view, be broadly based on a new paradigm of the Internet as a global commons and a public utility.]

The subject of Internet governance (IG) first got imported into the consciousness of most developing countries during the negotiations for the outcome texts of the World Summit on the Information Society (WSIS).[1] The main issue at that time was the unilateral U.S. oversight over the root of the Internet, which contains the names and numbers directory for the global Internet addressing system. This was considered unacceptable by almost all other countries. Expectedly, interest in this subject was mostly of the foreign affairs ministries of developing countries, and came from a traditional geo-political standpoint.

On a different track, for some time since even before WSIS, the information technology (IT) ministries of developing countries had been engaging with the regional Internet registries and with ICANN[2] as the

Internet was being set up in these countries. The Internet Society, or ISOC, also helped many countries with its expertise in setting up networks. This work was of a brass-tacks nature. This was also the time when the telecom sector was being opened up the world over for private companies, which triggered the mobile telephony revolution. The Internet service providers sought even greater independence from regulation than what telephony was subject to. Most developing countries saw in IT, including the Internet, a new growth opportunity and went all out to support their IT and Internet companies, viewing them fully as a part of global value chains. In the circumstances, the IT ministries or their equivalents largely took an apolitical view of global IG.

It was rather common, until quite recently, to find somewhat discordant views coming from foreign ministries and IT ministries at global IG forums. Only very few countries, like Brazil and China, had begun early to shape a coherent foreign policy stance on global IG. A turf war was witnessed in many developing countries between IT and foreign ministries. This problem has only now started to be addressed, with more and more countries beginning to understand the nature of power and controls over the global Internet.

The U.S. and other developed countries had initially envisioned WSIS as an instrument to take forward their global 'digital opportunities' vision which had been articulated at the turn of the century in G8 meetings.[3] These countries had resisted the claims of the UN Educational, Scientific and Cultural Organization (UNESCO) to be the main entity for hosting WSIS, still mindful of the political tendencies of UNESCO in the informational arena, which had earlier precipitated the crisis around the New World Information and Communication Order. They preferred the International Telecommunication Union (ITU)'s technocratic approach. All the current distancing from ITU's role in information society governance notwithstanding (see below), they were the ones who had pushed for ITU to take the lead in holding WSIS.

Midway through WSIS, when the U.S. and its allies found that information society was becoming a highly geo-politicized issue, their enthusiasm for WSIS-type global forums subsided drastically. At the end of WSIS, developed countries did not agree to set up a new UN functional commission to look into the WSIS follow-up, as had been done previously for many similar global summits. And the rebound continues, as these countries have recently been blocking even a 10-yearly WSIS review summit which is very much the practice in most areas and is also mandated in WSIS outcome documents.

An increasing understanding in developing countries of Internet governance as a highly political subject was matched by a growing keenness among the developed countries to withdraw this issue from the UN's scope and mandate. However, such understanding among developing countries is still very incipient, and there exists no coherent developing-world vision of global IG. As mentioned, the line departments, IT and telecom ministries are yet to frame the global political implications of their domains in an appropriately holistic manner.

Apart from the U.S.' unilateral oversight of the Internet's root, the main issue from developing countries' side at WSIS concerned the market-based interconnectivity regime, where naked market power determined pricing. Since Internet content and services mostly resided in developed countries, chiefly the U.S., the Internet service providers in developing countries were forced to pay for both up- and down-connectivity to the backbone networks based in developed countries. Whereas developed countries subsidized developing countries' connectivity infrastructure in the ITU-run global telephony system, global Internet connectivity followed the exact opposite model: developing countries subsidize the networks in developed countries.

This paradigmatic shift from the erstwhile regulated global communication system to a completely unregulated communications and informational global market, which best serves the interests of the U.S.-based information and communications companies, underlies much of global IG contestations today. Outwardly, however, these contestations are framed as a struggle for an unfragmented global Internet and the need to protect freedom of expression everywhere, whereby governments and regulations should be kept away from the Internet.

Post WSIS

The final days of negotiations for outcome documents of the second phase of WSIS were rather tense. Regarding the unilateral oversight of the U.S. over the Internet's root, almost all countries stood as one against the U.S. As for general information society governance, the divisions were more along the traditional North-South lines. The compromise outcome assured national sovereignty over country top-level

domains like .cn and .br.[4] Discussions for establishing mechanisms for global Internet policies were to remain ongoing over what was identified as the 'enhanced cooperation' process. Meanwhile, it was agreed to set up a multi-stakeholder policy dialogue forum for Internet policy issues, the Internet Governance Forum (IGF). The IGF was, inter alia, mandated to give recommendations where needed. The U.S. and its allies strongly resisted even the setting up of an IGF, and it is the developing countries that pushed for such a forum and got it.

As happens with many global policy events, the political temperatures came down quickly as soon as WSIS came to an end. Even in the European Union, there was very little appreciation of the deep social and economic implications of global IG. Directions from the highest political quarters focused on staying closely on the U.S. side of global geo-economic divisions meant that, occasional weak protests apart, the EU has been unwilling to upset the apple cart.

Brazil and China were the two developing countries most active in the immediate post-WSIS period. China brought a proposal for an international code of conduct in cyberspace to the early IGFs, and sought wider engagement. Brazil even informally broached the possibility of a 'framework convention on the Internet.' It also offered concrete alternatives for a truly global management of the Internet's root.

Meanwhile, as the very significant geo-political dimensions of the issue became apparent, a so-called 'global Internet governance community' began to take shape. It was very aggressively dominated by non-state actors, backed strongly by the U.S. and some of its closest allies. ICANN, with its huge collection of monopoly fees – that can be called taxes – from global Internet users through domain name fees, was an important funder and provider of other resources for this group.

This group was soon able to largely capture the IGF. This 'community' showed no interest in moving forward on addressing rapidly accumulating serious public policy issues regarding the Internet at a global level. It mostly played an obstructionist role, propping up the status quo of continued U.S./ICANN management of the technological infrastructure and an unregulated market-based evolution of global Internet services. The promise of the IGF as a genuinely participatory institution for global governance of the Internet, the reason that developing countries had supported it at WSIS, was stemmed early by powerful status quoist forces.

With little possibility of any positive progress, China seems to have reduced its involvement on the global stage since around 2008, focusing on domestic policies to manage its Internet. At the international level, its interest shifted to developing regional alliances, chiefly the Shanghai Cooperation Organization. These countries later came up with an 'international code of conduct for information security' and presented it to the UN for voluntary adoption by other countries. Around this time, Brazil too began to tone down its aggressive posture where it had been putting forward specific alternatives to the status quo global IG regime. It however kept up a high degree of engagement with post-WSIS forums of the IGF and the UN Commission on Science and Technology for Development (CSTD),[5] and for quite some time was the lone developing country with a coherent strategy of engagement on global IG.

After a lull of about 3-4 years, the threads from WSIS began to be picked up by some floor-level coordination among developing countries at the CSTD's annual consideration of progress on WSIS outcomes. Developing countries got together to assert that the WSIS mandate of enhanced cooperation, which was to have been operationalized in 2006, had shown no progress. They managed to get the UN Secretary-General to hold open consultations on 'enhanced cooperation.'

It was at these consultations, in December 2010, that the IBSA countries (India, Brazil and South Africa) got together for the first time to issue a joint statement.[6] This statement sought a formal intergovernmental platform under the UN that would take up Internet-related public policy issues. The statement said that this platform should complement 'the Internet Governance Forum, a multi-stakeholder forum for discussing, sharing experiences and networking on Internet governance.' Importantly, this statement also raised some key social and economic issues like net neutrality and access to knowledge, in addition to the traditional ones like freedom of expression, privacy and security.

From this point onwards, IBSA cooperation on the subject picked up steam. On the initiative of the Brazilian government and some civil society actors from Brazil and India, a meeting was held among IBSA governments and IBSA civil society representatives on 'Global Internet Governance' in Rio de Janeiro, Brazil, in 2011. At the end of this meeting, the

government representatives from the three IBSA countries drafted a set of 'Rio Recommendations.' These recommendations specifically sought a new UN body for global Internet governance. The 2011 IBSA summit later took note of the Rio Recommendations and exhorted the three countries to keep working closely together on this key issue.

It had long been felt that although the developing countries had been asking for a new UN forum to take up Internet policy issues, there was no concrete proposal on the table. Building on the momentum from the Rio meeting and positive exhortations from the IBSA summit, India took the initiative to plug this gap. In late 2011, India made a proposal to the UN General Assembly to set up a Committee for Internet-Related Policies (CIRP) attached to the General Assembly.[7] The proposal presented a detailed plan on the mandate and membership of the proposed Committee. It was also to have stakeholder advisory committees, patterned on similar committees for the OECD's Internet policy body.[8]

WCIT and Snowden

Within six months of each other, two global events made a most decisive impact on the perception in developing countries about global Internet governance.

First was ITU's World Conference on International Telecommunications (WCIT) in Dubai in December 2012, which was to develop a new set of International Telecommunication Regulations (ITRs) to replace the existing set negotiated 25 years earlier. ITU has been the key target of liberal and neoliberal groups, supported by the U.S. and its allies, for being the organization that 'plans to take over the Internet.' The U.S. played on this sentiment, quite prominent in the global North but also among developing-country middle classes, and promoted WCIT as a battle for or against 'controlling the Internet.'

The core contention at WCIT was whether or not the Internet should be recognized as a part of telecommunications and thus come under the ITRs and ITU's realm to regulate. Any such recognition, and its consequences, would clearly have come in the way of the fully unregulated market approach to the global Internet, of which we spoke earlier. (It must be noted that in almost all countries, including the U.S., telecom regulators do already regulate the Internet as well.) In the end, the ITR draft on the table had no mention of the Internet. The Internet was taken to an attached resolution which (1) clearly did not have the authority of the ITRs, and (2) just followed a well-established tradition at ITU in relation to its earlier resolutions dealing with Internet-related issues.

There was very little excuse for the U.S. not to sign the ITRs. In fact, its European allies were mostly ready to sign on. It appears that the U.S., along with its multi-national corporations, led by Google, and its civil society, became a victim of their own excessive propaganda. On the very flimsy ground that the ITRs gave member countries a right not to be thrown off the global Internet, they walked out of WCIT. The Europeans reluctantly followed, more to keep to the traditional geo-political alignments than anything else. The chimera of some kind of global consensus on the Internet was exposed.[9]

Most developing countries saw it as a betrayal by the U.S. and its allies with regard to their long-professed rhetoric of a global Internet for development and a better world. Their self-interest was laid bare. It became evident that the U.S. did not want democratic global governance of the Internet, not because it could thwart the innovative potential of the Internet but because the U.S. and its companies wanted a free run on and control over the Internet as a means for global economic, social, political and cultural control and exploitation. Such control would be threatened if any global governance body like ITU included Internet-related issues in its mandate.

As the world was still coming to terms with the WCIT shock, Edward Snowden thoroughly exposed the manner in which the U.S. employed the Internet for gaining intrusive social and personal access and controls across the world. In the global public's mind, the Internet had lost its innocence forever. The Internet is such a potent social force, largely seen as having a very positive potential, that winning the hearts and minds of the public is of key importance in framing effective political positions in this area. Understanding this fact, strategies of U.S.-based actors for resisting any move toward democratic global IG have most effectively been targeted at the 'global public sphere.' And they were winning this game, till Snowden came along and changed the situation so dramatically.

How the Internet is Governed Today

After intellectual property rights, and linked to it, control over the Internet is the biggest factor in establishing and sustaining global economic hegemony in the emerging world order.[10] The Internet also enables

a considerable level of political, social and cultural domination, and therefore its control and exploitation is seen as key by the U.S. and its corporate allies. At this stage, their strategy is to fully keep at bay any possible global governance system that can interfere with the default global IG regime that they are shaping and establishing. It consists of the following four interrelated elements:

(1) Pursuing an unregulated market approach at the global level so that U.S. corporations can shape and control the global digital architecture, establish huge monopolies and extract rents globally.

(2) In cases where the U.S. finds it absolutely necessary to do so, getting U.S. law to apply to the global Internet through the simple expedient that almost all the major Internet corporations are U.S.-based and subject to U.S. jurisdiction. Consequently, the main techno-legal paradigms of the emerging digital age are today set by 'negotiations' between the Internet's monopoly companies and U.S. regulators like the Federal Communications Commission and Federal Trade Commission, and often directly with the executive or with the courts.

(3) Creating pro-developed-country global IG frameworks at plurilateral forums like the OECD and G8 and pushing them globally on the basis of sheer economic muscle.[11] Further, using plurilateral forums like the Trans-Pacific Partnership and Transatlantic Trade and Investment Partnership to establish the U.S.' own vision as the default global regime.

(4) Relying on corporate-dominated/driven multi-stakeholder forums to shore up the rest, especially in the area of technical and logical infrastructure and standards, and of keeping a favorable global IG discourse going. The fact that even after the WCIT fiasco and Snowden revelations such a discourse continues to have a considerable number of followers can be considered a stupendous achievement.

The Games Status Quo-ists Play

As the U.S. shapes the default regime for the global Internet, it may soon be too late to make any substantial changes to it, so deeply intertwined our economic and social structures will be with the Internet. The U.S.-based actors understand this well, and have put in place very well-planned and well-resourced strategies to buy time. Apart from supporting its companies, working in selected plurilateral forums and propping up U.S. corporates dominating multi-stakeholder governance structures, a good part of this strategy is focused directly on global public opinion.

Nice-sounding terms like 'Internet freedom' and 'multi-stakeholderism' have, more or less successfully till now, been backgrounded with the fear of 'a UN takeover of the Internet' and splintering of the globally seamless Internet into national Internets. Huge amounts of funds have been ploughed into this space, in the name of building capacities in the South. Seldom before has such a sudden influx of huge funds by donors been witnessed in any field. And this is being done not only by the developed countries and their donor agencies but also by corporations like Google. Their combined impact is indeed daunting.

The strategy is extremely sophisticated, which points to the dominant actors' keen understanding of the importance of this issue (and the corresponding non-understanding among most developing countries, both governments and civil society). Country-level strategies have been employed to push back even the slightest movement toward seeking democratization of global IG. The best examples of this are with regard to the two countries – India and Brazil – which have been recognized as most 'dangerous' in being possibly able to take a legitimate leadership role globally toward shaping alternative visions for the global Internet.

When India, which had been rather subdued after WSIS, suddenly put forward the CIRP proposal in the UN in 2011, alarm bells rang for the status quo-ists. Almost immediately afterward, a strong IG initiative was launched in India by the representative of a U.S. telecom company, employing the cover of an Indian industry association. This initiative gathered a ragtag coalition of corporate and civil society actors (also co-opting a few unsuspecting academics) to inter alia propose holding an India IGF under the management of the concerned industry association.[12] Such an assemblage was to develop 'community views' to challenge what were seen as undemocratic global stances of the Indian government (read: the CIRP proposal).

For quite some time, this strategy was extraordinarily successful and was able to make huge inroads into India's Internet policy establishment. It managed to make it appear that India was getting doubtful about its own CIRP proposal. It also had a strong role to play

in India not signing the WCIT ITRs in Dubai and reserving its opinion on the matter, which came as a big surprise to many. However, the Snowden revelations – which showed that the particular U.S. company whose Indian representative led the Indian IG initiative had been helping the U.S. government in foreign espionage[13] – dealt a considerable setback to the initiative, which since then has seemed to be losing steam.

Even more successful was the strategy of the status quo-ists with regard to containing Brazil's outrage over the Snowden revelations on the bugging of the Brazilian President's telephone and snooping on commercially valuable information belonging to the state oil company, among many other things. Brazilians were so livid that President Dilma Rousseff cancelled a state visit to the U.S. and went to the UN to seek a new initiative for democratizing global Internet governance. Panic struck the relevant quarters in the U.S. It is to their credit, however, that they came up with an outstanding counter-strategy.

ICANN's CEO went to meet Rousseff and made all the right noises about how she had given voice to the whole world's concerns and about how things must now move on. He exhorted the President to hold a global meeting on Internet governance to chart the roadmap ahead. As could be expected, the President agreed and such a meeting was announced. But from that announcement onwards, it was one sordid tale of a creeping capture of the meeting – now called NETmundial – by the U.S. status quo-ists, taking advantage of the diplomatic grace and politeness of the Brazilian hosts.

In the end, instead of addressing any of the concerns arising from the Snowden revelations, the NETmundial meeting actually came up with a set of principles and roadmap which provided new legitimacy to the corporate-dominated multi-stakeholder form of global governance. At the meeting, for instance, representatives of top multi-national corporations (MNCs) like Cisco and Disney could be seen literally reading out texts to the drafting groups.

In order to sweeten his initial invitation, ICANN's CEO seems to have hinted to President Rousseff that the U.S./ICANN was ready to make some bold changes. It was then learnt that these changes involved the readiness of the U.S. to give up its oversight over ICANN. However, once the NETmundial meeting got underway, any substantive discussion/consultation on this issue was withdrawn from the NETmundial process, or any such relatively representative global meeting. It has been taken to the narrow technical community around ICANN, whose views on this issue are rather well known. It is now evident that the U.S. will not transfer its oversight role to a globally representative body but will simply abolish it. This will leave a very important global governance agency, ICANN, fully unsupervised, which is not at all what the non-U.S. countries have been asking for. The U.S. meanwhile knows that it still has enough legal, legislative and even executive levers of control over ICANN, since the latter is incorporated in its jurisdiction.

Even after Snowden had so thoroughly rattled public perceptions about the Internet, and there has been an intense desire to 'do something' about it, which is why the world initially rallied behind Brazil in its initiative, the status quo-ists were able to completely hijack the NETmundial event. It should prima facie be considered strange that a meeting called to address a global horror unveiled by Snowden regarding the practices of the U.S. government and its corporations ended such that the meeting and its outcomes were most celebrated by these very actors. Through the practices at NETmundial and its outcome document, they were able to lay out a roadmap which points in exactly the opposite direction to where the developing countries need to go. It is little surprise then that the next stop is the World Economic Forum, where a new 'NETmundial Initiative' is now being cooked up (see appendix). Such processes and meetings are sought to supplant traditional, UN-based global governance fora.

Similar containment strategies are being employed in many other countries, including in Africa, often leveraging the presence of U.S.-based MNCs or donor aid. The problem here is rather straightforward. The U.S.-based status quo-ists understand how outstandingly important IG is to global economic, social, political and cultural domination. Developing countries mostly do not. They do keep getting a whiff or two of the enormity of the matter, mostly from the daily flow of news on Internet issues. However, they do not have a clear substantive understanding of the issues, much less an agenda that they could pursue in this important area of global governance.

A Roadmap For Developing Countries

The default global trade and intellectual property frameworks were developed unilaterally by the North and then got inscribed into the respective global

governance institutions, the World Trade Organization (WTO) and World Intellectual Property Organization (WIPO). Developing countries have always had to play catch-up. The paradigm for global governance of the Internet, however, is only now being formed. There is still time for the developing countries to work on a proactive strategy to shape it, rather than just accept what is dished out by developed countries. Below is a very brief layout of the areas in which developing countries should begin working together.

The first requirement is to develop deep substantive and strategic competence with regard to the subject of the global Internet and IG. The larger and more active developing countries must take the lead in this respect. The IBSA summit in 2011 had called for establishing an 'IG and development' observatory. The BRICS grouping (which comprises Brazil, Russia, India, China and South Africa) has think-tank initiatives in many areas and should also take up similar work in the IG space. The South Centre in Geneva has already begun some work in this area, and its capacities should be strengthened.

One significant complication is that IG encompasses too large a swathe of issues. Many of them do not admit of similar treatment. Some of them, for instance, can attract much more commonality of perspectives and interests than others. It is important therefore to distinguish at least two streams of issues and take them up separately, although they often do intersect. These are the fields of (1) freedom of expression, privacy and security, on one side, and (2) various economic, social and cultural issues, on the other. Developed countries have managed to keep the global IG ball firmly in the first court. In contrast, economic, social and cultural issues have not even been identified clearly enough till now. This is a job for developing countries to do. BRICS could take the lead and set up a think-tank initiative on 'economic, social and cultural issues related to the Internet.'

Developing countries should have a well-developed collective strategy for global fora, soundly supported by such knowledge resources as discussed above. After months of stalemate, the UN General Assembly has recently announced that a high-level meeting to review the implementation of the WSIS outcomes will be held in December 2015, with a preparatory process commencing from June 2015. This will be the single most crucial stage on which the developing countries must come together and present clear and strong proposals. Internal preparations for it must start now. The ITU Plenipotentiary Conference in October-November 2014 will be a good place to begin strategizing together, although ITU looks at a relatively narrow segment of global IG issues.

It is however extremely unlikely that the U.S. and its allies will yield any ground at global governance fora. Developing countries should simultaneously focus on South-South cooperation. The single most practical and effective approach today could be to announce some kind of an Internet Cooperation Platform or Forum at the BRICS, IBSA or G77 level, possibly all of them. It is only when such a forum is launched, and practical work on cooperation on Internet policy issues begins, that the U.S. and its allies could be moved to offer global responses and solutions. The latter know that a global free trade regime for their Internet MNCs is of basic importance to their global ambitions. If developing countries, especially the larger ones, begin working together on Internet issues, it could curtail the unrestricted global reach and playing field available today to these companies. Such a move by larger developing countries will be the single most important game-changer in the area of global Internet governance today. Just setting up a BRICS and/or IBSA Internet Cooperation Platform will, at a single stroke, transform the global IG landscape and what follows thereafter.

It is worth noting that the tide is turning against an unregulated Internet even outside the developing countries. A recent French Senate report recognizes an urgent need to take far-reaching steps to stem the U.S. domination on the Internet.[14] Even within the U.S., civil society advocates have begun to realize that an unregulated Internet does not serve the public interest and that appropriate regulation of the Internet is needed.[15]

The stage is therefore set for developing a new paradigm for the governance of the Internet, based on (1) its commons nature, and (2) the need for at least some of its core functionalities to be made available as public utilities, even if supplied by regulated private entities. Appropriate models of policies and regulation are required that can ensure people civil, political, economic, social and cultural rights vis-a-vis the Internet. It is for developing countries to present such a new paradigm. They should stop playing catch-up and aim high this time around. There may still be time, although perhaps not too much, to reclaim the Internet for its egalitarian values.

Notes

1. WSIS was held in two phases, with two summits, one in Geneva in 2003 and the other in Tunis in 2005.
2. The Internet Corporation for Assigned Names and Numbers, which is responsible for the addressing system of the Internet.
3. See the Okinawa Charter on Global Information Society (2000) at: http://www.mofa.go.jp/policy/economy/summit/2000/_documents/charter.html.
4. This assertion is largely symbolic and normative, as shown, for instance, by a recent U.S. court case where some groups have sought seizure of country top-level domain names of Iran and Syria, and the court seems to be responding favorably.
5. The CSTD, a subsidiary body of the UN Economic and Social Council (ECOSOC), was mandated to conduct the WSIS follow-up.
6. http://www.itforchange.net/sites/default/files/ITfC/IBSA-statement_Enhanced_Cooperation_Consultation.pdf
7. http://itforchange.net/Techgovernance/IndiaCIRP
8. http://webnet.oecd.org/OECDGROUPS/Bodies/ShowBodyView.aspx?BodyID=1837&BodyPID=7425&Lang=en&Book=-False
9. http://www.thehindu.com/opinion/lead/a-false-consensus-is-broken/article4222688.ece
10. Control over capital and finance no doubt remains key, but these are the most significant new elements of the hegemonic global order that is being sought.
11. See, for instance, http://usoecd.usmission.gov/june2011_internet2.html
12. The Indian government however refused to allow the industry association to use the India IGF brand, and they held their meetings under different names.
13. A former Permanent Representative of India to the UN in New York, Hardeep Puri, has written about the extent of penetration by the representative of this company into India's Internet policy establishment. http://www.tribuneindia.com/2014/20140803/edit.htm#1
14. http://www.domainmondo.com/2014/07/icann-and-internet-governance-french.html
15. https://www.eff.org/deeplinks/2014/07/deep-dive-defense-neutral-net

Appendix

From NETmundial to the World Economic Forum

Walking the tightrope of seeking as wide a global legitimacy as possible while still keeping things under full control, the protectors of the status quo Internet governance order now seem to be seeking the cover of the World Economic Forum (WEF). A NETmundial Initiative[1] has been announced to be launched at WEF headquarters in Geneva on 28 August 2014, 'to carry forward the cooperative spirit of Sao Paulo [where the NETmundial meeting was held] and work together to apply the NETmundial Principles...'. As can be expected, the list of invited participants is heavily dominated by Northern corporations. A select group of government leaders and a few civil society organizations are also invited.

In this context, it will be useful to look at the kind of views on global Internet governance that have been expressed in WEF reports over the last few years. This is what an analysis[2] of the WEF's Global Redesign Initiative (GRI) has to say about the initiative:

'One of GRI's major recommendations is that experiences with "multi-stakeholder consultations" on global matters should evolve into "multi-stakeholder governance" arrangements. This transformation means that non-state actors would no longer just provide input to decision-makers (e.g. governments or multinational corporations) but would actually be responsible for making global policy decisions...

'Their recommendations for multi-stakeholder governance include the introduction of parallel meetings with the governing bodies of the WHO, UNESCO, and FAO where non-state actors will hold independent sessions as a complement to the official government meetings. GRI also recommends a second new form of multi-stakeholder governance for conflict zones in developing countries. They propose that the non-state actors, particularly the business community, join with the UN system to jointly administer these conflict zones.

'There are some sharp differences between "multi-stakeholder consultations" and "multi-stakeholder governance", some of which are often blurred by the loose use of the term "multi-stakeholder"' (emphases added).

Multi-stakeholderism apparently is a new, post-democratic form of governance which gives big business a major, institutionalized, political role and authority. Multi-stakeholderism in this form is the preferred neoliberal model of governance, whose application begins at the global level and with Internet governance but is certainly meant to be taken to national levels as well as to all sectors of governance. The plan is dead serious, with clear calls for setting up multi-stakeholder organizations that will do policy-making and governance. To quote the WEF's Global Agenda Council on the Future of the Internet from GRI's final report:[3]

'This means designing multi-stakeholder structures for the institutions that deal with global problems with an online dimension. Thus the establishment of a multi-stakeholder institution to address such issues as Internet privacy, copyright, crime and dispute resolution is necessary. The government voice would be one among many, without always being the final arbiter. And as ever more problems come to acquire an online dimension, the multi-stakeholder institution would become the default in international cooperation' (emphases added).

The continuing and inevitable digitalization of our social systems appears to be the chosen path for their de-democratization through multi-stakeholderisation (read: the rule of big business, with some crumbs thrown to other parties). – Parminder Jeet Singh

Appendix Notes

1. See Internet Governance Transparency Initiative website; https://k52lcjc5fws3jbqf.onion.cab/
2. https://www.umb.edu/gri/appraisal_of_wefs_perspective/s_first_objective_enhanced_legitimacy/multistakeholderism
3. 'Everybody's Business: Strengthening International Cooperation in a More Interdependent World,' pp. 317-21. http://www3.weforum.org/docs/WEF_GRI_EverybodysBusiness_Report_2010.pdf

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** Parminder Jeet Singh is Executive Director of IT for Change (www.ITforChange.net), which works in the area of intersection of digital technologies and social change. In relation to global Internet governance, IT for Change has been most prominent in framing and advocating positions that favor developing countries and marginalized sections.

Democracy OR Multi-Stakeholderism: Competing Models of Governance*

by Michael Gurstein
gurstein@gmail.com

Democracy at its simplest and most basic is governance by and for the people. Of course, there are a variety of conventions and values that are often invoked in the context of "democratic governance" and particularly for "democratic governments," but democracy as governance by and for the governed would seem to be sufficient as a definition and particularly in the absence of formal structures, rules, behaviors or governmental structures.

I've elsewhere[1] discussed how various instances of Multi-Stakeholderism (MSism) have operated in the absence of or even in opposition to conventional understandings of democracy. However, continuing discussion and evolution in the way in which governance concerning the global Internet is being conceptualized is suggesting an approach to this governance which involves "democratic multi-stakeholderism" (DMSism). This, it is being suggested, may be one method of squaring the circle where the historical circumstances of Internet development – largely but not exclusively through multi-stakeholder processes primarily driven and controlled by those with a technical interest and responsibility for Internet development are perceived as being necessary for the continued well-being of the Internet as it enters into an increasingly complex and politicized environment. This, it is argued is particularly the case as matters of "Internet Governance" shift focus from largely technical issues to issues involving broad areas of public policy as impacted by actions by and on the Internet.

The difficulty with creating or even conceptualizing a "democratic multi-stakeholderism" is that at its core MSism is not "democratic." Thus the governance notion implicit in MSism is one where governance is by and for those with a "stake" in the governance decision thus shifting the basis of governance from one based on people and (at least indirectly) citizenship or participation in the broad community of the governed to one based on "stakes," i.e., an "interest" in the domain to which the governance apparatus is being applied. The historical notion of "stake" in a context such as this one generally refers to a financial or ownership interest in the area under discussion. But in the evolving Internet Governance sphere (and others) this has been extended to include a "technical stake" (as in a professional interest) or even a "normative stake" as in ensuring an outcome which is consistent with one's values or norms.

What is not included in any of the conventional approaches to MSism however, is broad notions of democratic participation (or accountability), i.e., where the governance is structured so as to include for example, those without a "direct" stake in the outcomes but who nevertheless might as a consequence of their simple humanity are understood to be impacted by the decisions being taken. Discussions around these matters are often dealt with within the MS (multi-stakeholder) community by talking about the need (or not) to include (technology/Internet) "users" as "stakeholders." I've looked at that discussion elsewhere[2] and argued that when it comes to the current status of the Internet we are all, i.e., all of humanity, now in one way or another being impacted either directly or indirectly by the Internet and in that sense we are all "stakeholders" in how the Internet is framed and enabled in its future evolution (i.e., "governed").

By extending "stakeholder" status to "users" and then recognizing that we are all in some way "Internet users" the problem of DMSism, some argue maybe solved. The problem however, remains in that a MS approach as currently being proposed involves a degree of equality of participation/influence by each of the stakeholder groups (in the Internet Governance jargon – "equal footing") which would in this instance mean that for example, decisions made where the private sector or government or the technical community etc. was highly influential would not by definition be governance decisions made by the governed except

in the trivial sense that since those stakeholder groups also consist of people then all decisions would, of course, all be made by "people" whatever their (temporary) stakeholder status.

To me it is quite clear that "democratic governance" and "multi-stakeholder governance" are internally in contradiction with each other. At their core, democracy as in the "rule of the people" is one form of government and multi-stakeholderism as in "the rule of 'stakeholders'" is another and competing form. I don't think that they can be reconciled.

Some are arguing that elements of Participatory Democracy (PD) may provide the appropriate direction and this certainly may be the case. However, current experience with PD suggests that there is considerable need for maturation in these processes and particularly in developing means for effective and efficient decision making and for scaling from localized small scale to larger processes.

What I do see as being possible and which is where I think our collective thinking should go is toward redefining how democratic governance can/should operate in the Internet era and particularly (or at least initially) in the "governance" of the global Internet. The Internet "has changed everything" including how we can and should govern ourselves and the various aspects of our daily and collective lives. This has been done both by changing how we live those lives and by changing how we are able to act and project ourselves in our lived and collective worlds both physically and virtually. But to effectively respond we need to evolve our institutions and mechanisms of governance. We do this not by discarding our current norms and practices such as democracy which has done so much to enable, empower, and enrich the lives of all who have access to this. Rather we do this by allowing and facilitating an evolution in those institutions and mechanisms to take advantage of the new opportunities that technology provides and to respond to the new risks and challenges which technology has equally presented to U.S.

The list of those opportunities and challenges is a long and growing one and our first task is to develop the means for assimilating and responding to these. A first step in this long road is to begin the process of identification of the issues which need to be addressed in these revised mechanisms for democratic governance in the Internet era:

1. The need for a means to incorporate technical expertise and those who consider themselves neutral technical stewards of various aspects of the Internet into mechanisms for Internet governance and to broaden the base of this stewardship to include those from a wide diversity of backgrounds and interests
2. Finding ways of responding in our strategies and mechanisms of governance to the speed of technology change and the unpredictability of the impacts of these changes including through economic and social redistribution, disruption of production systems and employment, huge transfers and accumulations of wealth (and power), among others
3. Recognizing the apparent disengagement of large numbers of the population from current conventional governance and representative processes
4. Reacting to and finding ways of incorporating the apparent desire for direct (disintermediated) engagement of large numbers of the population in current informal technology mediated processes associated with the management of various activities associated with daily living particularly in developed societies
5. Taking as a necessary challenge finding ways of resolving the escalating divides in the technology sphere including between those who have and are able to use online systems for purposes of engagement and those who are not or less able because of issues of location, income, gender, technical and other forms of literacy among others
6. Finding mechanisms to respond to the globalization of the nature of the decision making/consultation which needs to be undertaken given the globalized nature of the issues/technology
7. Developing the fortitude to not be intimidated by the extreme significance of the matters under discussion given the vast economic, political, strategic and security interests among others now impacted by the Internet and digital platforms overall, thus increasing the likelihood even inevitability of attempts at undemocratic subversion of democratic processes in support of one or another corporate or national interest
8. Recognizing and celebrating the opportunity for using digital means to extend opportunities for effective participation, for enhancing the quality of decision making through information provision and support for dialogue

We need to develop appropriate responses and mechanisms as a matter of considerable urgency but persisting in attempts to substitute MSism for democratic practice is a diversion from what needs to be accomplished and a potentially dangerous substitution

of values of privatization and interest-based decision making for governance that is founded in a concern for the public good.

Notes

1. https://gurstein.wordpress.com/2013/03/20/multistakeholderism-vs-democracy-my-adventures-in-stakeholderland/
2. https://gurstein.wordpress.com/2014/08/11/q-who-are-internet-users-a-everyone/

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*This article appeared on the Gurstein's Community Informatics blog on October 19, 2014 at: https://gurstein.wordpress.com/2014/10/19/democracy-or-multi-stakeholderism-competing-models-of-governance/

[Editor's Note: The following article was posted on the Just Net Coalition website in February 2014.This article urges resistance to hyper power dominance of Internet governance.]

What Future Governance Now That We Know?*

by Louis Pouzin**
pouzin@eurolinc.eu

Internet Governance (IG) has been the topic of endless discussions since WSIS onset in 2001. A majority of States insist in having equal weight in decisions bearing not just on technical matters, but on public policies, economic and societal impacts as well, at national and international level. However, the U.S. government has not in any way lowered its determination to pursue its spying and mass surveillance operations, and keep unilateral control over the Internet through a private Californian company (ICANN) created in 1998 for this specific purpose.

Rhetoric and wishful scenarios may go on for any number of years, without a predictable outcome. While ideas and viewpoints may gradually become more flexible and negotiable, over time the dominant party keeps expanding its power to the point of being so entrenched as to make negotiation irrelevant. Discussion without capacity for counteractions is a losing game. Are citizens of all countries to remain sitting ducks waiting to be digitized and monetized? An ultimate goal of the cyber-colonization.

What actions are possible?

Unless it works for U.S. government's interest, any action requiring U.S. government's agreement will be blocked. This is routine realpolitik. Hence, possible actions are those which can be implemented without U.S. government's agreement, e.g.:

• apply national/regional laws on personal data privacy,
• apply national/regional fiscal laws to tax evaders,
• impose penalties on abusive market dominance,
• exclude illegitimate monopolies from major contracts,
• balance investment/revenues between operators, content providers, ISPs and media,
• protect natural plants from illegitimate patents,
• create national/regional domain registries independent from ICANN,
• open competition between multiple DNS roots,
• use open source software,
• promote user friendly end-to-end e-mail encryption,
• keep object identifiers registries and standards under trade control (ISO),
• boost research/development on future Internet (RINA).
• . . more?

Some readers may think of a laundry list. In the context of standing up to a hyper power a first level of defense is to make spying and predatory operations more costly. A second level is to chip away enough parcels of independence to acquire some bargaining potential. On a longer term the objective is to make countries more resistant and better prepared to aggressive intrusions.

A good number of suggested actions need no more detail, as they are self-explanatory. Let's develop those which may not be.

• protect natural plants from illegitimate patents.

Example: an insect resistant indigenous pepper variety grows in some less-developed country (LDC). A multinational chemical group adds some useless ingredient to the seeds, and takes a patent. Thereafter it sues local farmers for growing alleged patented pepper without a license.

• create national/regional domain registries independent from ICANN.

Top Level Domains (TLD) like .com, .net, .org,

are familiar even to non Internet users. Country code TLD (ccTLD) like .cn, .de, .fr, .it, .us are also well known, others like .bz, .gl, .tp, .vi are much less known.

New TLDs being presently introduced like .bike, .construction, .guru, .photography, .singles, are largely unknown.

The U.S. government imposed ICANN (created in 1998) as a monopoly in charge of all (cc)TLD registrations. This unilateral decision has no legitimate international basis. A good reason for such an anti-competitive status was to endow ICANN with a permanent cash cow fed with domain rental fees paid by Internet users.

As usual with monopolies, and in this case backed by the U.S. government, ICANN's top priority is making more money for its lavish life style and for buying friends. Being in the position of TLD regulator and financial beneficiary is a blatant case of conflictual interests.

There is a dire need for cleaning up the ICANN house and placing it in competition with other actors taking care of users interests.

Actually since 1996, before ICANN was created, independent registries have sprung up, and operated during a number of years, or still exist, e.g., NameSpace, CesidianRoot-Europe, OpenNic, Slashdot, Name.coin, etc. An undetermined population of private registries operate out of conventional institutions and remain mostly invisible. Whether due to ignorance, misinformation, or ICANN monopoly, independent registries are presently limited to niche markets. As no international legal instrument protects the ICANN monopoly the market could swing to other directions should states or large institutions change policy, or lack thereof.

• open competition between multiple DNS roots,

In the domain name field the term "root" designates a file containing a collection of TLD parameters. This file is duplicated within "name servers" queried by browsers or other applications for getting an IP address associated with a TLD. In a nutshell this is the replica of looking up a subscriber's number in a phone directory.

Root is a technical concept, a container of TLD parameters. **Registry** is an organization managing domain users and their identifiers. A registry may use its own root (OpenNic), or the root of another organization (PIR, Public Internet Registry for .org uses the ICANN's root).

An ICANN dogma is the need for a unique global (i.e., U.S. government controlled) root. As mentioned earlier independent registries and multiple roots have been in operation for longer than ICANN's life, but they don't fit well in a monopolist empire. Curiously Google and OpenDNS, which are not registries, use their own roots, which are copies of ICANN's root.

A further analysis of a multiple roots environment is worth a longer development in another article.

• promote user friendly end-to-end e-mail encryption.

After Edward Snowden's publications it is no longer possible to handle security with benign neglect. Many, but not all, organizations will try harder to integrate security in their procedures. This will be reinforced by the commercial pressure of the security industry. Encryption is the basic ingredient of secure communications; it is used routinely in closed environments, but practically nowhere in open environments. E-mail is by and large the dominant service for private and professional exchanges. As long as encryption is clumsy or takes more time it will not catch up in public use. In addition there should be a limited set of standardized protocols implemented in all mailers. At this point campaigns inciting users to adopt security could have a chance to succeed.

• keep object identifiers registries and standards under trade control (ISO).

It is already projected that the order of magnitude of objects in the Internet will be three to five times larger than the number of humans. Tools will be necessary for registration, retrieval, and exchange of identifiers. Applying DNS tools for handling this type of data seems inadequate and unrealistic. An example of such a practical system is GS1 for bar codes and RFID (Radio Frequency Identification). It is successful because it is carefully tailored to the needs of a specific trade: worldwide distribution of mass produced consumer goods typically available in supermarkets. Automobile, chemicals, hospitals, wine, would have different needs. If the identifier management market falls in the hands of a world monopoly, it will impose its own proprietary standards irrespective of specific trade needs, and distort manufacturing or distribution

processes for its own profit.

Care should be taken to foster consensus within trades for identifier management standards anchored in a reputable international organization such as ISO.

• boost research/development on future Internet (RINA).

As it stands today Internet is an over patched experimental system based on 40-year old concepts. The writing on the wall is "obsolescence." Research on future Internet has been reintroduced in the past ten years, mainly as separate projects without focusing on a specific operational target. Somehow a team at Boston University came up with a breakthrough in network design: "Patterns in Network Architecture" by John Day. The system name is RINA, recursive Internetwork architecture. European teams got contracts from the EU Commission research program to expand the initial platform in developing applications. This is an opportunity for a new generation of designers to close the security gaps of the legacy Internet.

• trust is gone.

This is a matter of fact, even though trust is subjective. "If you want peace, prepare for war" is an old mantra. We don't really know how the U.S. people will adjust to mass surveillance, which for decades was supposed to exist only in countries like China, Russia, East Germany, and many others. The logistics has reached a point from which there may be no return. A totalitarian regime more Orwellian than ever might take over. We have to convince our governments and fellow citizens to steer away from that model, and technology. We don't want to live in this kind of society, do we?

February 2014

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* This article can be accessed online at: http://www.justnetcoalition.org/sites/default/files/Louis%20Pouzin%20article%20%20-%20next_governance_v1.0.pdf

** Louis Pouzin is one of the original and most important Internet pioneers. He invented the datagram packet switching technology, from which the TCP/IP Internet protocol was derived. He continues to spend his life championing the open, public Internet.

[Editor's Note: In April 2014, the following open letter by Karl Auerbach was written to the U.S. Congress to explain ICANN's role and to argue that what is needed is proper oversight over ICANN, not releasing it from oversight.]

Letter to Congress Regarding NTIA and ICANN*

Representative
Washington, DC 20515

April 21, 2014

I am writing you with regard to NTIA – The National Telecommunications and Information Administration – and ICANN – The Internet Corporation for Assigned Names and Numbers.

I am the only person who has ever been – and probably ever will be – elected by the public of North America to a seat on ICANN's Board of Directors.

I am also an Internet technologist – I've written Internet standards that have been adopted by the IETF. I've been a principle in several Internet start-ups. I've received the Norbert Wiener Award for Social and Professional Responsibility and I have been named a Fellow of Law and Technology at California Institute of Technology (CalTech) and Loyola Marymount University. I am also a member of the California Bar and its Intellectual Property section. You can learn more about me on my website: http://cavebear.com/

There has been much press about NTIA's 2014 announcement that it will relinquish its oversight role over ICANN.[1] That announcement has engendered considerable discussion, including a hearing earlier this month by the House Judiciary Committee.

Unfortunately much of the testimony is inapt, serving largely as a distraction to avert our eyes from the real issues. Beneath the layers of distraction one finds that the issues are the same things that Machiavelli wrote about so many centuries ago: power, money, and authority.

In nearly every submission one will read words about "assuring the technical stability of the Internet."

"Technical stability" seems like a subject unlikely to engender much conflict. Yet ICANN is a cauldron boiling with heated debate.

ICANN received roughly $400,000,000 in revenue in the year 2013. That is a surprisingly large amount of money for "technical stability." Is there something else that might induce people to pay large amounts of

money to ICANN?

The answer is that ICANN does vanishingly little with regard to the technical stability of the Internet and, instead, uses its *de-facto* monopoly position to do a land office business selling rights to Internet territory.

ICANN does not "assure the technical stability of the Internet." Rather, ICANN dispenses commercial rights and privileges.

In exchange for its largess ICANN obtains monopoly rents, significantly restricts legitimate and innovative business practices, and imposes expansive trademark protection well beyond what is required by any law of any nation.

ICANN is a private regulatory body that promotes its particular view of social engineering, Internet business practices, trademark protection, and preservation of incumbent interests.

The issue currently coming before Congress is whether to allow NTIA to step away from its oversight role over ICANN.

Most of the pages written on this subject have cast the issue as a choice between a "free" Internet and an Internet controlled by international organizations or foreign countries.

That is a mis-characterization.

Rather this is a fight for control, for authority, for money.

One should not underestimate that last point – money. ICANN has ensconced incumbent providers – such as Verisign – and endowed them with almost guaranteed perpetual revenue streams that amount to the better part of a billion dollars each year, year-in and year-out, (from which ICANN extracts a tithe.) And as the TV commercials say, the value of ICANN to those who seek to expand the protection of trademarks, is priceless.

And the fight is really not just over ICANN. It is a fight over the model to be used for other, future ventures into Internet governance.

Over the years NTIA has exerted precious little oversight over ICANN. NTIA has not required ICANN to deeply engage with the issues for which ICANN was created, protection of the technical stability of the Internet's domain name system. Nor has NTIA exerted much pressure to nudge ICANN toward becoming what ICANN professes to be – a body that exists for the benefit of the community of Internet users, a body that is accountable to the community of Internet users, and a body in which decisions are made with transparency.

NTIA's role in ICANN has largely been to shield ICANN from questions, most particularly questions that would normally arise about a private body that restrains trade and innovation.

One must ask whether that behavior constitutes oversight at all. Or has an absence of oversight by NTIA allowed ICANN to become a permissive playground for financially interested entities to promote private agendas?

If so, is that the kind of "oversight" that is worth retaining? I think you would agree with me that the answer is a definite "no."

Yet there is no doubt that ICANN needs oversight – real oversight. ICANN is a body that is in great need of supervision.

Rather than framing the question coming before Congress as one of releasing ICANN from NTIA oversight it would be more appropriate to frame the question thus:

To whom will ICANN be accountable, and how?

In theory ICANN, because it is a corporation, would be accountable to its Board of Directors. Unfortunately, in ICANN practice that is a fantasy. For example, when I was on ICANN's Board of Directors I attempted to exercise a power that California law clearly gives to corporate directors. As a sitting director I asked to inspect ICANN's financial ledgers. ICANN fought me tooth and nail. I eventually obtained a court order that forced ICANN to open its books. Subsequently ICANN erased the system through which the public could nominate and elect a small minority of directors. In the place of elections ICANN substituted a captive, dependent, "company union" that places multiple layers of insulation between ICANN and the public. In the years since that event ICANN has restructured itself to even further emasculate its Board of Directors and insulate itself from accountability to anyone.

The broader issue behind NTIA-ICANN is that of governance of the Internet. Good governance is accountable governance. But it may well be that we are moving toward Internet governance in which accountability is rare and weak.

Much of the current "debate" about ICANN is couched in terms of relaxing the oversight of the U.S. over ICANN (and a thing called IANA – more about IANA later in this letter.) There is a fear – a fear that to my mind is overextended and hyperbolic – about takeover of the Internet by other nations or an interna-

tional body (such as the UN or the ITU).

ICANN is indeed bent on becoming an international body, free from responsibility to any nation or treaty organization.

ICANN is not looking for a change in putative masters; ICANN is looking for independence.

For several years ICANN has been exploring strategies to remove itself from oversight from the U.S. – and from everyone else. Among the things ICANN has examined is how ICANN might obtain a special statute from a protective country (typically Switzerland) and leap away from ICANN's status as a California public benefit/non-profit corporation and U.S. 501(c)(3) tax exempt organization.

ICANN represents a new kind of thing under the sun. The Internet is eroding the authority from traditional nation-states. The granules of that authority are not disappearing; rather they are aggregating into the new kind of sovereignty that ICANN represents. Unfortunately, that aggregation of authority is not accompanied by any system of accountability except that which ICANN (or rather those who wag ICANN) chooses, voluntarily, to impose upon itself.

The real question before U.S. is not a choice about NTIA and ICANN. Nor is it a choice about foreign control of the Internet. Rather it is a choice about how to do two things:

- Diminish the perception by those outside the U.S. that ICANN is a tool of U.S. hegemony over the Internet.
- Coerce ICANN so that it becomes, in fact rather than in word, accountable to the community of Internet users. Or, to put it another way: Coerce ICANN so that it manages the technical stability of the Internet for the benefit of the community of Internet users rather than for a few insider commercial interests.

Releasing ICANN from NTIA oversight would have an effect on the first of these goals. But freedom from NTIA would have no positive effect on the second and, in fact, may cause ICANN to go even further retrograde.

I said that I would come back to a thing called IANA – the Internet Assigned Numbers Authority.

Magic tricks often involve a distraction so that the audience locks elsewhere while the magician does his work. IANA is one of ICANN's favorite means to distract attention.

The Internet is composed many technical agreements – typically called "protocols." In these agreements are various numbers and names – similar in concept to the ISBN numbers assigned to books or license plate numbers attached to cars. For the most part the assignment of these numbers is done the same way that "take a number" machines work in bakeries – each number is a simple increment of the previously dispensed number.

IANA is the body that assigns, records, and publishes these "protocol parameters." It is an important job. And it is a job that needs to be done accurately and efficiently.

But IANA is essentially a clerical job that usually involves no significant amount of discretion. (And in those rare cases where technical discretion is needed the various technical standards organizations, such as the Internet Engineering Task Force – the IETF – provide specific guidance and designate experts to be consulted.)

There is no particular reason why ICANN and IANA are bundled into the same organization. IANA could be handled by any competent clerical provider – such as an established accounting firm. Rather than being a parent organization to IANA, ICANN could just as well be a client for IANA services.

Because ICANN is essentially a body that regulates economic and business matters – and is thus subject to storms of debate from financially interested groups – it would be better for IANA to be held separate from ICANN and allowed to do its clerical job in peace and avoid being dragged into matters in which it has no interest and no role.

These are complex matters. There is a tendency for many people to accept claims that these are arcane technical disputes that should be left to "the techies." That tendency should be strongly resisted. These are matters that can be, and need to be, faced by those outside of the technical community.

Members of Congress can understand these issues and are capable of making good choices.

I suspect that ICANN is not on your list of hot issues. It is probably not on the hot list of many members of Congress. And that is why ICANN and NTIA have been able to glide under the radar for nearly fifteen years.

My request to you is this:

- In the long term please take some time to become more engaged with the issues of governance of the Internet in general and ICANN in particular.
- In the short term recognize that the immediate

question of NTIA and ICANN is not about U.S. versus foreign influence but rather about whether ICANN will be subject to effective oversight or be accountable to anyone. ICANN has not demonstrated that it is willing to make itself accountable. One way or the other ICANN ought to be subject to oversight – and that oversight ought to be more real and substantive than it has been.

If you would like to ask questions or have a follow-up discussion I am easily reached by e-mail or telephone.

Thanks!

Sincerely,
Karl Auerbach
Santa Cruz, CA
karl@cavebear.com

Note

1. In August 2015, the NTIA postponed the release of ICANN until at least September 2016.

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* http://cavebear.com/docs/ntia-icann-2014-others.pdf

UNESCO Program at UN Obscures Controversy Over ICANN*

by Ronda Hauben
ronda.netizen@gmail.com

UNESCO held a program at UN Headquarters in New York on July 9, 2014 which it said was to introduce its new publication "UNESCO Report on World Trends on Freedom of Expression and Media Development." This program was to take "a new look at recent evolutions in media freedom, independence, pluralism, and journalist safety."

While the first part of the program explored this objective, the second part introduced a very different element into the program agenda.

To open the program, Irina Bukova, Director General of UNESCO presented a summary of some of the recent trends in the struggle for freedom of expression and against censorship and for freedom of the press. For example, she noted that a journalist is killed every seven days and 90 per cent of those responsible for the murders are never punished. In his brief remarks, Mårten Grunditz, the Ambassador to the UN from Sweden, praised the creation of the report and encouraged its circulation.

The keynote was presented by Lee Bollinger, the President of Columbia University. His talk focused on the struggle for freedom of expression. He criticized a 1919 U.S. Supreme Court case about freedom of expression. The Court issued a decision penalizing speech that advocated opposition to the draft. Bollinger explained that at its core, freedom of expression is important for being part of a global world. Advances in technology have resulted in the desire of people to participate. He argued that there are global questions that cannot be solved by any one country. So it is important that people now have the ability to talk collectively and globally.

The second part of the program was a panel which was moderated by Joel Simon, the Executive Director of the Committee to Protect Journalists. The three panel members included Karin Karlekar of Freedom House, Raza Rumi, a Pakistani journalist who has fought against media censorship in Pakistan, and Veni Markovski who explained that he was assigned by the Internet Corporation for Assigned Names and Numbers (ICANN) to represent the ICANN organization at the UN.

Notable by its absence in both the opening presentations and in the panel was any discussion about the revelations Edward Snowden had made public about the U.S. Government surveillance of the Internet communication of U.S. citizens, foreign leaders and citizens around the world. Irina Bokova said that UNESCO's mandate is "to promote the flow of ideas by word and image" between all peoples, across the world. But how can that happen when there is U.S. government surveillance of all Internet communication in the U.S. and much elsewhere. Such surveillance acts as an impediment to the flow of ideas and as a limitation on freedom of expression. The monitoring of speech or Internet communication can only serve to encourage self censorship, or other forms of restrictions on one's communication.

As part of the panel, Raza Rumi spoke about his experience fighting censorship in Pakistan. Karin Karlekar spoke of her efforts at Freedom House to monitor censorship.

In his presentation, Veni Markovski, served as an advocate for ICANN. In 1998 a bitter controversy was

set off by the secret process of the creation of ICANN by the U.S. government, and a continuing controversy marks ICANN's activities and the U.S. government's dominating role in these activities. The UN sponsored World Summit on Information Society (WSIS) held in Geneva in 2003 and in Tunis in 2005, was one battleground where many nations attempted to find a way to transform ICANN into a more broadly representative organization, but the U.S. would not relinquish its monopoly control via ICANN of some of the essential parameters of the Internet.

In his presentation at the UNESCO panel, the ICANN representative claimed that ICANN represents multi-stakeholderism where all are equal to participate in its decisions about governing the Internet. There are many who disagree with such claims about ICANN. Instead there is a widespread view that ICANN represents only a very narrow strata of those who use the Internet, while it leaves out of the decision making process the great majority of users and netizens. The "one percent" are part of its governance processes, the "ninety nine percent" are left out.

One such view is that of Louis Pouzin, an Internet pioneer who is recognized for his contributions to the design and conception for the Internet. Pouzin continues to be active in grassroots efforts to protect and develop Internet technology. Describing the creation and problem represented by ICANN, Pouzin writes:

> The U.S. Government imposed ICANN (created in 1998) as a monopoly in charge of all (cc)TLD registrations (i.e. Domain Name registrations).

This created a situation where ICANN had control over the price charged for domain names and for the registration process, essentially endowing ICANN with, as Pouzin explains, "a permanent cash cow fed with domain rental fees paid by Internet users." To then put ICANN in the position of the regulator of the process of domain name registration and the financial beneficiary of the process is, according to Pouzin, "a blatant case of conflictual interests."[1]

As Pouzin points out, there are conflicts of interest inherent in the creation and functioning of ICANN. The U.S. government acknowledged that with the creation of ICANN it failed to solve the problems including "accountability (financial and representational), conflicts of interest, transparent decision making country (ccTLDs)."[2]

While the UNESCO program at the UN on July 9 served to obscure this important controversy, it demonstrated that there is a need for the exposure of conflicts of interest on important issues such as who will control the governance of the Internet and its critical functions. One of the questions to the panel was how important issues related to freedom of expression and protection of journalists could be included in the millennium development goal discussion. A response from another member of the audience was that the 10 year review of the goals set out during the World Summit on Information Society (WSIS) would be held at the UNGA in December of 2015 and the process leading up to this review would be a time to support such a discussion. The problem that was not mentioned, however, was that the review process had already been subjected to political pressure.[3]

Clearly there are big stakes in the controversy going on behind the scenes over ICANN and over who will control the future of the Internet. The program held by UNESCO on July 9 at the UN demonstrates how these stakes can obscure the actual nature of the controversy instead of providing the clarity that only can come from open public discussion and debate.

Notes

1. Louis Pouzin, "What Future Governance Now that We Know?," February 2014; http://justnetcoalition.org/sites/default/files/Louis%20Pouzin%20article%20%20-%20next_governance_v1.0.pdf See also this issue page 19.

2. See for example, the letter from J. Beckwith Burr, of the NTIA, 20 Oct. 1998. This letter is part of the collected articles published as "Privatizing the Internet? A Call to Arms," which appeared in *Counterpoise* Vol 2 No 4 Oct. 1998 published by the American Library Association, p. 25. The articles are online at: http://www.ais.org/~ronda/new.papers/dns-icann-controversy.txt

3. The WSIS outcome document in 2005 mandated that a Ten Year Review by the UN General Assembly of progress made meeting the goals set in 2005 take place, that is in 2015. The obligation that the GA set for itself was that by the end of March 2014, a public intergovernmental process would be implemented to determine how this Review would be carried out. Yet the March 2014 deadline to determine the modalities for the 2015 WSIS Ten Year Review by the GA passed with no result. Instead, a secret, pressure-laden process delayed an agreement on the plans for the mandated GA review until the end of July 2014. The process for the Review is to take place from June 2015, with the GA meeting mandated by the WSIS outcome document postponed until December 2015.

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* A version of this article appears on the netizenblog at: http://blogs.taz.de/netizenblog/2014/07/31/unesco-obscures-icann-controversy/. It is dated July 31, 2014.

[Editor's Note: The 2005 WSIS in Tunis mandated two UN General Assembly reviews of progress of implementation of its outcome goals. The Five Year Review in 2010 was to be of the Internet Governance Forum (IGF) and the Ten Year Review in 2015 of WSIS outcomes. The following article reports on the 2010 IGF Review, asking should the IGF be continued.]

UN to Consider Future of Internet Governance Forum*

by Ronda Hauben
ronda.netizen@gmail.com

"If any subject is dull and uninteresting, it is IG or Internet Governance." But actually, it is an issue, "gaining in importance. It is an issue that from the beginning has been very controversial," explained Sha Zukang, the United Nations Under-Secretary General in charge of the Department of Economic and Social Affairs, as he opened a briefing on March 30, 2010 for UN member nations and others who were interested in the issue of whether or not the Internet Governance Forum (IGF) should be continued.[1]

In order to understand the issue of Internet Governance, and the context in which the IGF was created, it is important to know some of the history of the Internet. The development of the Internet was international from its very beginning, but much of the funding and leadership for that development came from the U.S. government.[2] U.S. computer scientists, engineers and graduate students had substantial roles in that development, and the U.S. government maintained overall management of it.

For the first two decades of the development of the Internet, from 1973 to 1995, the U.S. government maintained this development as a public and academic development. By 1995, however, the U.S. government privatized its portion of the Internet's infrastructure. It never gave up, however, its overall management and control, of the critical functions of the Internet.

At the World Summit on the Information Society (WSIS) meeting held by the UN in November 2005 in Tunis, an important issue raised was the desire of nations for a more international form of control or governance over these the critical resources – the domain name system, the IP addressing system, and the port numbers of the Internet.[3] The U.S., however, was not willing to give up its control. The briefing on March 30, 2010 at UN headquarters in New York, was held in the context of this background.

The issue underlying the question of Internet governance, Mr. Sha explained, is the issue of who will control the critical resources of the Internet. "Those who use it should have a say," he maintained.

In one of his prior positions as the Ambassador for China at the UN, Mr. Sha said he had been someone with very strong views on the issue, and one of the earliest to raise the issue at the UN.

In his capacity, as part of the UN Secretariat, he explained, he had the obligation to raise issues for the UN member nations so they can decide for themselves.

Some of the context provided later in the meeting by the delegate from Norway described what led to the decision to create the IGF. Many member nations of the UN had gone to the 2005 Tunis WSIS meeting determined to have a more broadly based means of control over the critical resources of the Internet, but they had to concede at this meeting in Tunis that they could not overcome the opposition by the U.S. Their goal of changing the unilateral and exclusive control over the domain name system to a more international form of control was not achievable at that time. Instead of having any actual control over these resources, the outcome of the Tunis WSIS meeting was to create the IGF as a "platform for multi-stakeholder dialogue." The IGF was to meet once each year for five years to facilitate this dialogue. The IGF is an annual forum held for discussion purposes only

In 2010, Mr. Sha listed the four previous and one upcoming IGF annual meetings since the 2005 WSIS meeting. Though the forum was only a place for talking, with no power to make or implement decisions, it functioned, he said, to support discussion among those who could afford to attend the meetings.

Among the problems though, was the serious absence of participants from developing countries, who were not able to afford the travel costs to attend. The result was that most of the participants, Mr. Sha noted, were from the developed world.

Another problem was that the real issue of Internet Governance, who would manage the critical resources of the Internet, was not within the scope of what the IGF was allowed to consider.

After five years of experience with the IGF, Mr. Sha explained, the UN was to do a review. As part of this review, the Secretary General was to present his recommendations about whether the IGF should be

continued and on what basis.[4]

When the floor was opened for discussion, the delegate from Yemen, Abdullah Alsaidi, representing the "Group of 77 and China," was the first to speak. He offered five recommendations.[5] These included:

1. That the decision about the continuation of the IGF should be made by the General Assembly in its next session (the 65th Session).
2. That the IGF review should take place every two or three years after that, instead of waiting for another five or more years.
3. That in the future the IGF should focus on how to deal with significant policy issues, such as helping to change the "unilateral control of critical Internet resources."
4. That the IGF should focus on measures "enhancing access to the Internet."
5. That there be an implementation of the WSIS Tunis Outcome Agreement "to maximize the participation of developing countries in decisions regarding Internet Governance" so that these reflect the interests of these countries, especially with regard to development and capacity building.

The Yemen Ambassador proposed that the IGF continue to operate under the auspices of the United Nations, but in a reformed form.

The issue raised by a few of the other nations that spoke, including the U.S., France and the United Kingdom, was whether the decision to be made on the continuation of the IGF should be delegated to a smaller forum, the Commission on Science and Technology for Development (CSTD).[6] This UN Committee meets twice a year in Geneva and is composed of 43 member nations.

Mr. Sha said he had checked with the legal department at the UN. The issue could be discussed in the CSTD, but the decision had to be made by the whole of the General Assembly, which includes all the 192 member nations of the United Nations.

Another question raised was whether a draft version of the Recommendations of the Secretary General about the continuation of the IGF could be provided to the CSTD for their May meeting. Mr. Sha said it could be, but that it could only be available in English by that time, not in the other five official languages of the UN. If there was no objection from other nations, he would be willing to make the English language draft available for the CSTD meeting. The nations that spoke encouraged him to make a draft copy available for the CSTD meeting.

The briefing ended with the understanding that the decision on the continuation of the IGF would be made by the 192 member states of the UN during the 65th session of the UN General Assembly which was to begin in mid September 2010.

The briefing reflected the concern that had also been raised at the UN during a General Assembly Second Committee meeting a few months earlier. The summary record of the 23rd meeting of the GA Second Committee at the end of October 2010, reports that Brazil described how it participated in and welcomed the IGF. "It was time to reflect on its future…. The building of a multi-lateral, transparent, and democratic regime for Internet governance with the participation of all, should be given a priority on the United Nations Agenda." Though the progress made by the IGF was remarkable, the Brazilian delegate said, the current arrangement of how the domain name system and other critical resources of the Internet were managed "did not change the unilateral and exclusive nature of controls over the root directory of the domain name system…. Broadly speaking," Brazil concluded that, "issues of voice and participation of Governments and multi-lateral organizations in matters relating to the Internet governance regime remain unresolved."[7]

Notes

1. Briefing by the Under-Secretary-General for Economic and Society Affairs on "Matters related to the continuation of the Internet Governance Forum" (organized by the Department of Economic and Social Affairs (DESA)), from 3:00 to 4:30 p.m. in Conference Room 2 (NLB), *Journal of the United Nations*, Tuesday, March 30, 2010, No. 2010/60, p. 6.
2. Ronda Hauben, "Returning Internet Governance to the People," *Ohmynews International*, November 24, 2004. http://english.ohmynews.com/articleview/article_view.asp?no=198177&rel_no=1
3. Ronda Hauben, "WSIS Proves a Summit of Unsolved Solutions," *OhmyNews International*, November 28, 2005. http://english.ohmynews.com/articleview/article_view.asp?no=260786&rel_no=1
See also Ronda Hauben, "Who Will Control the Internet Infrastructure?" *OhmyNews International*, October 3, 2005. http://english.ohmynews.com/articleview/article_view.asp?no=251118&rel_no=1
4. "We ask the UN Secretary-General to examine the desirability of the continuation of the Forum, in formal consultation with Forum participants, within five years of its creation, and to make recommendations to the UN Membership in this regard." (ITU, "WSIS Outcome Documents," December 2005, p. 84)
5. Formed in June 1964, there are currently 133 states that are part of the G77. The G77 is described at the G77 web site (http://www.g77.org/doc/) as "the largest intergovernmental

organization of developing states in the United Nations, which provides the means for the countries of the South to articulate and promote their collective economic interests and enhance their joint negotiating capacity on all major international economic issues within the United Nations system, and promote South-South cooperation for development."

6. The Commission on Science and Technology for Development has been functioning as a focal point for follow up activities from the WSIS Summits: http://unctad.org/SearchCenter/Pages/Results.aspx?k=wsis

7. Summary Record of the 23rd Meeting held at the New York Headquarters of the Second Committee on Wednesday, 28 October, 2009, at 10 a.m. Agenda Item 50 "Information and Communication Technologies for Development," General Assembly, Sixty-fourth session, A/C.2/64/SR/23, p. 8.

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*A version of this article appeared on the netizenblog at: http://blogs.taz.de/netizenblog/2010/04/09/un_to_consider_future_of_internet_governance_forum/

First Preparatory Meeting of United Nations WSIS 10 Year Review Reveals Problems*

by Ronda Hauben
ronda.netizen@gmail.com

Ten years ago, in November 2005, I attended a significant event sponsored by the United Nations in Tunis, Tunisia. This was a follow-up to an earlier event held in Geneva, Switzerland in 2003. Both these events were called the World Summit on the Information Society (WSIS). A main catalysis for the Summit was the desire of people around the world, and especially in the developing countries, to have access to the Internet and to the promise of a better future that the Internet symbolized in the 1990s.

It is ten years after the Tunis 2005 WSIS event. One of the obligations agreed to at the Tunis Summit was to have the United Nations General Assembly (UNGA) do a ten year review to evaluate the progress made in carrying out the vision and in meeting the goals set forth by the Tunis Agenda, and also to identify the challenges remaining.

What is the UNGA doing to meet the obligation bestowed on it by the Tunis Agenda?

On July 1 the UNGA held the first preparatory meeting to begin the review process which is to culminate in a high level meeting of the UNGA on December 15 and 16, 2015.

The July 1 meeting was to be a meeting of UN member nations toward making input for a statement to be agreed to for the December event. The July 1 preparatory meeting was to take place in Conference Room 2 of the UN Headquarters in New York City and was to be a meeting where all nations who are members of the UN could present their views.

July 1, 2015 arrived and the meeting opened at 10 a.m. as planned. What was striking, however, was that there were many empty seats in the conference room. While some few nations had sent representatives, the sparse attendance of UN member nations raised the question as to why this was the response of so many member nations at the UN.

As announced, the July 1 preparatory meeting was to have a morning session and an afternoon session. The morning session appeared to proceed as planned, but at the end of the morning session, the co-facilitator announced that the afternoon session was cancelled.

Among the statements made by the nations that sent representatives to the July 1 meeting, there were some few that pointed to serious problems making it difficult or even impossible to fulfill on the goals of the Tunis Agenda. These statements provide clues as to why the participation in this meeting by member states was so sparse.

One such clue was contained in the statement by the South African Ambassador to the UN. His statement was presented on behalf of the G77 + China group which includes as members 133 developing countries. The South African Representative described how developing countries are marginalized when they try to carry out their roles and responsibilities on international public policy issues pertaining to the Internet. Such a situation, he explained, is contrary to the specific mandate of the Tunis Agenda which provides for the cooperation for all governments to function on an equal footing in public policy matters related to the Internet. The South African Ambassador, however, reported that "tangible progress on this specific mandate…has been blocked."[1] Furthermore, he noted, "It is unfortunate" that this mandate for what has been called Enhanced Cooperation, "has been implemented selectively to suit the narrow interests of a few influential players in the multi-stakeholder community."

This would seem to be a strongly worded complaint that one would expect would deserve attention especially from the co-facilitators chairing the session,

but also from other member states who were part of the July 1 preparatory meeting.

Since the South African Ambassador was offering this critique on behalf of the G77 + China group which is composed of 133 member states of the UN, such a critique would appear to merit serious attention.

But that was not the case at this July 1 meeting. Instead the co-facilitators just passed over this critique with no questions to the South African Ambassador neither during the meeting, nor in the summary statement at the end.

Similarly, a serious criticism by the representative of the Brazilian Mission was ignored by the co-facilitators.[2]

The Brazilian Representative explained that the Commission on Science, and Technology for Development (CSTD) had been requested to undertake the review and provide a resulting document that UN members could build on.

The CSTD did produce a ten-year report but this report was the product of the Secretariat's views, instead of being based on the views of the member states that had tried to take part in the process.

There was no further explanation or inquiry into the basis of these serious complaints about the WSIS 10 Year Review process. The statements of other member nations were presented.

In all nineteen UN member nations or regional representatives presented statements at the July 1 preparatory meeting. They were South Africa on behalf of the G77 and China, the EU on behalf of the EU related countries, Australia, China, the United States, India, Sri Lanka, Indonesia, Japan, Israel, the Russian Federation, the United Arab Emirates, Switzerland, Sweden, Latvia, Mexico, Egypt, Canada, and Brazil.

Given the low turnout from among the 193 UN member nations, Mr. Mažeiks, the Latvian co-facilitator announced that he had no further member nations requesting to speak, so he was cancelling the planned afternoon session. Why the low turnout, however, was a problem that failed to be raised.

In her summary statement at the end of the July 1 meeting, Ambassador Nusseibeh, the co-facilitator from the United Arab Emirates, omitted any reference to the critical comments presented and only focused on the more general statements. She said that since there was so little time to prepare for the statement that will be agreed to for the December meeting, the statement will have to be short because there will not be the time to iron out differences.

And the Summary of the July 1 meeting contributed by the UN Secretariat similarly omitted any consideration of the serious criticisms presented at the July 1 preparatory meeting.

Notes

1. See "Intervention on Behalf of the Group of 77 and China by the Representative of South Africa at the First Preparatory Meeting for the General Assembly Overall Review of the Implementation of the Outcomes of the World Summit on the Information Society (WSIS)" http://workspace.unpan.org/sites/Internet/Documents/UNPAN94904.pdf

2. The webcast for the First Preparatory Meeting for the WSIS+10 Review held on July 1, 2015 can be seen at: http://webtv.un.org/search/informal-meetings-of-the-plenary-aspart-of-the-intergovernmental-preparatory-process-for-the-overallreview-of-the-implementation-of-the-outcomes-of-the-worldsummit-on-the-information-society-general-assembly/4333148552001?term=2015-07-02

Following is a transcript of part of the video of the July 1 meeting where the Brazilian Representative explained the problem with the CSTD Report. This excerpt is from 2:21:51 – 2:23:26 of the video.

The Brazilian Representative explained: "I would like to refer to the recent 18th session of the Commission on Science and Technology for Development (CSTD) held in Geneva from the 4th to the 8th of May 2015. And essentially we were expecting that from it would ensue a very substantive significant input into the WSIS+10 Review exercise, a Report that CSTD was meant to prepare and to submit as this central input.

But on the other hand, we were a bit frustrated with the outcome because we understand the Report does not match the ambition for the review.

It is a Report basically elaborated by the Secretariat. Inputs from member states themselves, members of the Commission actually will be very much abridged and become summarized individually by members themselves and available on the Internet. So that's not the ideal we were expecting for the exercise.

We will have to redouble our efforts to have new and additional opportunities for more substantive and significant inputs into this preparation. So it was a frustrating outcome from the perspective of Brazil, and I think we will have to redouble our efforts."

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* A version of this article appeared on the netizenblog on Aug. 1, 2015 at: http://blogs.taz.de/netizenblog/2015/08/01/un-wsis-10-year-review-reveals-problems/

Observations on the 2nd Preparatory Meeting of the

UN WSIS 10 Year Review*

by Ronda Hauben
ronda.netizen@gmail.com

I -Two Opposing Positions Dominate Discussion

The Second Preparatory meeting of the WSIS Ten Year Review process was held on October 20-22, 2015 at the UN headquarters in New York.[1] The co-facilitators, Lana Zaki Nusseibeh, UAE Ambassador to the UN, and Janis Mažeiks, Ambassador to the UN from Latvia, told those attending the meetings that the statements submitted over the course of the preparation will be the basis for the outcome document to be agreed to at the High Level meeting scheduled for December 15 and 16 at the New York UN headquarters. But a controversy over the model for Internet governance continued to dominate the WSIS Ten Year Review meetings.

The controversy appears in various forms and under various guises. Essentially it can be summarized as the contention between a number of developing nations and other nations with a group of developed nations who hold a different position over how decisions about Internet related public policy should be made.

II – Developing Nations want Participation on Equal Footing

The developing nations and others who support their viewpoint agree that there is a problem with the decision making process for the global Internet. They explain that they want to be able to participate on an equal footing with all other states in decisions about global Internet development. This is sometimes referred to as "enhanced cooperation," though the term has been a confusing one to apply in practice.

The G77 + China statement to the WSIS Review meeting on July 1, 2015 outlines this problem.

The statement explains:[2]

> It is unfortunate that the mandate of the Tunis Agenda has been implemented selectively to suit the narrow interests of a few influential players in the multi stakeholder community.
>
> It is critical that this review process commit steps to fulfill the yet unfulfilled mandate of Para 69 of the Tunis Agenda on Enhanced Cooperation.
>
> The Tunis Agenda called for governments to, on an equal footing with each other, carry out their roles and responsibilities on international public policy issues pertaining to the Internet.
>
> However, ten years later, tangible progress on this specific mandate of Enhanced Cooperation which would allow developing nations with important ideas to contribute to Internet policy, has been blocked. It is imperative that this important issue be resolved, so that all nations have an equal say in the public policy affecting the Internet.

III – Some Developed Nations want Multi-Stakeholder Model for Decision-Making

On the other side of the controversy are certain Western governments and their supporters who are advocating what they call a multi-stakeholder form as the governance model for decisions made about the Internet. Who are stakeholders is subject to varying interpretations. But essentially it means the nations advocating this form do not want any multilateral decision making over Internet issues or policy.

IV – Pattern During Meetings

As the meeting got underway on October 20, the pattern that would prevail through the final meeting in the Second Preparatory Phase became clear. The developing nations are represented by the South African Ambassador as spokesperson for the G77 + China. He would make a statement relevant to the topic raised by the co-facilitators for that session. A small set of Western nations would respond with their critique of what was presented and their opposing perspective. Though the focus of the Second Preparatory Phase was allegedly how to spread the Internet to the developing nations, there was little concern expressed by the bloc of nations promoting the multi-stakeholder form as a governing principle to hear what the developing nations saw as needed for their further development or what problems they hoped to solve. Nor was there concern by the co-facilitators or the bloc of Western nations that as in the First Preparatory Phase of meetings, participation by developing nations in the ongoing preparations was low, considering that there are 193 member nations who are members of the UNGA and 133 of them are part of the G77 + China group.[3]

Among the nations representing the Western bloc

and their supporters were the U.S., the EU, the U.K., and supporters of their position including Australia, the Netherlands, Japan, Canada, Switzerland, Latvia, Poland and others.

Among the nations presenting and supporting the G77 + China presentation of "participation on an equal footing" were South Africa, who presented the position of the G77 + China on the issues under discussion, Liberia, Ecuador, Cuba, Mexico, Algeria, Iran, Saudi Arabia, Russia, China and others.

Some nations, notably Brazil, and India were present through much of the Second Preparatory Process, but their views appeared to support one side in some issues and another side in other issues. A few others came at least to some of the discussions but only participated in a limited way.

A difficulty for those watching the discussion on the webtv transmission was that there was no English translation of the Spanish, Arabic, or French statements so it was not possible for English speaking remote listeners to follow the discussion when speakers were not English speaking. It's not clear how widespread this problem was with the WebTV version of the broadcast into other languages, as there appeared to be translation into Russian functioning for the transmissions.

The two co-facilitators welcomed the different speakers. But they did little to identify points that needed clarification or to recognize differences in a way that could help clarify the issues or explore the underlying confusions and controversies.

For example, terms like "stakeholder" were used with diverse interpretations by those promoting it as the ideal form of Internet governance, yet these diverse interpretations were not acknowledged so there could be a common agreement about what was being discussed. For some the term "stakeholder" referred to governments, civil society activists, and corporations. Others included members of academic institutions or technical organizations in the stakeholder category. Some included government, others saw governments as a separate category.

V – Who is Excluded by the Multi-Stakeholder Model?

That citizens, netizens, and the public in general are excluded from any right to participate under the multi-stakeholder model was never considered in the discussions. The issue briefly raised by some developing nations noted that many governments have constitutional obligations to provide for the well being and the security of their nation's citizens, but this issue was dismissed by others.

Those promoting the multi-stakeholder governance model pointed to the yearly meeting of the Internet Governance Forum (IGF) which rotates its meetings to different locations around the world, as an example of multi-stakeholderism. The G77 + China and others pointed out that there is too little representation of developing nations or participation by those from developing nations at the forum for it to be a demonstration of their ability to participate in decision making via that venue. Moreover, the IGF is a place for presentations and discussions, not a decision making body, so using it as a functioning example of a participatory decision making institution is not appropriate or accurate. Similarly, the IGF is not open to all to participate but only to those fitting certain narrow categories. Also, it is actually only available to those who can afford the cost of travel to often distant locations. If the IGF met in New York or Geneva, then at least those nations with delegations at the UN would have more of an ability to send someone to participate.

VI – The Role of the Co-Facilitators in the Controversy?

Despite the controversy over the nature of the IGF and its relevance to the obligation of the UN General Assembly to do a ten year review of the WSIS+10 achievements and shortcomings, the co-facilitators announced that they will travel to attend the next IGF Meeting to take place in Joao Pessoa, Brazil from November 10 to November 13, 2015. The co-facilitators intend to hold consultations with IGF "stakeholders" in Brazil.

Instead of the co-facilitators taking an impartial position in the controversy over whether there is a need for more participation for developing nations in decisions regarding the public policy over the global Internet versus the Western bloc position that the stakeholders of the IGF should be a major part of the decision making process of the global Internet, the co-facilitators have given the appearance of favoring the Western bloc position by the plan to go to the IGF for "consultations." The co-facilitators have judged such a trip and plan worth the time it will take despite the fact that they frequently remind the UNGA member nations that there is a very limited time frame for the

GA member nations to participate in the Review. Meanwhile there have been some reports on twitter that the co-facilitators have been carrying on a limited number of information sessions among other UNGA member nations that have not yet been part of the WSIS+10 Review process at the UN. This demonstrates there is a need felt among member nations at the UN to understand better the issues involved in the WSIS Ten Year Review.[4]

The resolution regarding the meetings that were to take place at the UN as part of the WSIS Ten Year Review set out that "relevant stakeholders" would be included in the discussions at the UN. Who may qualify as a "stakeholder" is a severely limited category restricted to NGO, the private sector, and certain technical or academic participants who are already or were registered with certain UN conferences or related organizations.[5] From these limited categories somehow a handful of people are chosen to speak or to be part of a panel and the participation is token at best. Those nations advocating the multi-stakeholder model have made no effort to discuss the issues with the general body of stakeholders registered for the meetings held at UN Headquarters to solicit their views. Multi-stakeholderism, instead appears to function as a means for those advocating it to have an excuse to exclude the majority of member nations of the UN, the citizens and netizens of those nations, and even the vast majority of those who are considered as stakeholders from the discussions and decision making processes.

VII – Is there an Inclusive Model for Internet Governance and Decision Making?

The enhanced cooperation model referred to by the G77 + China is one which calls for all nations to be included in the decisions that relate to Internet development and its future. There are models for how that was carried out by processes developed by the research and technical community which included members from an ever evolving number of participants from around the world. Building a model for Internet governance based on the lessons learned from how the Internet was developed and lessons learned since would be a means to determine how to meet the demand for broad based participation in the decisions that will affect many nations and people. But such lessons will not be learned by focusing on a flawed model which excludes most of the nations and peoples of the world from the ability to participate in the decisions that will make possible the realization of the WSIS vision of a people-centered, inclusive, and development-oriented Information Society.[6]

Notes

1. Ronda Hauben, "First Preparatory Meeting of United Nations WSIS 10 Year Review Reveals Problems," August 1, 2015, netizenblog http://blogs.taz.de/netizenblog/2015/08/01/un-wsis-10-year-review-reveals-problems/

2. G77 Statement July 1 2015 "INTERVENTION ON BEHALF OF THE GROUP OF 77 AND CHINA BY THE REPRESENTATIVE OF SOUTH AFRICA AT THE FIRST PREPARATORY MEETING FOR THE GENERAL ASSEMBLY OVERALL REVIEW OF THE IMPLEMENTATION OF THE OUTCOMES OF THE WORLD SUMMIT ON THE INFORMATION SOCIETY (WSIS) (New York, 1 July 2015)" http://www.g77.org/statement/getstatement.php?id=150701

3. There were only a small number of developing nations participating for substantial parts of the meetings of the Preparatory Phase for the WSIS+10 Review, though other nations came for a short while to join the discussion at varying times.

4. Some tweets of Co-facilitator presentations to UN members:
LatviaUN_NY ?@LatviaUN_NY 14h14 hours ago #WSIS10 Co-facilitators@LatviaUN_NY and @UAEMissionToUN brief CELAC members on the review process and the road ahead

Singapore Mission UN ?@SingaporeUN Co-facilitators of #WSIS10 Perm Reps of @UAEMissionToUN and @LatviaUN_NY brief the Forum of #smallstates #FOSS

5. Following is the list of who can be accredited to the High Level UN WSIS Ten Year Review December Meetings as relevant stakeholders.
"Relevant stakeholders, include civil society, private sector and academia, from the following categories:
* Non-governmental organizations in consultative status with the Economic and Social Council
* Organizations accredited to the World Summit on the Information Society held in Geneva (2003) and Tunis (2005)
* Organizations accredited to the WSIS Forum held from 2011 to 2015
* Organizations with observer status with the United Nations Conference on Trade and Development
* Attendees of the UNESCO WSIS+10 – ICT4D Conference or the UNESCO WSIS – Connecting the Dots Conference
* Organizations accredited to the Financing for Development (FFD) process
* Organizations accredited to the United Nations Sustainable Development Summit 2015
* Organizations already accredited to the WSIS+10 process (July and October meetings)
Government bodies and intergovernmental organizations register through standard UN protocol arrangements."
See:
https://docs.google.com/forms/d/1hQDiPJsfpr0e0CvLzXJvzWNBftrTN2T-_-SViMU50LQ/viewform

6. See for example: Michael Hauben and Ronda Hauben, *Netizens: On the History and Impact of Usenet and the Internet*,

posted online in 1994 and published in print edition 1996. http://www.columbia.edu/~hauben/netbook/

Ronda Hauben, "International and Scientific Origins of the Internet and the Emergence of the Netizens," Talk presented at PPF in Tunis, November 2005 http://www.columbia.edu/~hauben/2005/tunis-ppf/RHauben-talk.txt

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* A version of this article appeared on the netizenblog at: http://blogs.taz.de/netizenblog/2015/11/01/2nd-prep-mtg-wsis-10-year-review/

[Editor's Note: The following article argues that "No single Government should have a pre-eminent role in relation to international Internet governance" It was published in the book, *Reforming Internet Governance: Perspectives from the Working Group on Internet Governance* (WGIG)* by the United Nations ICT Task Force, 2005, pages 185-192.]

Internationalized Oversight of Internet Resource Management

by Qiheng Hu
13020075697@163.com

The World Summit on the Information Society (WSIS) Geneva Phase meetings in 2003 focused world attention on the global Internet governance issue, and especially related public policy issues. With the broad participation of governments, United Nations bodies, international organizations, the private sector and civil society, all stakeholders reached an initial consensus on the principles, objectives of Internet governance. In addition, they deepened their understanding of the roles played by all actors in the Internet governance process. Based on the strong recommendation of the United Nations Member States, Secretary-General Kofi Anan established the Working Group on Internet Governance (WGIG) to undertake further studies on Internet governance issues. The contribution of WSIS with regard to Internet governance is extensive and historic, for at least two reasons.

First, it appears that through the WSIS process and WGIG study, the technological, structural and cultural features of Internet governance have been widely recognized and accepted among the major stakeholders in the Internet society. Second, considerable consensus has been achieved on a series of specific major issues. These include the indispensable role of the current "bottom-up" public-private partnership; the importance of respecting the architectural principles of the Internet, the quality and value goodness of the existing governance structures and related institutions, and the need to improve Internet governance on the basis of the existing governance structure and mechanisms rather than to build some mechanism to replace the existing one. At the same time, there is now recognition of the existing weak points and problems hidden in current global Internet governance mechanisms, and of the need for improvements on a comparatively compact set of issues. Furthermore, differences in view points on these issues and the ways to improve them seem to be clearer than ever.

The common understanding of these matters that is reflected in the WGIG Report provides a basis for further discussion and consensus on many complex issues of Internet governance. Looking back to the debates during Geneva WSIS, one could think that the progress made to date is quite encouraging for the long-term, from the Tunisia Summit in November 2005 and beyond.

Internet governance is a complex, widespread, distributed and ongoing process. The existing structure is the product of thirty years of evolution that has accompanied the great practice of the Internet with the participation of multiple stakeholders worldwide. It has facilitated the growth of the global Internet. Improvements are not simple and must be taken with care so as not to disturb all that is good. It is not a simple task to improve it. As if we are facing a complex puzzle game, to improve the mosaic one has to find out first what is really missing.

The Internet has become a pivotal global public infrastructure, penetrating into all aspects of human life, with intricate links to public policies and public interests in each country. Accordingly, Internet resources have become global strategic resources that are tightly knit with state sovereignty and public security. Efforts to provide possible solutions to public policy issues in relation to the Internet applications also need to be built on effective Internet resource management. Therefore, the management of Internet resources is not simply a matter of technological coordination, but also carries with it important public policy issues. For this reason the basic structure should be authoritative, effective and clearly mandated. The management of

Internet resources and related mechanisms, practices and procedures should be clearly set up with a view to addressing issues that are either in existence at present or likely to occur in the future. That is why the issue of Internet resource management has been a high priority and a major focus for the WGIG to study.

Requirements for Further Evolution

The Internet in its evolution has undergone "bottom-up" technological innovations, business innovations and standards definitions involving broad participation, with the U.S. Government playing a profound and promoting role in the whole process especially in the initial stage, creating an open and transparent participatory system designed to take into account the needs and interests of both the private sector and civil society. Most of the prevailing Internet-related standards and rules are derivatives of such a "bottom-up" "consensus-building" mechanism. Behind the explosive growth of the Internet, such a mechanism has served as an instrumental driving force as it stresses the roles of civil societies and the private sector. It also emphasizes the effectiveness of rules and an equal sharing of cyber information by all. This is the most valuable "Internet Culture" that provides an encouraging and stimulating environment for the fostering of innovation in technology and business and further serves as the essential source of the dramatic development of the worldwide Internet.

Nevertheless, with the growth of the Internet and its transition into a key element of the global information infrastructure, certain shortcomings lurking in its operational and management mechanisms are gradually appearing:

Different countries/regions and different groups have varying rates of economic development, language backgrounds and cultures, resulting in *de facto* inequalities in terms of timely understanding of policies and regulations related to the Internet. They also have varying capacities to participate in and oversee the rule-making and related processes in the existing model of Internet mechanism. Therefore, the involvement of developing countries in making international public policies related to the Internet falls short of the scale at which these societies use and rely on the Internet. Over the years this situation resulted in some prevalent Internet rules and regulations which do not and cannot fully reflect broader public interests of the worldwide community and especially the interests of groups that have limited or no Internet access, or groups that lag far behind developed countries in their Internet construction capabilities.

Internet resources have become global public resources critical to the safety and interests of all countries. Therefore, given the global nature of Internet resources and for the sake of reflecting the principle of equal participation, it is no longer appropriate for the Internet Corporation for Assigned Names and Numbers (ICANN) to follow an approach in which it is empowered by a single government for specific operations and decision-making, especially for certain critical resource management issues.

Due to the lack of empowerment from governments other than the U.S., weaknesses like low efficiencies and poor decision-making capabilities are apparent in the handling of many public policy issues that require strengthened cross-border coordination. One case in point is Internationalized Domain Names (IDN), which is still a pending issue after several years of discussion and is without any effective decision in sight in spite of years of efforts and attempts to have international policy coordination on this front. Meanwhile, because other countries are unable to partake in decision-making for the formidable Internet this naturally gives rise to misgivings in some of those countries, which in turn, to some extent, restrict the applications of the Internet (e.g., applications of high security requirements) in those countries. All this has, to a certain extent, constrained the development of the Internet.

In the ICANN decision-making process there is extremely low government participation. This feature has its advantages and disadvantages. On the negative side, for some issues concerning public interests, ICANN cannot help being biased to unduly favor the private sectors. For example, the process of adding new Generic Top Level Domains (gTLDs) was not transparent enough, and the decision-making for it was not scientifically justified. This meant that, although it benefitted the private sector it was not possible for the general public to express its needs through the voice of their governments and, therefore, not possible for the general public to benefit from it in a real sense.

According to the ICANN mandate, ICANN is neither a policy-maker nor an international coordinator. It is restricted to remaining a small private corporate body with responsibility for technical coordination functions to keep the Internet operating steadily. However, since there is no international mechanism or body accredited by all countries designed to take

charge of authorizations and global public policy-making in this field, ICANN by default has had to step beyond its mandate to be saddled with such responsibilities. These responsibilities include providing international coordination, management and a decision-making mechanism for important Internet matters which affect public policies. Such a contradiction between ICANN's positioning and its mandates does not foster the expansion of Internet across the globe.

The wide application of the Internet has caused or exacerbated new cross-border tensions. Some of these include individual privacy rights versus social openness; information security versus information freedom; information sharing versus Intellectual Property Rights (IPR) protection; as well as the head-on collision between cultures; cross-border hacker attacks, computer viruses, harmful web information, cyber crimes etc. These tensions impact peace and social security, and increase the global digital divide and intensify conflicts and contradictions brought about by the unbalanced world development. All these indicate that the Internet at present is more acutely in need of strengthened international coordination and cooperation than ever, which is the one and only way which can lead toward practical and effective solutions to these complex public policy issues.

A private body like ICANN that is only empowered by a single government cannot possess the breadth or sense of legitimacy necessary to carry out all of the functions listed above. Therefore, the continued absence of a legitimately empowered internationalized mechanism capable of effective decision-making is likely to severely impede the sense of safety, and stability associated with the Internet and impact further development of the Internet.

WSIS: An Opportunity for a Timely Improvement

WSIS has provided an important opportunity for rectifying the weaknesses hidden in the current Global Internet governance mechanism. The 2003 Geneva Summit's Declaration of Principles and Plan of Action demonstrate a shared belief by the international community that the Internet has become a mighty tool for safeguarding world peace, reducing poverty and relieving backwardness as well as promoting common prosperity and progress in the world.

The United Nations and all governments are required, obligated and entitled to be involved in the management of the Internet at the decision-making level in such fields as the making of international public policies, resource management and international coordination and collaboration, and they should join hands with all stakeholders to guarantee a further prosperous and securely sustainable, universal Internet. WGIG was responsible for taking hold of the opportunities offered by WSIS, recognizing existing problems hidden in the Internet governance mechanisms, and presenting effective recommendations for their reasonable improvement.

The development of the Internet should incorporate the routine participation of multiple stakeholders. Currently, all stakeholders including governments, intergovernmental organizations, international organizations, the private sectors and civil societies are broadly represented in the public policy field. This participation by all actors should be guaranteed in the future through any improved global Internet governance mechanism.

Considering the breadth and depth of the Internet's reach as well as its pivotal role in the information society, public policies for global Internet governance should not only take account of the interests of the Internet community, but also the needs of communities that are still outside the Internet or have only limited access. Naturally, the most legitimate representatives of the public interests at present are each government and by the United Nations, acting as the most authoritative and widely-representative intergovernmental organization recognized by all nations. It can provide a proper platform to settle issues of public policies concerning global Internet governance.

Multi-lateralism is the Key

As to the management of Internet resources in particular, this is an issue of great significance to the development and security of the Internet. Due to historical reasons, there has been no globally authoritative body in charge of decision-making related to Internet resource management where the globally authoritative body had broad participation by all countries. Instead, the U.S. Department of Commerce just approves changes to the root zone file. Over many years it has never proposed changes on its own, and so far it has never refused a recommendation from the Internet Assigned Numbers Authority (IANA) for a change. In this case, why is this issue considered so important? Why not just leave it to the U.S. Govern-

ment for the future, period?

The core issue concerning Internet resource management that really needs oversight from outside the whole system of management – namely the centralized review and final approval of requests for additions, deletions or modifications to the root zone file record by an authoritative body – is a "thousands tons hanging on a thread" kind of issue. Approved changes are first applied to the "Distribution Master Server," and then automatically propagated throughout the root server system and mirror servers distributed worldwide. According to U.S. law, the single government that is holding this function is empowered to change the root zone file record. That is why many governments, as the most responsible body vis-à-vis their citizens, are worried and focused on this tiny piece in the complicated system of Internet governance. While there are many governments having substantial concern about the safety and security for their citizens, the potential threat to the universality of the Internet speaks for itself.

For a universally accessible, stable and robust Internet, we cannot avoid focusing on this small piece of centralized empowerment. If the government of the very country that originally created, nurtured and shared the Internet with its neighbors in the global village, with an excellent historical record for management of the Internet during the past 30 years, still cannot make all countries feel comfortable about the unilateral management of the root zone file changes, it is obvious that this issue cannot be passed over without extensive thought. To deal with the core function in global Internet governance by relying solely on "trust" or a "guess" that "the single Government would not do any harm to the universal Internet" seems far from satisfactory. All sovereign states in the world would believe that their citizens' interests are appropriately protected only when there is basis in international law. It thus is quite clear that "multi-lateralism" is very missing piece in the puzzle.

The Need for an Intergovernmental Oversight Institution

In its Report, "The WGIG recognized that any organizational form for the governance function/oversight function should adhere to the following principles:

No single Government should have a pre-eminent role in relation to international Internet governance.

The organizational form for the governance function will be multi-lateral, transparent and democratic, with the full involvement of governments, the private sector, civil society and international organizations.

The organizational form for the governance function will involve all stakeholders and relevant intergovernmental and international organizations within their respective roles."

These principles are in line with the spirit of WSIS and provide a basis for achieving worldwide consensus on this issue. One of the four models suggested in the Report calls for the establishment of a Global Internet Council (GIC). In this approach, the role and position of the U.S. Department of Commerce would be replaced by an intergovernmental mechanism under the framework of the United Nations. That is to say, the governments of all sovereign states together with the U.S. Government would bear the responsibility of the management of Internet resources and public policy setting, with extensive involvement of the private sector and civil society. Thus, it is suggested to expand the body that empowers ICANN, from the U.S. Department of Commerce only, to an integrated body including all governments. This reform would not do any harm to the normal operation and functioning of the Internet. For example, the specific task of allocating and managing Internet resources, such as IP address allocation and domain name assignment, would still be executed by the institutional system with ICANN as the umbrella, but it does not mean that ICANN would not "root-and branch" reforms gradually. The above-mentioned intergovernmental mechanism under the framework of the United Nations should clearly define the responsibilities and obligations with ICANN through a Memorandum of Understanding or a contract.

Transparency is the Key

This is reasonable solution. Only under such a framework could all sovereign states feel that they are not being treated unevenly in comparison with the single country that holds the oversight function. Under such a scheme, all governments hold the function of authorization to ICANN, which would be always accountable to the international society. Nevertheless, there is some concern that this new institution would gradually grow into a new bureaucracy and would interfere in many issues that do not need political interference at all. For example, how would one suggest that there is assurance that a multi-governmental oversight activity does not turn into a top-down

policy making apparatus? If a group of government representatives takes up the function carried out today by the U.S. Department of Commerce, would they continue to treat the Internet and root zone policy as a "bottom-up" process? How would it be possible to avoid the politicization of the decisions of the new multi-governmental institution? When governments get involved, external factors often enter into positions and decisions taken, and, government control of the process may slow the innovation and evolution that has characterized the Internet to date, etc.

A number of tools could be employed to ensure that an international oversight institute does not "over perform" its duty. First, there should be international regulation defining what is in and what is beyond the scope of this GIC. In this regulation, all characteristic features that have guided the successful practice of global Internet growth should be stated and agreed upon by the international society, e.g. the Internet and root zone policy can only be a bottom-up process, the oversight institute has no right to make decision on issues which have not been discussed in the bottom-up process and have no consensus, etc. The globally agreed regulation would make the process adequately transparent and open, putting it under the supervision of the international society.

Second, the existing institutions would resist any excessive political interference, if any should arise, from the GIC. Third, in case of anything really serious happening, it is always possible to put the matter on the table of United Nations to be discussed openly in the international society forum. As for the technical innovation and evolution processes that have characterized the Internet to date, it seems beyond the scope of this oversight function. Furthermore, such a framework would encourage all root server operators of ccTLDs to establish formal obligatory relations with ICANN, thus to make the root server system more robust and reliable, which would be greatly beneficial to the global security of the Internet.

Conclusion

In my personal view, this would be the workable solution that does not require big changes in current Internet governance mechanisms. The model proposed here would protect and improve the continuing existence of the universally accessible, robust and reliable Internet in our life time.

* Online at: http://www.wgig.org/docs/book/WGIG_book.pdf

ELECTRONIC EDITION
ACN Webpage:
http://www.ais.org/~jrh/acn/
All issues from1988 to present of the *Amateur Computerist* are on-line at:
http://www.ais.org/~jrh/acn/NewIndex.pdf