

Internet Mark 2 Project
Creating Tomorrow's Internet
www.internetmark2.org

<p>Address for correspondence:</p> <p>PO Box 10670 Adelaide St Brisbane 4000 Australia</p> <p>Tel +614 1966 7772 Fax +617 3105 7404 Email info@internetmark2.org</p> <p>Project Manager</p> <p>Ian Peter ian.peter@internetmark2.org</p> <p>Advisory Council</p> <p>Carlos Afonso Izumi Aizu K C Claffy Esther Dyson Ben Laurie Adam Peake James Seng Yakov Shafranovich Paul Vixie Meng Weng Wong</p>	<p>Mr Markus Kummer Secretariat, UN Working Group on Internet Governance Palais de Nations Geneva</p> <p>Dear Markus</p> <p>I am pleased to forward the attached response to your questionnaire on behalf on the Internet Mark 2 Project.</p> <p>The Internet Mark 2 Project rose out of concerns that Internet protocols and governance have not evolved sufficiently to deal with the range of problems which have appeared as the Internet gets older and bigger. This led to our first activity - a comprehensive study of the state of the Internet. (Internet Analysis Report 2004). Further details can be found at our website (www.internetmark2.org). In November 2004 we presented our findings to a special Lunchtime Seminar for the International Telecommunications Union.</p> <p>The matter of appropriate Internet governance is of concern to us. We do not believe that present structures are of themselves complete, although they have served the purpose of Internet evolution well. Specifically, we see the need for an additional body to provide high level public policy direction, and the need for a multilateral and multistakeholder body to address the high level function of root zone edit policy.</p> <p>Rather than a replacement for existing structures, we would see this as an overlay in relationship to existing organisations.</p> <p>More details appear in our response below. Please don't hesitate to contact us if any of these matters require further clarification or if our resources can be of assistance.</p> <p>Sincerely</p> <p>Ian Peter Project Manager</p>
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INTERNET GOVERNANCE QUESTIONNAIRE

Response from Internet Mark 2 Project.

Process/Function 1 : “Forum function”

1. Is there need for an additional arrangement or body?

YES

If the answer to question 1 is yes:

2. What functions should it exercise?

(a) Create a space for a multi-stakeholder discussion forum?

YES

(b) Give policy direction?

YES

(c) Any other function?

Possibly provide high level policy for root zone edit function to replace current unilateral control b y US government.

(d) Be a combination of the above?

3. What kind of public policy issues should it address?

(a) All issues related to the Internet?

YES

(b) Only issues outside the scope of existing organizations and institutions?

NO

4. Where should it be anchored (to what institution should it be linked)?

UN

5. How should it be financed?

It and technical co-ordination bodies should be financed by a levy on domain names until such time as domain names are no longer a fair and equitable way to evenly apportion costs (a future Internet may not have reliance on the domain name system)

6. How should it be structured?

Representation of civil society, governmental and industry groups.

7. What would be its relationship with existing organizations and institutions?

It would provide overall direction on public policy issues, where necessary taking into account technical co-ordination considerations via consultation with existing bodies. It could depending on structure provide a suitable replacement for or addition to the current board structure of ICANN.

Process/Function 2 : “Oversight function”

1. When talking about oversight, what functions do you envisage (simple audit function, arbitration, policy direction or any other function) and over what areas of activities?

There is an urgent need for a body to undertake the function of control of root zone policy to replace the current system of unilateral control.

2. Should the ICANN’s Government Advisory Committee (GAC) be transformed and take on some oversight functions?

That might be an appropriate way to deal with this issue.

3. Should the GAC be replaced by another body and what functions should such a body take on?

4. Should any post 2006 governmental oversight be exercised within the UN framework?

YES (as above, policy control as regards root zone edit policy, after advice from and consultation with other stakeholders)

Process/Function 3: Functioning / coordination of existing institutions

1. What improvements in their functioning should existing institutions make to bring them more in line with the WSIS principles

There is a problem per se with the concept of technical-only co-

ordination. It will always tend to be less inclusive, will exclude consideration of important high level principles, will tend to favour more technologically advanced countries as regards representation, will not bring important perspectives on issues to bear, and will not result in the sort of issues that WSIS is trying to address being properly considered. An overlay is needed on existing governance structures (which have performed well in the early days of Internet evolution) to ensure that tomorrow's Internet is the inclusive facility which WSIS would hope to see evolve.

2. How can their activities be better coordinated?

By appropriate board oversight, by appropriate direction, by dedicated resources rather than volunteerism in critical areas of development

3. Are there existing models of inter-agency cooperation that could be followed?

The UN

4. Should any existing institution be given the role of lead agency?

NO

Process Function 4: Functioning / coordination at the national level

1. How should Governments bring their national decision-making process in line with international Internet governance arrangements?

speedily

2. What successful multi-stakeholder models could be recommended as an approach to be followed?

The Convention on the Law of the Sea would seem to offer a model for consideration of a similar issue, in that a global commons to be shared is involved, a right of innocent passage through territorial waters needs to be guaranteed, and a principle similar to that in the law of the sea should be stated, eg

"Recognizing the desirability of establishing through this Convention, with due regard for the sovereignty of all States, a legal order for the seas and oceans which will facilitate international communication, and will promote the peaceful uses of the seas and oceans, the equitable and efficient utilization of

their resources, the conservation of their living resources, and the study, protection and preservation of the marine environment"

Could evolve to something like

"a legal order for the Internet which will facilitate international and global communication, and will promote the peaceful uses of the Internet, the equitable and efficient utilization and conservation of Internet resources, and the study, protection and preservation of the internetworking environment"

That would be a beautiful objective for the agreement we envisage!

For further information contact:

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