

W3C Input to the United Nations Working Group on Internet Governance (W3C-WGIG-2005)

Foreword

This report was prepared as input by the W3C ([World Wide Web Consortium](#)) to the United Nations Working Group on Internet Governance ([WGIG](#)). The WGIG is investigating and making proposals for actions, as appropriate, on the governance of the Internet. W3C is one of the primary sources for Internet/Web technical standards. The WGIG findings will be presented at the second phase of the World Summit on the Information Society ([WSIS](#)) in Tunis on 16-18 November 2005.

The goal of this position paper from W3C is to **share our understanding** on the Internet Governance issues facing society, and to **propose a simple layer model** to help identify the different roles for all concerned parties.

Main Points

Each professional community should do what they are best at, and cooperate with other communities that have different expertise. Engineering communities should define and develop technologies. Governments should define and enforce laws. Governments and other organizations need to understand the new technologies as they are developed. We engineers, on our part, need to better understand social and ethical aspects of the new technologies that we develop. All communities should keep in mind an overall mission of **promoting the human rights** of access to information and freedom of expression and communication.

These are the main points W3C wants to make regarding **Internet Governance and Coordination**:

1. The technology infrastructure of the Internet and the World Wide Web **grew out** of an unprecedented burst of energy from researchers, commercial engineers, and entrepreneurs. It was, and still is, an **open collaboration process in a multi-stakeholder environment**, with participation from academia, industry, government (through funding orientation, not architecture orientation), advocacy groups (e.g., in the area of accessibility), and end-users (public review, quality, etc).

2. The World Wide Web Consortium (W3C) develops the Web (**HTML, CSS, XML**, Web Services, WAI Guidelines, etc.; see www.w3.org). The Internet Engineering Task Force (IETF) develops the Internet (**TCP/IP, DNS, Email**, etc.; see www.ietf.org). The Web 'sits' on the Internet. These organizations have different but related technical focus and expertise. W3C and IETF developed the **HTTP** protocol together and some other XML-related technologies, but there is generally a clear separation of technical responsibilities for both organizations.
3. The IETF and W3C are not “industry consortia” and, in fact, work in most ways like formal standard organizations. IETF and W3C are unique, **non-for-profit** global coordination bodies, in which experts from industry, academia, government and non-governmental organizations develop open technical standards. This work is given freely to the world, implemented by the industry and the open source community for the **benefits of the public** at large.
4. These technical standards have been, and are still, developed in a multi-stakeholders way, with an open and participative bottom-up style, based on simple principles such as **interoperability** (i.e., it should work on any hardware, with any operating system, and from any software), and **universality** (i.e., it should work irrespective of culture, language, character sets used; and it should be accessible to people with disabilities).
5. National governments and the United Nations should do whatever they can to help **narrow the gap** between the "haves" and the "have-nots" for information access, just as for clean water and health care. Governments should play an **important role** as sponsors and users of the Internet technologies, but not as network architects. On the other hand, policy makers worldwide should be aware of the ongoing evolution of open decentralized information networks.

Finally, it's important to note that while it may appear to some that social benefits arise spontaneously, they in fact depend, even in the best of cases, on **governments and civil society to create enabling environments**. No matter the brilliance of the technology, its benefits are unevenly distributed and ultimately depend on wise policy action to ensure an equality of access all around the world.

Layers of responsibilities for Internet-related activities

The recent debate on Internet Governance, launched in the context of the World Summit on Information Society, has occasionally relied on a **false binary opposition** between total government control over the Internet versus total private sector control. This distinction doesn't reflect the day-to-day reality of building the social and technical aspects of the Internet.

The **goal of the model presented in this paper is to identify** ways to do a better job of meeting critical social needs while ensuring that the continued use and development of

Internet technology can have the benefits of the unrestrained growth which launched it in the first place.

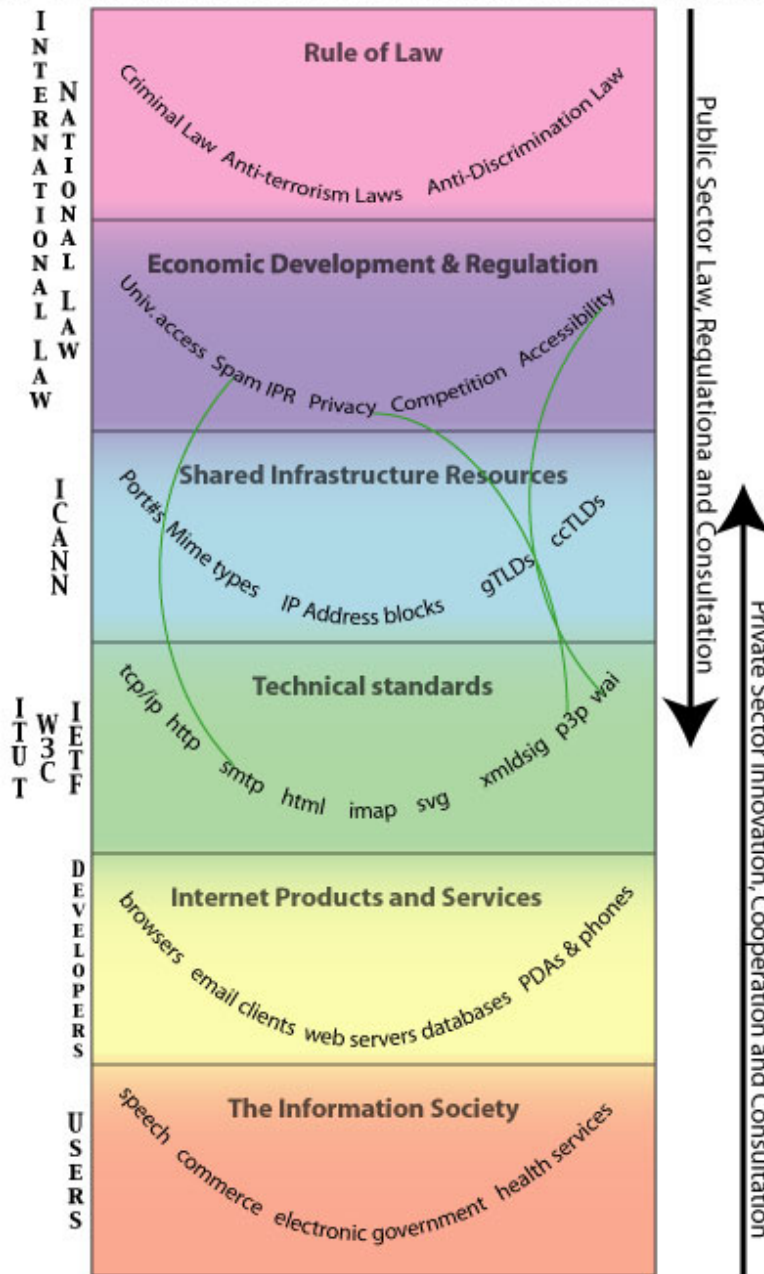
Certain aspects of the Internet (the term 'Internet' will often be used here to refer to the Internet, the Web, and other applications that operate across the Internet) have reached a degree of maturity, and now have a paramount need for stability and predictability of service. At the same time, many of these new technologies are only now emerging. We strongly believe that technologies can and must continue to advance, in many cases in order to meet new human needs.

National and international regulatory structures supporting the use of Internet and Web technologies must be sensitive to the potential impact of changes on the ongoing evolution of open decentralized information networks. If poorly implemented, such regulatory changes could stop or significantly slow these unusually productive worldwide technical innovations.

Proposed Layer model

The global reach and local depth of the Internet has enabled an increasingly wide range of human activity to take advantage of networked communication and information sharing. As the figure below shows, there is a continuum of Internet activity, ranging from activity dominated by governments (local, national, regional and international) to activity of pure individual initiatives.

LAYERS OF RESPONSIBILITY IN THE INFORMATION SOCIETY



**TECHNOLOGY AND APPLICATION DEVELOPMENT FLOW UP
LAW AND REGULATION FLOW DOWN
COOPERATION REQUIRED IN BETWEEN**

CRITICAL REQUIREMENT: RETAIN MODULAR FLEXIBILITY BETWEEN LAYERS

Daniel J. Weitzner, W3C

February 2004

This *Layers of responsibility in the Information Society* diagram shows a stack of roles and actors. At the **bottom** of this stack, the **users** of the Internet engage in pure expressive activity, exchange personal, political, economic and cultural human rights commitments, not regulated information. This communicative activity is to be supported but, consistent with basic international human rights.

At the **top** of the stack, we see an active role for **governments** in their historical role regulating commercial activity, promoting culture and economic development, and guarding against criminal activity.

Where the Internet poses the **most unique challenges**, however, is at the center of this table. The **middle layers** (shared infrastructure resources and technical standards, e.g. ICANN, IETF, W3C) include a variety of issues that have significant social impact but, at the same time require technical expertise and operational consensus in order to be effectively addressed.

In this model, technology and application development flow up, while law and regulation flow down.

Understanding a clear functional layering for different pieces of technologies has been vital to the growth of the Internet and the World Wide Web. This **modularity** is especially important when we need to work across the lines, as it **enables**:

- **flexibility**: allows for innovation in individual layers
- **choice**: enables users to choose appropriate combination of technologies
- **focus**: allows laws to concentrate on functional requirements, not technology-specific rules

Governments should understand that recognizing and **respecting layers does not cede any legal authority**. In other words, (programming) code is not law. Code left alone does constrain the practical options that users have in a given technical environment, but law makers have shown that they are perfectly able to override code with law when necessary. **Cross-layer coordination is required -- but let's not allow one layer to assume the role of another.**

Of course, there is a need for legal-technical cooperation in technical standards, and a rich interaction exists already, with a spectrum of private action, cooperation and law. (Examples are W3C's **Platform for Privacy Preferences (P3P)** work for expressing privacy practices, allowing for diversity of national and regional data protection laws; and W3C's **Web Accessibility Initiative (WAI)** work on making the Web more accessible for people with disabilities, or the **Internationalization** activity at W3C, in partnership with IETF and the Unicode Consortium)

Conclusions

W3C recognizes the importance of the [WSIS Declaration of Principles](#) and strongly shares the vision of an Information Society in which everyone can create, access, utilize and share information and knowledge. As we "collectively enter a new era of enormous potential", to quote the last article of the declaration, we are convinced that the [W3C](#) mission of "**leading the Web to its full potential**" is completely in line with the goal of building this new knowledge society.

W3C's position on Internet Governance, or Internet Coordination more generally, is that **we are in the middle** of it (as shown in the layers above), and that we seek a **better synergy between all the parties**.

Articles 44, 48 and 49 of the Declaration of Principles are particularly important for us. They state that "Standardization is one of the essential building blocks of the Information Society." and that "**International organizations** have also had and should continue to have an important role in the development of Internet-related technical standards and relevant policies."

IETF and W3C have primary responsibility for important layers of Internet and Web standardization. As such, they need continuous financial and participative support of both governments (given its **public service** nature), and industry (for competitive market growth and utilization reasons).

W3C is already very open to the world, is present on all continents, and is continuously trying to increase its presence and outreach to new countries and world regions. We are very excited by the **opportunity to welcome** even more participants and views from organizations and individuals not yet involved in the development of Web standards.

About the World Wide Web Consortium (W3C)

The W3C was created to lead the Web to its full potential by developing common protocols that promote its evolution and ensure its interoperability. It is an international consortium jointly run by the [MIT Computer Science and Artificial Intelligence Laboratory \(CSAIL\)](#) in the USA, the [European Research Consortium for Informatics and Mathematics](#) (ERCIM) headquartered in France and [Keio University](#) in Japan. Services provided by the Consortium include: a repository of information about the World Wide Web for developers and users, and various prototype and sample applications to demonstrate use of new technology. More than 350 organizations are [Members](#) of W3C. To learn more, see <http://www.w3.org/>

Editor: Daniel Dardailler

Last modified: 16 May 2005

Authors: Tim Berners-Lee, Danny Weitzner, Daniel Dardailler, Ann Bassetti

[Copyright](#) © 2005 [W3C](#)® ([MIT](#), [ERCIM](#), [Keio](#)), All Rights Reserved. [W3C liability](#), [trademark](#), [document use](#) and [software licensing](#) rules apply.