Working Group on Internet Governance (WGIG) –

Open Consultations - Geneva, 15-16 February 2005

Informal Summary

1.   The Working Group on Internet Governance (WGIG) held its second meeting in Geneva from 14 - 18 February 2005. The meeting on 15 and 16 February was held in the form of consultations open to all stakeholders. The main purpose of the meeting was to get feedback from stakeholders on the draft working papers on public policy issues that had been prepared by the WGIG members. The meeting was well attended with an estimated 200 participants, many of them leading and distinguished professionals on Internet matters.

2.   In his opening comments WGIG Chairman Nitin Desai, who is also Special Advisor to the Secretary-General on the World Summit for the Information Society (WSIS) underlined the importance of an open WGIG process. He also recalled the principles contained in the Geneva documents, such as 'multilateral, transparent, democratic', the need for co-ordination, as well as meaningful participation of all stakeholders, in particular from developing countries. He pointed out that the exact meaning of these terms was not always clear and encouraged participants to give their view on this in the WSIS and WGIG context.

3.   Many delegations in their opening remarks congratulated the WGIG on the production of the draft papers, noting that they acted as a good foundation to the work and should help focus the discussions and actions. It was commented that WGIG was helping to deepen the discussions on Internet governance and a deeper understanding of the issues would be helpful in guiding the discussions.

4.   Some delegations tracked the reasons as to why WGIG had been established and the need for Internet public policy issues to be dealt with in international institutions where governments had a clear role and set of responsibilities. For some, the role and status of developing countries in Internet governance arrangements needed to be strengthened.

5.   A number of speakers focused their comments on the future work of the WGIG, such as the working definition of Internet governance, the need to clarify the relationship between technical issues and public policy issues or to demarcate areas where existing governance issues were well expressed from those where new paradigms and multilateral cooperation were required.

6.   The evolutionary nature of the Internet was stressed by many, and hence the need to ensure that Internet governance mechanisms should be able to accommodate, if not facilitate, the dynamic nature of the Internet. Many contributors stressed the need to recognize the dynamic nature of the Internet. They stressed that new technologies could integrate capabilities rather than be layered over Internet protocols. It was suggested, for example, that in future data structures would be seen as bit sequences rather than associated with storage mechanisms or wires.   It was observed

that processes of Internet governance should always make it possible to introduce new applications and technologies without encountering legacy problems.

7.   Some participants argued that developing a working definition of the Internet was the basis for the future work of WGIG. They saw the definition of Internet governance as the key issue; pointing out that without some anchor, it would be difficult to pin down the issues. For others, a working definition would contribute to both setting priorities and excluding less relevant issues from the debate. In contrast, however, others argued that adoption of a working definition at too early a stage in the process could have the result of unnecessarily constraining the debates within WGIG and thus limit the usefulness of the final report.

8.   There was, however, a tentative convergence of views that WGIG should use, as far as practicable, the terms and definitions set out in the Geneva Declaration of Principles and the Plan of Action Plan. The possibility of having a working definition with both normative and descriptive elements was also discussed.

9.   Participants discussed essential characteristics defining the Internet. There was broad support for the notion that a definition of Internet governance should include the following points and:
*   recognize the dynamic nature of the Internet;
*   encompass the need for the Internet to continue to operate in a stable and reliable environment;
*   recognize the important roles played by different organisations;
*   distinguish between national law and international agreements;
*   recognize the inter-relationship between issues of Internet governance and other policy domains, for example the correlation between Internet access, availability and use and a liberalized telecommunications environment;
*   recognize the need to articulate between different governance frameworks and collaboration between entities.

10.   A number of delegations highlighted that Internet governance should ensure the:
*   openness of architecture and standards in the Internet domain;
*   security and stability of the Internet;
*   the free flow of information;
*   multistakeholder approach, understanding that the most appropriate term may be Internet co-ordination not control or regulation;
*   development of the infrastructure access;
*   promotion of well informed decisions based on a multi-layered Internet architecture;
*   promotion of local cultures and languages and the multilingualization of the Internet.

11.   Some speakers argued for caution and reminded the meeting that different layers were being addressed: principles of governance, the multi-stakeholder dimension and the ability to participate. In their view there was a need for an overall goal to be kept in mind for the governance process; its purpose should be to help the Internet grow, function effectively and contribute to broader goals of economic and social de-

velopment. Further, there was the need for different procedures to be adopted in different frameworks: on each issue different governance arrangements could apply, such as treaties, codes of practice and national laws.

12.   Some speakers held the view that existing institutional arrangements were unsatisfactory. With regard to the management of IP addresses and the DNS and root servers systems the point was made that developing countries were effectively excluded from existing Internet governance arrangements and their needs were not adequately taken into account. As regards ICANN they argued that one private sector entity was making public policy without adequate government oversight. They also perceived lack of accountability and representation. Moreover, the decision-making processes were seen as being concentrated in the hands of a few. Some delegations expressed support for the ICANN model, holding the view that the current, private sector-driven governance mechanisms were well adapted to the particular character of the Internet, while not excluding the need for government involvement.

13.   Others commented that whilst there were global institutions, which had clear mandate and competence in certain areas, such as WIPO with IPR, there were no organizations with overall responsibility for dealing with issues such as spam, or network security.

14.   Many participants stressed the need to adhere to the agreed wording of the WSIS Geneva documents, such as the 'full and active involvement of all stakeholders', which was broader than the traditional multilateral cooperation, which was preponderantly intergovernmental. There was a broad consensus that the concept of Governance was broader and went beyond government activities.

15.   Some interventions sought to establish a set of meta principles, which could be applied to the institutional arrangements of Internet governance. These principles could include all or some of the following:
- institutional arrangements in place now should continue but with greater clarification of responsibilities and linkages;
- co-ordination was needed rather than governance;
- where there was not a natural home for an issue at present, one should be assigned;
- the need to ensure transparency and accountability, and that processes should recognize the importance of a multistakeholder approach;
- the importance of freedom of expression;
- the importance of open market arrangements to ensure delivery of innovation and infrastructure.

16.   Many speakers emphasized the importance of developmental aspects. They argued that Internet governance arrangements should address the needs of developing countries; in particular the least developed among them.

17.   There was some discussion about the possible costs and benefits of institutional reform. Several delegations questioned an underlying assumption of maintaining the status quo and asked what were the risks of change, for example, with respect to the stability of the Internet and how these could be minimised.

18.   There was some debate as to whether the DNS and IP addresses should be treated as a single policy area. While some saw the IP address space and the DNS as inextricably interlinked, others held the view that the DNS was very different from the IP address space and was in fact an artefact arising from the need to map between users, applications and the IP address space. The point was also made that the DNS was a product of the evolution of the Internet to date, which could be substituted by alternatives.

19.   The discussion also touched on the meaning of the term 'accountability'. Internet professionals argued that they were accountable to their community. Some government representatives however held the view that that by now the Internet had reached a stage where accountability should be seen in a more traditional context, with greater governmental involvement.

20.   The issue of access as a development issue was addressed by several speakers. There were a number of related issues arising from access and development needs. It was also observed that there was an important difference between freedom of expression and freedom of information, which was seen as normally applicable to access to government information.

21.   The Chairman concluded by identifying four key public policy areas, namely:

(a)   those issues relating to infrastructural issues and the management of critical Internet resources, including the administration of the domain name system and IP addresses, administration of the Root server system, technical standards, peering and interconnection, telecommunications infrastructure including innovative and converged technologies, as well as multi-lingualization. These issues were matters of direct relevance to Internet Governance falling within the ambit of existing organisations a with responsibility for these matters;

(b)   those issues relating to the use of the Internet, including spam, network security, and cyber-crime. While these issues are directly related to Internet Governance, the nature of the global cooperation required was not well defined;

(c)   those issues which are relevant to the Internet, but with much wider than the Internet where there are existing organisations responsible for these issues, such as IPR or international trade. The WGIG started examining the extent to which these issues are being handled consistently with the Declaration of Principles; and

(d)   those issues relating to development aspects of Internet Governance, in particular capacity building activities in developing countries.

22.   In the next phase of its work, the WGIG would assess the adequacy of current Internet governance arrangements relating to these four policy areas. Papers on these issues would be published in due course on the WGIG website (www.wgig.org) and open for public comment prior to the next round of open consultations to be held on 8 April in Geneva. A preliminary report on the WGIG's work so far would be presented to WSIS PrepCom-2.