



## **ISOC Commentary on the status of the work of the Working Group on Internet Governance, April 2005**

When the first phase of the World Summit on the Information Society (WSIS) called on the UN Secretary General to set up the Working Group on Internet Governance (WGIG), it was in the context of supporting the WSIS Action Plan. The Plan calls for concrete actions to advance the achievement of internationally agreed development goals by promoting the use of ICT-based products, networks, services and applications, and to help countries overcome the digital divide. This is, by the way, something the Internet community has worked hard to achieve since the very first days of the Internet.

These goals include those described in the Millennium Declaration. The 8th goal of that document is to develop a global partnership for development, which would make available the benefits of new technologies - especially information and communications technologies - in cooperation with the private sector for the benefit of all. This is the context (making the benefits of ICT available to everyone) in which we initially engaged in the WSIS and WGIG efforts. The Internet has a huge potential as an enabler bringing these benefits to people everywhere and we remain excited about the WSIS mission. However, it is not clear how WGIG's actions to date have helped support achieving such goals.

The Internet Society believes that the best way to extend the reach of the Internet is to build on those aspects that have worked well - e.g. the long established open, distributed, consensus-based processes and many regional forums for the development and administration of the Internet infrastructure. Decision-making about issues such as resource allocation or IP Address Policy has always been in the hands of the Internet community, in order to be as close to those who require and use the resources as possible. It is this participative model, close to the end users, that led to the phenomenal, stable growth of the Internet. The Internet community and its bottom-up processes are constantly evolving in response to changes in needs and availability. For example, in response to moves by the African Internet community, the African countries now have their own Regional Internet Registry (AfriNIC) that helps coordinate users' needs and IP Policy in that region. Latin America has the same story to tell. Support for the development of both these RIR's (educational, financial and boot-strapping of various processes) came from the global Internet Community and primarily came from the other RIR's.

Developing and maintaining the Internet infrastructure are just two aspects of what has come to be referred to as Internet governance. WGIG has pointed out that there are many others, and has recognized the fact that Internet Governance encompasses a much wider range of topics than IP address and domain name administration. However, much of WGIG's focus has been on Internet infrastructure, thereby missing an opportunity to focus on those aspects of the Internet's development that are less developed and that could benefit from improved, lightweight mechanisms facilitating an exchange of information between policymakers and the Internet community. Examples here are issues concerning inappropriate usage of the Internet - cybercrime and spam being just two examples. Much work has already been done on technical solutions to these issues, and many legal frameworks already exist for handling criminal activity such as fraud. The challenge today is to bring the lawmakers and policymakers together with the Internet community to discuss the most appropriate mechanisms to ensure the continued development of the Internet.

Many players have a role, and this clearly includes governments and intergovernmental organisations. WGIG had a clear mandate to not only develop a working definition of Internet

governance, but also to develop a common understanding of the respective roles and responsibilities of governments, existing intergovernmental and international organisations and other forums as well as the private sector and civil society encompassing both developing and developed countries. Unfortunately an inordinate amount of time has been spent focussing on challenging current structures (those that brought us the Internet and its rapid, stable growth), rather than looking forward to the potential benefits of extended cooperation with (and based on the proven success of) existing models and structures. WGIG seems to have lost sight of this larger goal.

Also, many of WGIG's premises seem to start with an assumption that the Internet needs a hierarchical top-down governance model, thereby ignoring the decentralised, distributed structure on which the Internet was so successfully built. Not only does this "governance hierarchy" model prevent an accurate understanding of the Internet's infrastructure and development (forcing key organisations to be classed in prescribed categories that do not fit with the reality of their actions or their role in developing and supporting the Internet) but it also will very likely lead to conclusions that will harm the Internet's development and growth.

While WGIG appears to ascribe the growth of the Internet to deliberate regulatory decisions to liberalise telecommunications, in reality regulatory measures have been a relatively small factor. A more significant factor in the growth of the Internet has been the fact that the Internet architecture has enabled many tens of thousands of users to develop their own applications independent of the underlying architecture, thereby empowering people to add true value to the global Internet network. The continued expansion of the Internet to developing countries though will be greatly aided in the future by a more competitive telecommunications environment. We urge WGIG to recommend more concrete and aggressive action in this direction.

Further, WGIG has put great focus on comparing the relative merits of established treaty bodies and intergovernmental organisations to undertake a central role in the development of Internet infrastructure while very largely overlooking areas where attention and support are required and where national governments more naturally have a role to play, areas such as misuse of the Internet (cybercrime and spam to name a few). The limited perspective of this approach displays an obvious bias in the characterisation of the issues and seems to pre-suppose a solution.

In conclusion, we would urge WGIG to spend more time looking at what is actually being done to enable more people around the world to take greater advantage of the power of the Internet. This includes a focus on the many regional and global education activities that different Internet-related organizations are undertaking to "connect the unconnected". These same organizations are also working to make the Internet more secure, more accessible, more reliable, more affordable, and more versatile. The development of the Internet as well as many well-established capacity-building efforts could be jeopardised by applying a too heavy-handed approach to the operation and administration of this unique network of networks. Decentralised, lightweight governance has clearly proven itself to be a positive feature not a weakness. We want to encourage WGIG and WSIS to work with the Internet Community within the already well-established Internet model to improve co-operation between policy makers and the Internet community.

In the spirit of meeting the international development goals highlighted by WSIS, any review of today's Internet model or structures must be carried out in the context of how well they have worked in the past, how well they meet the needs of the people who depend upon them today, and how well they will adapt to changing requirements in the future; and not simply focus on a comparison to other historical telecommunications or governance models. These historical models have not been demonstrated to be well suited to the Internet.