



Dialogue Forum on Internet Rights

27 September 2007

The Protomoteca Hall

Palazzo del Campidoglio, Rome

Internet Society (ISOC)

www.isoc.org

Intervention by

Desiree Miloshevic - ISOC Board Trustee (2004-2010)

The Internet Society (ISOC) is a professional membership society with more than 80 organisations and over 26,000 individual members in more than 180 countries. Since its inception in 1992, ISOC has promoted the evolution and growth of the Internet as a global communications infrastructure, provided support for the Internet Engineering Task Force (IETF), and encouraged the responsible and effective use of the Internet through education, discussion and advice to public policy makers. ISOC's activities – particularly in developing countries – help expand the reach of the Internet and bring benefits to people around the world.

The Internet Society works with governments, national and international organizations, Civil Society, and the private sector to pursue its objectives in a collaborative and inclusive manner. Operating at both the local level and in the global arena, ISOC works to make the Internet accessible for everyone, to safeguard the integrity and continuity of Internet development and operations, to support and contribute to the evolution of the Internet as an open, decentralized platform for innovation, creativity and economic opportunity.

The Internet society has been guided by a primary principle that stresses the inclusive dimension of all its activities: “The Internet is for everyone”. This is no trivial matter and remains as powerful a statement today as it was when the Internet Society was created. “...For everyone” commits the Internet Society to a set of key drivers or core values that are principle driven and rights based.

It is these core values that I would like to share with you because they provide a useful basis for taking a look at the idea of a Bill of Rights for Internet.

What is a Bill of Rights? As I understand it from its first use in the context of English history (Magna Carta), to its adoption as the amendments to the United States constitution, it works within an existing model of governance. A Bill of Rights does not say much about its own status within those political systems, nor how government or institutions be constructed, or how changes in society may be reflected in its wording.

As a general comment, what a Bill of Rights has been and should always be, is a specific declaration of rights that we all understand to be inviolable, and - to choose a particular form of words - "self-evident". It perhaps seems odd that such self-evident rights need to be declared at all, except that it gives us a yardstick, a modern form by which we can see how well we are doing in protecting those rights, and how our technology and our culture is doing to live up to the expectations and ideals of our individual lives and society.

The Internet is now a global resource, used around the world by people of all nationalities to benefit themselves and others. Unlike so many of the resources we struggle to manage in a globally sensitive way, the Internet is precious, but not exhaustible. The more we use it, the more powerful it becomes for all of us.

At the Internet Society, we believe that that global success of the Internet reflects the important series of considerations that emerged from developing the technology and the protocols that enabled it. Those considerations have become the core values of our organization. In promoting the Internet and access to it across the world and our vision of “The Internet is for everyone” we believe:

- The quality of life for people in all parts of the world is enhanced by their ability to enjoy the benefits of an open and global Internet,
- Well informed individuals make up the foundation of an open and global Internet society,
- The Internet's Open and decentralized nature is the prerequisite for it to continue being a platform for innovation and creativity,
- Promoting the open development, evolution and use of the Internet for the benefit of all implies a combination of global initiatives and the local engagement of people in their home regions,
- Technical standards and Internet operating procedures should be developed and asserted through open and transparent processes, with access to information and incentives to participate for everyone,
- The social, political, and economic benefits of the Internet are substantially diminished by excessively restrictive government or private controls on computer hardware or software, telecommunications infrastructure or Internet content, thus affecting the ethical values of our society.

These core values are based upon the principles that underpin the evolution of the Internet itself. For example, from the early days of the Internet there has been an commitment to a powerful, user driven notion, that of bottom-up processes, in which individuals come together and solve problems and identify opportunities through a process of common agreement and understanding.

The Internet Society's core values embrace principles that are essential to progress, enlightenment and the bettering of human welfare. These principles include: openness, transparency, education, freedom to information and freedom to create and innovate, etc. These are not new principles; rather they have been agreed and committed to by individuals, communities and governments around the globe.

They are enshrined in a range of conventions, charters, constitutions and other documents that reflect and guide the tenets of society and individuals such as the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the European Convention on Human Rights.

The Internet Society believes that the Internet thrives best when these fundamental principles underpin its deployment and evolution. The Internet itself has evolved from an academic environment where the desire to be able to communicate, to share innovation, creativity and other key drivers of knowledge gave birth to this amazing medium. It has given rise to an unprecedented period of innovation, creativity, community building and personal enrichment. The Internet has transformed the way we think of ourselves, our relationships with others and how we communicate. It has brought together people from around the world in common purpose; it has created an exceptional pool of publicly available knowledge; and it has given users the ability to share their lives, content, aspirations, and holiday photos in unprecedented ways. We should not underestimate the degree to which these empowering successes come as a result of underlying commitments to defining and fundamental principles

If you see the Internet as a separate space that is somehow distinct from this space – our day-to-day space – then there might be a need to better define those rights so that they apply to this other environment. However, if you believe that the Internet is a part of our day-to-day environment, then, one might argue that the current rights and mechanisms for asserting those rights should apply.

To this end, ISOC advocates a renewed focus on those core ISOC priorities that coincide with social, economic, and political rights enumerated in the UDHR. The Internet Society promotes a set of user-related Abilities that echo and illustrate these fundamental principles:

- **The Ability to Connect.** The edge-dominant end-to-end architecture of the Internet is essential to its utility as a platform for innovation, creativity, and economic opportunity. To preserve this quality, we will oppose efforts to establish standards or practices that would make it difficult or impossible for some users of the Internet to use the full range of Internet applications of all kinds.
- **The Ability to Speak.** The Internet is a powerful mass medium for self-expression which depends on the ability of its users to speak freely. We believe that the Internet must support private—and, where appropriate, anonymous—means of communication and collaboration among individuals and groups, and will oppose efforts to restrict the type or content of information exchanged on the Internet.

- **The Ability to Innovate.** The remarkable growth of the Internet and the limitless variety of Internet applications follow directly from the open model of Internet connectivity and standards development. Any individual, organization, or company can develop and distribute a new Internet application that can be used by anyone. We recognize the enormous value of this innovation, and oppose governmental or nongovernmental restrictions on the evolution and use of Internet technology.
- **The Ability to Share.** The many-to-many architecture of the Internet makes it a powerful tool for sharing, education, and collaboration. It has enabled the global open source community to develop and enhance many of the key components of the Internet, such as the Domain Name System and the World-Wide Web, and has made the vision of digital libraries a reality. To preserve these benefits we will oppose technologies and legislation that would inhibit the freedom to develop and use open source software or limit the well-established concept of fair use, which is essential to scholarship, education, and collaboration.
- **The Ability to Choose.** Government regulation and the economic power of incumbent telecommunication monopolies can delay or prevent the growth of the Internet by limiting the ability of competitors to provide new, better, cheaper, or more innovative Internet-related services. We advocate policies that promote competition in telecommunications, Internet services, Internet-related software, and e-commerce applications.
- **The Ability to Trust.** Everyone's ability to connect, speak, innovate, share, and choose depends on the Internet's ability to support trustworthy internetworking—ensuring the security, reliability, and stability of increasingly critical and pervasive applications and services.

For those of us lucky enough to have broadband access at work and or at home, the Internet is part of daily life as accessible as the telephone, the television and other mediums for entertainment and education. The fundamental rights that underpin the Internet and its creation and evolution, should guide how we use it and what we use it for. Similarly, they should also guide communities and governments in how they work with and approach the Internet as a part of their overall commitment to the conventions and declarations that they have agreed to.

I would suggest that human behavior should be no different no matter the environment in which humans interact. If we begin to differentiate environments, then we may have to differentiate rights. And this starts to become complex and cumbersome, contentious and perhaps even counterproductive. Individual rights and the values that guide how we interact with each other should be simple, clear and without complication.

The issue may be not that we need new rights because of the Internet, but that we need to reinforce existing rights because the Internet has shown how fragile they can be when new technologies or new economic models are introduced.

The Internet challenges typically hierarchical structures, whether they are societal, economic or political in their nature. It is a tool that has evolved through empowered users and communities – its very existence encourages empowerment and its success is dependent upon it. Yes, empowerment can be threatening – but it is not Internet specific. Governments that undertake actions to quash empowerment or freedom on the Internet do so not because it is the Internet, but because that is the way they “manage” empowerment and freedom generally.

The Internet is about opportunity, empowerment, knowledge and freedom. It has been built on these principles and its future success is dependent upon them. Basic and fundamental rights underpin these principles and the vision that “The Internet is for everyone”. We wholeheartedly support a more consistent application of these rights and do not support or condone any activity that restricts or abuses human rights in any context, on the Internet or otherwise. The future of the Internet, and the future of those who will use the Internet, depends on our communal effort to ensure these rights are respected in our decentralized (local) yet global network...