European Parliament, Hearing: Internet Governance the next steps

Speech by Frédéric Donck, Director, European Regional Bureau, Internet Society

Distinguished Members of the European Parliament, ladies and gentlemen, it is a great pleasure to contribute to the work of the ITRE Committee and in particular to participate to this exchange of view on M. Sosa Wagner’s very important Report on the "Internet governance".

Internet Governance is a key issue for the Internet Society, and, we believe that we can share some useful experience here as we have been closely involved in many governance forums at international, regional, and local levels.

I would like to start by describing the Internet model and also what we mean by the "Internet ecosystem"—of which ICANN is part—because we are convinced that those notions are intrinsically linked to the key principles which sustain—or should sustain—governance mechanisms, wherever they take place.

The genius of the Internet lies in its decentralized architecture, which maximizes the power of individual users to choose (or create) the hardware, software, and services that best meet their needs. This is what allows the Internet to continue to be a platform for innovation and creativity.

Of equal significance, the structures of the Internet’s governance mechanisms in many ways mirror the technical architecture. Openness, transparency, inclusiveness, and distributed responsibility are the intrinsic, inseparable hallmarks of Internet development.

We call this the Internet Model of development, and not only is it responsible for the Internet, but we firmly believe it has had profound implications for many other aspects of human endeavour, including broader aspects of governance and institutional change.

A clear example of this type of institutional change is visible at the United Nations level, in the Internet Governance Forum.

The IGF is a forum for inclusive, open, truly multistakeholder dialogue to explore crucial issues of Internet development in ways which were simply not possible in traditional, top down, hierarchical models of control.

Indeed, the IGF or the European Platform, EuroDIG, are unique forums where ideas can be explored and tested by stakeholders, on an equal footing, unburdened by the constraints of intergovernmental procedures and negotiations.

From their sides, Governments and intergovernmental organisations should also value this approach as an incredible opportunity. For example, nothing in the IGF either binds governments to implementation in their sovereign territory, nor prevents them from taking the actions they believe are in the interests of their citizens. In fact, participating in those forums enriches their and their citizens’ decisions.
The value of the model has also clearly been recognized by the OECD, which also called for a more decentralized networked approach to policy formulation for the Internet economy, and for the active participation of stakeholders to be the norm.

There are many great examples of e-Governance and applications helping to open up governance. But we are even more excited by the potential for the Internet Model's core principles of distributed responsibilities and open collaboration, to transform governance mechanisms and institutions.

So, in practical terms, what does the Internet model mean?

First, the Internet is a network of tens of thousands of networks, drawing overall resilience from distributed responsibility.

Second, it works because of the collaborative engagement of many organizations. People and organizations from many backgrounds and with different expertise are involved: researchers, business people, civil society, academics, and government officials. This is key to the Internet's success.

Third, the development of the Internet is based on open standards, which are openly developed and broadly and freely distributed. Participation is based on knowledge, need, and interest, rather than formal membership. There are no membership fees and his in itself is important. The Internet community has always worked to reduce barriers and encourage broad participation.

And finally, the Internet model is also based on widely supported key principles, such as the "end-to-end principle", which encourages the creation of global deployment of innovative, successful, and often surprising applications. And those who create applications don't need permission to deploy them on the Internet. And more importantly, users themselves choose which applications suit their needs.

In short, the Internet model is a robust, flexible, adaptive system, whose value is greater than the sum of its parts. And you will find crucial examples of such a successful model within the Internet ecosystem and all the organizations it consists of.

And this will bring us to the second point: what is the “Internet Ecosystem”.

Internet Ecosystem is the term used to describe the environment of organizations and communities that collectively guide the operation and development of the technologies and infrastructure that comprise the global Internet. These organizations share common values for the open development of the Internet.

The “Internet Ecosystem” term implies that the rapid and continued development and adoption of Internet technologies can be attributed to the involvement of a broad range of actors; open, transparent, and collaborative processes; and the use of products and infrastructure with dispersed ownership and control.

It also implies interdependence – successful functioning of each component is needed in order to ensure the health of the overall ecosystem. Organizations that comprise the Internet Ecosystem include:
• The technical standards development bodies such as the Internet Engineering Task Force (IETF) and the World Wide Web Consortium (W3C)
• The organizations that manage resources for global addressing capabilities such as the Internet Corporation for Assigned Names and Numbers (ICANN), the Regional Internet Registries (RIR), and Domain Name Registrars.
• Companies that provide network infrastructure services such as Domain Name Service (DNS) providers, network operators, and Internet Exchange Points (IXPs)
• Individuals and Organizations that use the Internet to communicate with each other and offer services, including development of innovative software and services
• Organizations that provide education and build capacity for developing and using Internet technologies, such as multilateral organizations, educational institutions, and governmental agencies

From here, I would like to address one of the issues which is central in M.Wagner report, and which then would lead me to cover the third point: ICANN.

As you can see from the above description of the Internet Ecosystem, ICANN is one important element in the Internet ecosystem, but let’s remember what ICANN’s mandate is—a vitally important but still narrow technical function. While being an important actor, it is not the only or even the predominant Internet governance organ.

The Internet Society believes that ICANN performs a stewardship role with regard to the domain name system, which is a vital and shared global resource. In short, ICANN needs to keep the public interest as their key objective. This implies that ICANN needs to ensure it is a model of good governance and we have already emphasized this at many different occasions. It means that the following key principles be acknowledged and implemented:

**Transparency** – in other words, the continued and improved provision of complete, timely and useful information about the organization’s operations and current topics, as well as a full disclosure in reporting on decisions and the rationale for decisions.

**Participation** – emphasizing that all stakeholders, including governments, have a right and a responsibility to contribute to an open process for arriving at decisions that affect them.

**Evidence-based decision making processes** – through the use of sound and valid methods for the collection and analysis of high-quality and pertinent evidence, preferably organized by topic/subject matter.

**Inclusive dialogue** – encourage more cross-constituency dialogue about issues. To fully execute on ICANN’s stewardship responsibilities, steps must be taken to bring all the necessary experts and interests together to try to reach mutually acceptable recommendations to the Board – topic-by-topic and freed from their individual silos.

It is vital to remember that the multistakeholder model means having all stakeholders talking and working together, at the same time, on the same issues, and toward a common purpose, not having all stakeholders dealing with the issues in their respective silos.
Other important topics to consider include:

**Accountability** – ICANN must improve its efforts to demonstrate and communicate accountability beyond the Board’s fiduciary responsibilities.

**Evaluation** – it is important to have a feedback mechanism to check on the effectiveness of the technical coordination and management of the Internet’s domain name and addressing system, in the service of Internet users, and how the affected communities are responding. This feedback should be sought regularly and proactively.

**Complaint/response/dispute resolution** – no decision making process or authority will ever be able to please all of the organization’s stakeholders, and so it is important to continue to ensure that graduated, responsive and effective mechanisms are in place to deal with complaints and disputes as they arise.

All of these principles are essential and we are pleased to see that many of them were taken up by the US government and ICANN in the Affirmation of Commitments.

Now, let’s be clear, achieving the goals stated in the Affirmation of Commitment is going to be a work in progress, and will only be possible with the support and principled involvement of all. Internet Society members contribute to ICANN’s work through the Advisory Councils and Supporting Organizations, and we encourage all others including governments to do the same.

Let me briefly conclude by recalling three key elements of my contribution today:

First, let’s recall that within the Internet ecosystem, ICANN is an important actor but it is not the only one, and not the most important governance body.

Second, we are convinced that any issue in relation with Internet governance should be solved in a way that is consistent with the Internet model, that is to say, along the principles of transparency, inclusiveness, collaborative engagement, and a multistakeholder approach.

Third, the European Union, and in particular the European Parliament, has a long history in promoting an open model of governance. The European Parliament is playing a leading role in the current international debates on the need to keep an Internet which is open and user-centric -and I am happy to see that the present report does emphasize this as well.

Nowadays, the global Internet is facing many important challenges.

Those challenges call for a vigorous answer from all stakeholders, on the need to preserve an Internet characterized by openness, access, choice, and transparency.

Thank you for your attention.