

# The Value of Openness for a Sustainable Internet

## *A Proposed Vision for the Post-2015 Agenda*

Internet Society paper<sup>1</sup>  
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### **Introduction**

The Internet has changed the world. It has revolutionized the way individuals communicate and collaborate, the way entrepreneurs and corporations do business and the way governments develop policy and interact with their citizens. The Internet is a catalyst for innovation, communication, economic growth and social development. These statements are commonplace, but it is valuable for us to think about how the Internet has come to be so transformative.

At the most fundamental level, this question can best be approached by examining the open and collaborative processes along with the legal and governance principles that have enabled the Internet's evolution. Both the open platform and the open processes through which the Internet is developed, have created an empowering medium whose impacts extend far beyond the realm of technology to affect all aspects of our societies, our economies and how we do business, as well as our mechanisms of governance.

This paper is intended to briefly describe openness in the context of the Internet and its effects, and why openness is vitally important to the sustainability of the Internet as we move forward.

As Internet access expands across all regions, increasing numbers of Internet users will engage in Internet Governance issues and make their voices heard, both at the global and local levels. It is timely to have a discussion about openness and sustainability, as we enter a period of intense assessment and many questions are raised regarding the way the Internet is and should be structured and governed. In 2014, the Internet Governance calendar is accelerating with major conferences, including the ITU Plenipotentiary Conference and World Telecommunication Development Conference,

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WSIS+10 High Level Review event and the Internet Governance Forum. These conferences will shape the future economic, technical and political governance of the Internet.

As the international community discusses the current and future arrangements for Internet governance<sup>2</sup>, we believe it is timely to reflect on “*The Value of Openness for a Sustainable Internet*” to help shape a common vision for the post-2015 era. Whether the challenges are related to technology, development or policy; whether the issues are regional or global, the Internet Society’s assumption is that a healthy and sustainable Internet is based on the principle of openness:

- Open global standards for innovation
- Open communications for everyone
- Open for economic progress through innovation
- Open and multistakeholder governance for inclusion.

### **The Foundations of the Open Internet**

The Internet is grounded on a set of underlying principles and designs with the primary purpose of ensuring sustainable technical interoperability, collaborative development and transparency<sup>1</sup>. They establish a common, interoperable, and accessible environment that fosters seamless connectivity, consumer choice, entrenches fundamental rights of expression and enables end-users to advance their social and economic objectives. These key principles will need to be preserved to allow future generations of users to fully enjoy the benefits of the Internet.

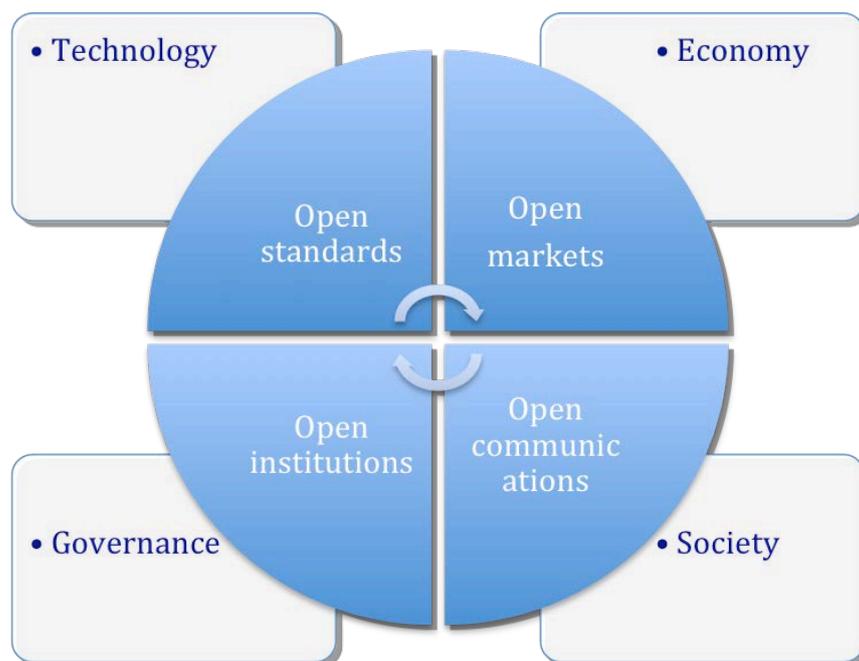
The Internet evolved from its creation as a research network to become a ubiquitous platform with an influence that extends far beyond the basic communication of data. As it expanded, the philosophical considerations held by the community that developed the technical aspects of the Internet also spread, as more people and organizations became interested in its evolution. Human networks of trust were established among Internet technical experts and the Internet infrastructure grew and proved its resiliency. Now, due to the economic and social importance of the Internet, users expect to be far more involved than they ever had been in previous generations of decision making.

The various manifestations of openness have to be considered as interdependent and mutually reinforcing in a **virtuous circle**. Technical, economic, societal and political dimensions of the Internet are closely intertwined and interrelated. For example, open global standards provide a platform for borderless trade and an interoperable open economy, fostering innovation; innovation, in turn, relies on users’ ability to freely and openly create, and share information and ideas, reinforcing the foundations of open societies; finally, both economic and social development are nurtured by open and multistakeholder governance frameworks and the ability to innovate freely.

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<sup>2</sup> See the Internet Society online Internet Governance chronology :  
<http://www.internetsociety.org/internet-governance-timeframe-2002-2016-0>

**Figure 1. The Virtuous Circle of an Open Internet**



### **Open Global Standards**

The Internet is based on open, globally accessible and applicable standards that are developed according to five fundamental principles. These principles constitute the basis for OpenStand, a paradigm endorsed by leading Internet standards bodies. It offers a concrete account of the process and philosophy behind Internet standards' development:<sup>2</sup>

- **Cooperation** among standards organizations
- **Adherence** to due process, broad consensus, transparency, balance and openness in standards development
- **Commitment** to technical merit, interoperability, competition, innovation and benefit to humanity
- **Availability** of standards to all
- **Voluntary** adoption

These principles are not limited to standardization development processes only; they additionally provide a basis for understanding how openness applies and can be integrated in the Internet's social, economic and political spheres. In this latter context, openness should be understood as including: making decisions with a sense of equity and fairness among participants, founding decisions on broad consensus, transparency in the process, balance among interests and viewpoints, and the ability for any interested and informed party to participate and contribute to the development of standards or decisions.

## Open Communications for Everyone

Because of the formative principles underlying the Internet's technical and policy decision-making, the Internet has established a structure that encourages the promotion of fundamental rights and principles; and in many ways, the Internet has proven to be a powerful tool for the promotion of the potential of a more open and inclusive society. In some parts of the world, the Internet has encouraged lively participatory social development, promoted access to and sharing of information and knowledge, fostered online cultural diversity and enabled a vast array of new services based on the Internet, including e-learning, e-health, and e-government.

Although the Internet's original architects did not intentionally conceive of the Internet as a tool to advance human rights, the principles they built into its design support basic participatory ideals. Additionally, the ability to rapidly and freely exchange information on the Internet has meant that the network is increasingly being used as a tool for the promotion of a more transparent and open society. When the Internet is unrestricted and widely available, it enables users to seek, receive, and impart information and ideas, regardless of frontiers, in ways that were not possible before. It has shown its potential to become a key enabler for realizing the ideal of freedom of expression and information, set out in Article 19 of the Universal Declaration of Human Rights (UDHR) more than 60 years ago<sup>3</sup>. Thanks to the Internet, people in many parts of the world can reach the electronic services they need or share the content they create. By empowering people, the Internet contributes to "the advent of a world in which human beings shall enjoy freedom of speech and belief", which, according to the Preamble of the UDHR, is "the highest aspiration of the common people".

In line with this ideal, the IETF Mission Statement highlights the fundamental value of an open model by stating: "*We embrace technical concepts such as decentralized control, edge-user empowerment and sharing of resources, because those concepts resonate with the core values of the IETF community. These concepts have little to do with the technology that's possible, and much to do with the technology that we choose to create.*"<sup>4</sup> Although these words were written to describe the technical context, today they accurately reflect the aspirations of many Internet users for the societal communities that *they* choose to create.

From the beginning, the Internet's creators understood that, in the absence of global and interoperable standards, we would have a set of fragmented and incompatible networks, isolated and unable to communicate among each other. The technical community's desire to create an efficient system of communication has driven the creation of the Internet as we see it today. The achievement of these technical outcomes has not been easy; it continues to require constant commitment and re-examination of core values to remain relevant and effective.

Now, we also know that the open Internet model they created to address that challenge also holds the potential to enhance individuals' freedom, allowing people to connect and craft together technical and social change through a participatory and consensus-driven process. From its early days, the Internet has evolved by empowering users and communities. One could argue that its very success depends on it.

While these features without any doubt have a positive impact, there can also be downsides to the Internet's openness. The same technology that is used to foster free expression can also be used to repress it when it is considered inconvenient or dangerous to the status quo. Suspension of Internet access, delaying traffic, bandwidth capping, filtering of websites and/or of their content, surveillance of online activities, disproportionate sanctions, and invasion of privacy are but few of the measures which threaten both the Internet's functionality and its ability to promote the exercise of fundamental rights online.

### **Open Economic Progress Through Innovation**

The Internet is an extraordinary platform for expanding existing business opportunities and fostering new ones, for enabling the flow of goods and/or services in dynamic ways, for encouraging competition, sustaining market presence and inspiring new business models. Recent studies have demonstrated that the Internet is a net job creator.<sup>5</sup> In 2011, Internet-enabled business accounted for more than 20 percent of the GDP growth in mature economies and 7 percent in the large emerging economies of China, India and Brazil over the last 6 years.<sup>6</sup>

In the contemporary world, it is now apparent that broadly based economic growth, like social development, can best be achieved through an open and global Internet economy. The open Internet encourages entrepreneurs and end-users to innovate and even allows small firms to operate in a global marketplace from "start to finish". The ability to offer products directly to a global market generates new paths to innovation and collaboration. The Internet also promotes competition, allowing new entrants to succeed and offering consumers a broader selection of products and services at lower cost from a diverse variety of suppliers.

To be a key driver of economic growth, the Internet can be developed most effectively in the context of competitive markets without artificial barriers and restrictions. An open Internet is a catalyst for competition and innovation, empowering businesses and consumers alike, and helping to develop human capital.<sup>7</sup>

Enabling legal environments, supporting creativity and innovation and fostering fair non-discriminatory competitive practices constitute a critical aspect of the Internet economy. Policies that maintain an open environment supporting the free flow of information while protecting privacy, research, invention, network expansion, entrepreneurship and business transformation are essential complements to open technologies in developing the Internet economy.<sup>8</sup>

On the Internet, users interact through the services offered by intermediary platforms: from Internet Service Providers, telecommunications operators, payment services, cloud service providers, email services, search engines, social networks, data brokers, aggregators, to advertisers, Internet intermediaries enable communication and transactions between third parties, and they underpin most of the current economic model underlying many Internet-based services. In light of their gatekeeping role as part of the Internet ecosystem, intermediaries should consider supporting the principles of Internet openness and sustainability in order to foster trusted interaction on the network.

## Open and Inclusive Multistakeholder Governance

The rapid technical, social and economic innovation enabled by the Internet is challenging traditional forms of governance and the role of governments. For example:

- The traditional telecommunication network operators' level of control has been profoundly altered by the emergence of the open Internet.
- Societies have been radically altered by the new abilities for communication and sharing they have experienced.
- Key Internet infrastructure has been enabled by bottom-up governance models.
- Entire industry sectors have both benefited and been challenged by innovation and shifting Internet business models.

In order to sustain the Internet's openness, a robust and inclusive framework is required. As technical issues become ingrained into society and as policy decisions have consequences on technology advancement, we need a model that allows collaboration and exchange of information between actors who have diverse areas of expertise, knowledge and know-how. This model is provided by multistakeholder participation, an inclusive arrangement that is based on the assumption of all interested and relevant actors working together. This, however, is neither an easy nor a straightforward task.

Internet governance first became an explicit topic of international, intergovernmental discussions in the preparatory process for the United Nations World Summit on the Information Society (WSIS) in 2003. WSIS was held in two phases -- in Geneva in 2003 and in Tunis in 2005. Governments, being confronted with difficult questions relating to Internet governance, decided to set up a working group to examine the issue and develop a working definition of Internet governance. The Working Group on Internet Governance (WGIG) ushered in a new form of collaboration between governments and non-state actors and greatly influenced the second phase of the Summit in 2005, which adopted the Tunis Agenda for the Information Society<sup>9</sup>.

The WGIG process had illustrated the importance of non-state actors – and led to the realization by governments that permitting an inclusive transparent structure where constructive contributions from new parties could be incorporated, would ultimately lead to a more informed debate and to potentially better results<sup>3</sup>.

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<sup>3</sup> Importantly, this model is not exclusive to the Internet – it emerged as part of environmental governance discussions and, since then, many policymakers have understood its value in helping shape a range of policies including healthcare, clean energy and consumer protection.

Based on the successful experience with multistakeholder dialogue during the WSIS process, governments accepted the working definition of Internet governance proposed by WGIG, as:

*“the development and application by governments, the private sector and civil society, in their respective roles, of shared principles, norms, rules, decision-making procedures, and programs that shape the evolution and use of the Internet.”<sup>10</sup>*

In the text that followed, governments went on to recognize the important roles and expertise of stakeholder groups, while holding for themselves *“policy authority, rights and responsibilities for international Internet - related public policy issues.”* Importantly, however, they committed *“to improve the coordination of the activities of international and intergovernmental organizations and other institutions concerned with Internet governance and the exchange of information among themselves, [stating clearly that] multi-stakeholder approach should be adopted, as far as possible, at all levels.”<sup>11</sup>*

The Tunis Agenda has become a foundational document in the discussion on Internet governance, and the WSIS process itself has come to serve as a baseline not just for Internet governance, but also for governance discussions more broadly.

Since 2005, more governmental and intergovernmental processes are experimenting with and benefiting from the principles of the open, multi-stakeholder model that has shaped the Internet.

- First and foremost we have the Internet Governance Forum (IGF), created by WSIS. The IGF pioneered an open and inclusive form of multistakeholder cooperation under the UN umbrella. It is now in its eighth year and has influenced other organizations and processes to open up to multistakeholder cooperation.
- The 2008 OECD Ministerial Meeting on the Internet Economy<sup>12</sup> resulted in the inclusion of two new advisory committees on Internet matters, one comprising global civil society, the second drawing on the organizations of the Internet technical community.
- The Council of Europe held a Ministerial Conference in 2009 with the participation of other stakeholders.
- The International Telecommunication Union (ITU) has indicated its intent to expand its processes to allow greater participation by non-government actors including civil society.
- And several regional organizations, such as the African Union (AU), the Inter-American Telecommunications Commission (CITEL), and the Asia-Pacific Economic Cooperation (APEC), have welcomed the contributions of qualified organizations and stakeholders to their work.

The debates that will take place in the next few years under the auspices of the United Nations<sup>4</sup> as well as in other fora are critical to the continuing evolution of the open, multistakeholder model of Internet governance and to the sustainability of the open Internet itself.

It is important for organizations and individuals who care about the future of the Internet to act on the opportunities to contribute and participate in these meetings, and thereby to demonstrate the effectiveness of the model. Open and inclusive processes are based on bringing civil society, business, the Internet technical community, and governments together to shape a common approach that meets the challenges of an increasingly complex world. Organizations such as the Internet Society are already actively engaged directly and by providing information and tools to help with such engagement.

Multistakeholder processes have been recognized as a way to provide the flexibility and agility necessary to develop timely, scalable, and innovation-enabling Internet policies.<sup>13</sup> Inclusiveness, transparency and collaboration are the fundamental pillars of the Internet model and must be nurtured in order to preserve the virtuous circle of the open Internet.

### **Conclusion: The Shared Responsibility for a Sustainable Internet**

This paper is intended to provide a context for the concept of openness and what it means for the future and sustainability of the Internet; it further explores the impact that the open Internet has on innovation, on societies, on economic development, and on the evolution of governance. There is no question that the impact the Internet has on all segments of societal, political and commercial life is due to its original design; interestingly, it is also because of the Internet that we experience an increase in the freedom and well-being of citizens in many parts of the world. Yet openness is not guaranteed and should not be taken for granted.

To this end, we also need to be mindful of the fact that open technologies can be subject to misuse and manipulation, and the same technology that is used to facilitate the exchange of information can also be exploited for repressive or surveillance purposes. Values such as openness, freedom of expression, privacy and security must be guarded against abuse. Multistakeholder mechanisms are well suited to deal with issues of abuse, because they encourage technical and policy solutions that take into account the interests and expertise of a number of stakeholders.

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<sup>4</sup> The Internet governance debate will continue in a series of conferences between now and 2015, and likely beyond. Some that are on the horizon include the ITU World Telecommunication Development Conference (WTDC) and the next Plenipotentiary Conference (Plenipot) in 2014; the ongoing discussions of the process toward enhanced cooperation in the CSTD and at the UN General Assembly. 2015 will see a broad review of progress made against the 2015 target date of the UN's Millennium Development Goals, and, importantly, a WSIS+10 review co-hosted by UNESCO and the ITU. The WSIS+10 review has already begun and the first segment, hosted by UNESCO in early 2013, was remarkably inclusive and open both in the preparatory process and at the Conference itself.

Indeed, experience shows that unintended and disproportional restrictions of online expression frequently occur when key policy issues – such as security measures or copyright enforcement – are implemented without considering the perspectives of a wide range of stakeholders.

All stakeholders share a great and collective responsibility: the responsibility to build, use and protect the open Internet ecosystem. Their collaboration and cooperation ensures that the Internet sustains its openness. It is only through open, inclusive and mutually respectful interaction that the Internet can be sustained as a positive and evolving force for technical, social, economic, and political evolution in the years to come.

Openness must be seen as a fundamental principle providing the basis for a shared vision for the future of Internet policy-making. Openness represents the very essence of the Internet's success and must be preserved and encouraged to allow economies to grow and, simultaneously, encourage innovative and rejuvenated societies, allowing all individuals to fully enjoy their fundamental rights. For these reasons, Internet governance arrangements we are developing together should strive towards the protection and promotion of openness, and all Internet stakeholders need to work together to ensure its recognition as a fundamental principle.

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<sup>1</sup> Berkman Center for Internet & Society at Harvard Law School, *Roadmap for Open ICT Ecosystems*, 2005, <http://cyber.law.harvard.edu/epolicy/roadmap.pdf>

<sup>2</sup> <http://open-stand.org/principles/>

<sup>3</sup> <http://www.un.org/en/documents/udhr/>

<sup>4</sup> <http://www.ietf.org/rfc/rfc3935.txt>

<sup>5</sup> McKinsey SME survey 2011: *Reporting data from survey by McKinsey on use and impact of Internet in small and medium businesses in Sep-Nov 2011*

<sup>6</sup> McKinsey Global Institute, *Internet matters: The Net's sweeping impact on growth, jobs, and prosperity*, May 2011.

<sup>7</sup> McKinsey Global Institute, *The great transformer: The impact of the Internet on economic growth and prosperity*, October 2011.

<sup>8</sup> <http://www.oecd.org/internet/consumer/40839436.pdf> and <http://www.oecd.org/internet/innovation/48289796.pdf>

<sup>9</sup> [http://www.itu.int/wsis/documents/doc\\_multi.asp?lang=en&id=2316%7C0](http://www.itu.int/wsis/documents/doc_multi.asp?lang=en&id=2316%7C0)

<sup>10</sup> *Ibid.*, p. 75.

<sup>11</sup> *Ibid.*, p. 76.

<sup>12</sup> <http://www.oecd.org/futureinternet/>

<sup>13</sup> *Ibid.*

