Internet Governance
An Internet Society Public Policy Briefing

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Introduction

How the Internet is governed has been a question of considerable debate since its earliest days. Indeed, how diverse sets of stakeholders collaborate to manage this important global resource has an impact on the nature of the Internet as a trusted global platform for innovation, creativity, and freedom of expression. The Internet is a decentralized network of networks and those who rely on it help to define its policies.

While the Internet evolved from a number of government-funded research projects, individuals from universities and private-sector organizations led most of its early development. Since these early beginnings, management of the Internet and global Internet resources (e.g., the Domain Name System) has relied heavily upon bottom-up coordination and direct participation by those interested in and impacted by related decisions.

Over the years, this decentralized and community-driven management approach has supported the tremendous growth and innovation that has defined Internet's success and reflects the early design choices of the technical community in the adoption and implementation of Internet standards. By 2005, what had traditionally been referred to as private, bottom-up coordination evolved into the "multistakeholder" model of Internet governance that exists today.

Key Considerations

The decentralized nature of the Internet means that no single, centralized authority governs Internet management. Instead, the Internet is governed in a decentralized, collaborative fashion that ensures that issues can be resolved at the level closest to their origin.[1] In this context, the Internet's system of decentralized decision-making is

> The term *Internet governance* refers to the processes that impact how the Internet is managed. The historic and future success of the Internet as an open and trusted platform for innovation and empowerment depends on a decentralized, collaborative, and multistakeholder approach to Internet governance.

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[1] For an overview of the entities involved in Internet management, see *Internet Ecosystem,* http://www.internetsociety.org/who-makes-internet-work-internet-ecosystem.

similar to the principle of subsidiarity,[2] in which issues are best handled at the level consistent with where the solution is applied.

The early days of Internet multistakeholder governance

In 2003 and 2005, representatives from governments, the technical community, civil society, and the private sector came together at the United Nations World Summit on Information Society (WSIS), where they adopted the *Tunis Agenda for the Information Society*[3]. The *Tunis Agenda* adopted a working definition for Internet governance:

"... 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 programmes that shape the evolution and use of the Internet."

This definition recognizes the roles and responsibilities of each stakeholder group and emphasizes the importance of collaboration when seeking solutions for the benefit of Internet growth and development; it is also called the multistakeholder model.[4]

The multistakeholder model has proven key to the development of the Internet. In addition to being increasingly adopted at an institutional level by bodies like the Organisation for Economic Co-operation and Development (OECD) and the Council of Europe, it has become a quasi-official model for discussions on a variety of issues. In areas such as security, privacy, connectivity, and human rights, it is clear that no single viewpoint can solve borderless and multidimensional issues. Instead, a more collaborative, multistakeholder approach used to tackle global Internet-related issues, such as security ones on spam and botnets, is rapidly becoming a best practice.

Multistakeholder collaboration at the global and local levels

In true collaborative spirit, a diverse set of stakeholders is working closer than ever before to address key Internet issues. This is significant as it establishes a level of inclusiveness that traditional forms of governance do not often demonstrate.

More specifically, in the context of Internet governance, the manifestation of multistakeholder participation has been long proven successful in the form of the Internet Governance Forum (IGF)[5], an annual conference under the auspices of United Nations (UN). The IGF does not have decision-making power, but does have the power to encourage opinions, suggest best practices, shape discussions, and influence Internet policies at a national, regional, and international level. National and regional IGFs have flourished in the past few years and have proven useful in sharing best practices around concrete issues, including spam, the online protection of children, and Internet exchange points. They have also been useful in exposing local

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[2] Subsidiarity is the principle that decisions should always be taken at the lowest possible level or closest to where they will have their effect. (Cambridge University Press, 2015, http://dictionary.cambridge.org/us/dictionary/english/subsidiarity)
[3] *Tunis Agenda for the Information Society,* http://www.itu.int/wsis/docs2/tunis/off/6rev1.html.
[4] Despite having stable definitions, the terms *Internet governance* and m*ultistakeholderism* can be difficult to understand when translated into other languages because they lack an equivalent word. To support full understanding, is recommended that each mention of these terms be accompanied by a description.
[5] Internet Governance Forum, http://www.intgovforum.org/cms/. .

and regional stakeholders to Internet-related issues and empowering them with knowledge of Internet-related issues. Moreover, a common outcome of local IGFs is the development of local multistakeholder dialogues that continue after the events themselves.

The multistakeholder model was adopted for the April 2014 NETmundial meeting[6] that resulted in the *NETmundial Multistakeholder Statement of São Paulo,* a nonbinding outcome document of a bottom-up, open, and participatory process involving thousands of stakeholders from around the world.

Challenges

Internet governance is characterized by a diversity of actors, issues, and processes that interact and overlap across jurisdictions. Effective collaboration in this context needs to overcome a number of challenges.

Navigating decentralized processes. The decentralized structure of the Internet governance ecosystem implies that different issues are addressed in different places and are better resolved at a level closest to their origin.

One of the challenges of the decentralized approach is that the broad range of global, regional, and local forums in which issues are discussed requires time and resources to follow and participate. In addition to these face-to-face meetings, the multistakeholder discussions between meetings and events are often robust and require time and effort to follow through for meaningful contributions.

Many stakeholder groups address this challenge by coordinating their participation in forums and initiatives. In addition, some initiatives and forums adopt open-information policies and offer avenues for remote participation. The open availability of materials and online discussions plus the possibility of remote participation helps address the challenges presented by the decentralized processes.

Role of governments. A key conversation surrounding this diverse, decentralized environment is about the role of governments. Governments have important public interest responsibilities, set policies that influence the overall Internet environment, and bring important considerations into discussions. The participation of governments in Internet governance dialogues is crucial.

For example, the *Tunis Agenda* acknowledges that governments play an important role in the building of a people-centered, inclusive, and development-oriented information society. Similarly, the Working Group on Internet Governance (WGIG) identified a set of roles and responsibilities for governments ranging from oversight to fostering capacity-building and policy promoting the research and development of technologies and standards.[7]

Two key challenges regarding the role of government are debated in the *Tunis Agenda*: the need for governments to adapt to the diversity and multiplicity of voices under the multistakeholder model and the understanding of a concept of

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[6] NETmundial, http://netmundial.br/.
[7] *Report of the Working Group on Internet Governance,* http://www.wgig.org/docs/WGIGREPORT.pdf.

governance that is not *only* limited to governments, but it extends to a broad range of stakeholders, including non-state actors.

Some governmental bodies have embraced the multistakeholder model of Internet governance as way to develop effective, collaborative solutions to both global and local Internet challenges. Others remain less comfortable with the multistakeholder approach, however.

Complexity of issues. Internet issues can cross geographic, sectorial, and technological boundaries. Net neutrality and cybersecurity, for example, have economic, social, legal, and technical aspects, and involve actors from multiple jurisdictions. To address these issues effectively, stakeholders must possess a wide range of skills and knowledge, including the ability to collaborate with industry experts, be they policymakers, technologists, businessmen, or civil servants.

Technology evolves quickly, but formal policies and legal procedures can move slowly. In addition, traditional decision-making models, such as voting, may result in decisions that are less suited to the broader set of legitimate and reasonable concerns, particularly those raised by minority interests. The pursuit of consensus ensures that all interested parties are involved in making the kind of decisions that produce effective outcomes.

Consensus building has historically been the foundation for technical governance, as illustrated by the Internet Engineering Task Force (IETF) credo, "We believe in rough consensus and running code". It is this culture that has enabled the IETF community to keep pace with technological advancements and to produce standards that facilitate the Internet's growth. Similarly, institutions that deal with issues of public policy, such as the Internet Corporation for Assigned Names and Numbers (ICANN), have also adopted consensus as a working method.

Consensus facilitates solutions that meet the diverse needs of the fast-paced Internet environment, and shifts the governance structure from top-down to bottom up.

Guiding Principles

The following are recommended guiding principles for Internet governance:

1. **Open, inclusive, and transparent participation.** The participation of interested and informed stakeholders in Internet governance processes, in their respective roles and responsibilities, is necessary to ensure that outcomes are both effective and accepted. It also ensures that interested stakeholders can directly participate in the work and have access to its results.

2. **Consensus-based decision making.** Policy-making processes should be informed by both practical experience and the individual and collective expertise of a range of stakeholders. Decisions should be reached through accountable processes that are based on consensus.

3. **Collective stewardship and empowerment.** To ensure the continued security, stability, and resilience of the Internet, governance structures and principles should be developed in an environment of strong cooperation among all stakeholders, each contributing their own skills.

4. **Pragmatic and evidence-based approaches.** Internet governance discussions, debates, and decisions must be informed by, and depend upon, objective and empirical information.

5. **Voluntarism.** In the realm of Internet technical policy development, voluntarism means that success is determined by users and the public, rather than a central authority.

6. **Permissionless innovation.** The remarkable growth of the Internet and the ensuing explosion of innovation and Internet use is a direct result of the open model of Internet connectivity and standards development. Anyone should be able to create a new application on the Internet without having to obtain approval from a central authority. Internet governance arrangement should not constrain or regulate the ability of individuals or organizations to create and use new standards, applications, or services.

Today's Internet ecosystem is based on the fundamental tenets of the Internet itself, and draws its strength from the involvement of a broad range of players employing open, transparent, and collaborative processes. Cooperation and collaboration remain essential to the Internet's continued innovation and growth.

Additional Resources

The Internet Society has published a number of papers and additional content related to this issue. These are available for free on the Internet Society website.

- Internet Society Internet governance issue page, http://www.internetsociety.org/what-we-do/internet-issues/internet-governance.

- Internet Governance Timeline, http://www.internetsociety.org/igtimeline.

- ISOC Internet Governance Event Toolkit, https://www.internetsociety.org/igtoolkit.

- The History of Internet Governance, http://www.internetsociety.org/history-internet-governance.

- Internet Development and Internet Governance in Africa, http://www.internetsociety.org/doc/internet-development-and-internet-governance-africa.