

Some Issues of Internet Governance

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Point of Departure - #1

- ◆ The internet is rapidly becoming a utility.
 - People and entities are basing economic plans, products and services, and, increasingly, matters involving health and safety on the internet.
 - Many users consider predictability, stability, and assurances of adequate service to be of paramount value.
 - » Innovation becomes a secondary value.
 - Where does this leave the End-to-End principle?

Point of Departure - #2

- ◆ National governments are finding that the internet makes it increasingly difficult to protect their interests, their citizens, and their cultural values.
 - New institutions need to be formed.
 - How should these institutions be shaped and controlled?
 - » It is time to re-apply the works of 18th Century writers regarding the structure and limitations of such institutions.

What Is “the internet”?

- ◆ *The internet is the open system that carries IP packets from source IP addresses to destination IP addresses.*
 - DNS, the World Wide Web, E-Mail, etc are all applications layered on top of “the internet”.

Specific Topics For Oversight

- ◆ IP address allocation
- ◆ Inter-carrier/inter-ISP traffic exchange
- ◆ Operation of the upper layers of the DNS hierarchy
- ◆ Management of the DNS root zone file

Pitfalls

- ◆ “Consensus” and “Stakeholder” are concepts that lead to immobility, manipulation, and exclusion.
- ◆ “Public Private Partnership” is often a vehicle for the exercise of *ultra vires* government powers by non-accountable private actors.

The First Law of the Internet

- ◆ Every person shall be free to use the Internet in any way that is privately beneficial without being publicly detrimental.
 - The burden of demonstrating public detriment shall be on those who wish to prevent the private use.
 - » Such a demonstration shall require clear and convincing evidence of public detriment.
 - The public detriment must be of such degree and extent as to justify the suppression of the private activity.

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