

WSIS and Internet Governance:

Towards a Multistakeholder Approach

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International frameworks for ICT

- 1819: Carlsbad Treaty for Printed Material
- 1865: Paris Telegraph Convention
- 1906: Berlin Wireless Convention
- 1936: Geneva Broadcasting Convention
- 1948: Human Rights Declaration
- 1970s: UN Draft Conventions on Satellite Television
- 1980s: UNESCO NWICO Declaration
- 1990s: WIPO, ITU, WTO Conventions
- 2000s: Internet ?

Management of DNS & Internet Core Resources

- 1985: Jon Postel
- 1989: IANA / DoC
- 1995: ISOC (failed)
- 1997: IAHC (failed)
- 1998: ICANN 1.0 / DoC
- 2001: ICANN 2.0 / DoC/GAC
- 2003: WSIS?
- 2006: ??? (Multiple Multidimensional Multistakeholder Decentralized Small ICANN-like independent Triangels)

Who are the Actors?

- Constituencies / Stakeholders
 - Technical Developers (IETF, W3C)
 - Private Sector Providers (RIRs, TLD Registries & Registrars, ISPs etc.)
 - Civil Society Users (At Large/ NCU/ CS IG Caucus)
 - Governments (GAC)
- Facilitating Organisations / Networks
 - ICANN (MoU with DoC)
 - ITU (Marrakesh 102 & 133)

Decision Making DNS Bodies: Multistakeholder?

• Modell	Members	T	PS	CS	GOV
• IANA	1	1	0	0	0
• ISOC / AHC	7	7	0	0	0
• IAHC / POC	12	6	3	0	3
• Green Paper	15	6	7	2	0
• ICANN 1.0	19	7	3	9	0
• ICANN 2000	19	8	5	6	0
• ALSC/Bild	19	7	6	6	0
• Lynns Reform	15	5	5	0	5
• ICANN 2.0	20	3nv	15	1nv	1nv
• WSIS IG TF++	?				
• Nv = Non-Voting					

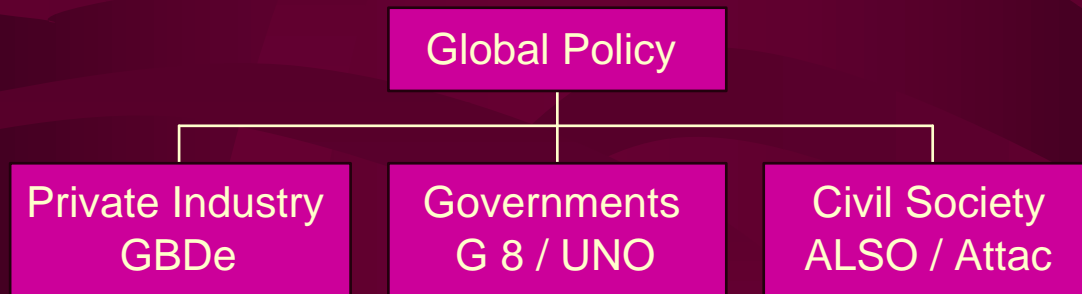
What is Internet Governance?

- WSIS does not offer an IG definition, but a controversial understanding of what „Internet Governance“ could be: broad definition (political issues) vs. narrow definition (technical issues)
- The suggestion, to separate „political“ from „technical“ issues won't work: there are "technical issues" with "political implications" and "political issues" with "technical implications"
- Need for
 - an issue based management structure (many small "ICANN- like" organisations)
 - "bottom up" policy development process (management structures only where needed)
 - Participation of all stakeholders (involved and affected groups)

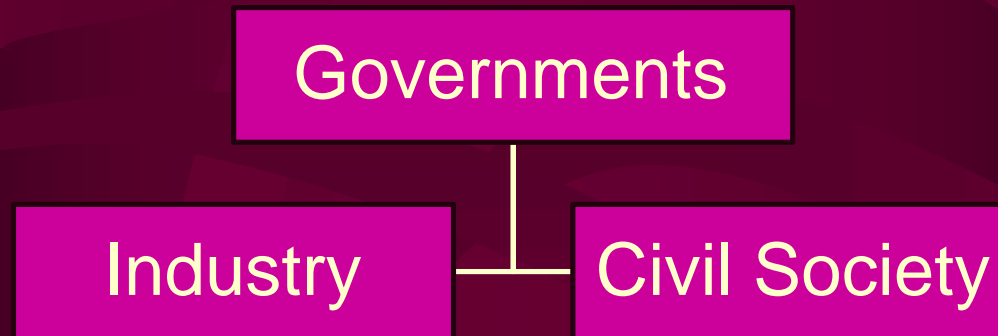
Multistakeholderism?

- Co-Regulation as a new Multistakeholder Partnership Policy Model?
 - Define Substance
 - Layer I: Infra-Structure (Root Server, DNS, IP Addresses, Protocols)
 - Layer II: Infra-Services (Whois, Dispute Resolution, Multilinguism)
 - Layer III: Applications (Spam, Content, Privacy)
 - Define Core Responsibilities
 - Who are the main players in the special field?
 - Who takes care of What?
 - Check Legitimacy
 - Direct and indirect representation of providers and users
 - Technical expertise
 - Market power
 - Governmental Power
 - Define Decision Making Power
 - Who gets which participatory and voting rights from whom?
 - Consensus vs. Rough Consensus
 - Create different triangels for different issues on different layers

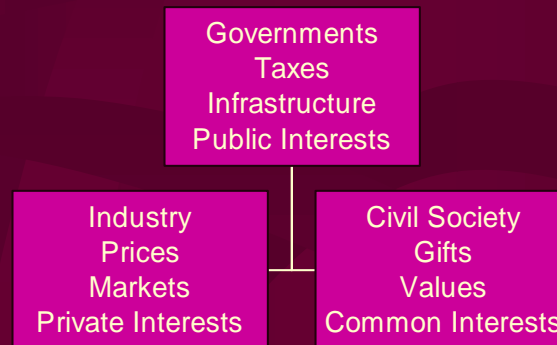
The Emergence of a new Trilateralism?



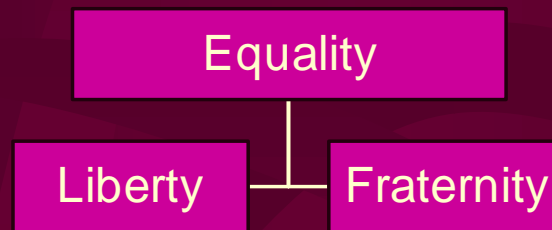
Traditional Governance Model



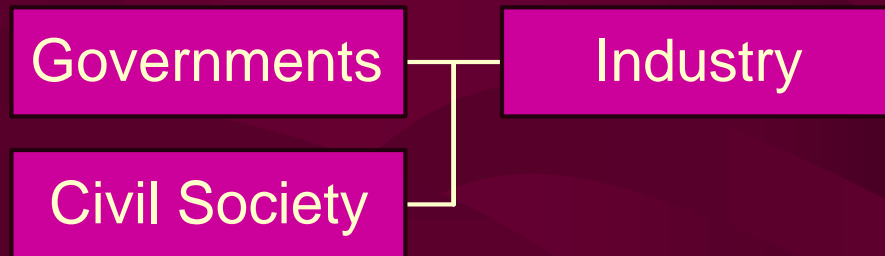
Power, Market and Values



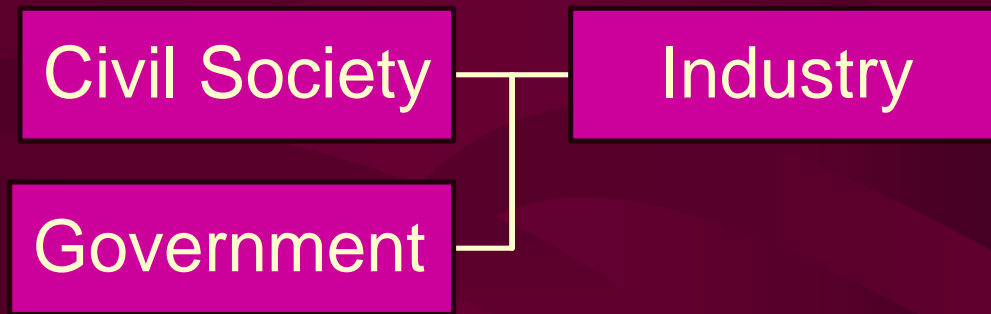
What's New?



Co-Regulatory Model



ICANN 1.0 (1998)

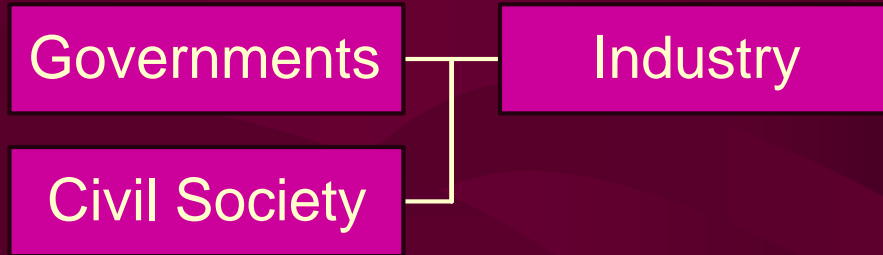


ICANN 2.0

Governments

Civil Society

Industry



A Constructive Participatory Coexistence?

- Sovereign State Governments

- National
- Laws / Treaties
- broad mission
- Top Down
- Simple Majority
- Elections by Majority
- Lobbying by Private Industry Civil Society
- Restricted Access and limited Participation
- Mainly Closed
- Stability

- Competent Private Networks

- Global
- MoUs / Agreements
- limited mission
- Bottom Up
- Rough Consensus
- Selections by Competence
- „Advise“ by Governments
- Open Access and broad Participation
- Mainly Transparent
- Flexibility

Regulatory Frameworks

- Hierarchies

- Legal Norms / Binding
- Political Norms / Non-Binding
- Moral Norms / Unwritten Rules
- Technical Norms / Architecture

- Networks

- Technical Norms / Architecture, Code, Software
- Moral Norms / Netiquette
- Political Norms / Self-Regulation
- Legal Norms / Governmental Regulation

A Global Internet Coordination Council ?

- Decentralized system of different Organisations with different core responsibilities for different issues and different layers
- Governance structure should mirror Internet Architecture: Weak center, strong Ends and no privileges for individual governments or individual corporations
- Decision making power on the edges (P2P negotiations between providers and users), enabled and coordinated by nodes (technical and political) in between
- From simple top down hierarchies to complex bottom up networks
- It is all about Coordination, Consultation and Cooperation

WSIS IG Task Force

- Option 1: A formal group, composed by all stakeholders, working on a report with negotiated recommendations for Tunis 2005
 - 6 GOV + 6 PS + 6 CS (Voting Rights)
 - 3 IGO + 3 IO (Non-Voting Rights)
 - Total 24 members
- Option 2: An informal process which collects ideas by expert meetings and papers, summarized in a report with options and alternative proposals for further negotiations