

## Chair of the Sub-Committee A (Internet Governance)

### Chapter Three: Internet Governance

#### *Chair's paper*

#### 1. Introduction

39. **We reaffirm the principles** enunciated in the Geneva phase of the WSIS, in December 2003, that the international management of the Internet should be multilateral, transparent and democratic, with the full involvement of governments, the private sector, civil society and international organizations. It should ensure an equitable distribution of resources, facilitate access for all and ensure a stable and secure functioning of the Internet, taking into account multilingualism.

40. **We thank** the UN Secretary-General for establishing the Working Group on Internet Governance (WGIG). **We commend** the chairman and members for their work and for their report.

41. **We take note** of the WGIG's report that has endeavoured to develop a working definition of Internet governance. It has helped identify the public policy issues that are relevant to Internet governance. The report has also crystallised our understanding of the respective roles and responsibilities of governments, existing intergovernmental and international organisations and other forums as well as the private sector and civil society from both developing and developed countries.

42. Internet governance is 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.

#### 2. Stakeholders

43. **We reaffirm** that the management of the Internet encompasses both technical and public policy issues and should involve all stakeholders and relevant intergovernmental and international organizations. In this respect it is recognized that:

- a) Policy authority for Internet-related public policy issues is the sovereign right of States. They have rights and responsibilities for international Internet-related public policy issues;
- b) The private sector has had and should continue to have an important role in the development of the Internet, both in the technical and economic fields;
- c) Civil society has also played an important role on Internet matters, especially at community level, and should continue to play such a role;

- d) Intergovernmental organizations have had and should continue to have a facilitating role in the coordination of Internet-related public policy issues;
- e) International organizations have also had and should continue to have an important role in the development of Internet-related technical standards and relevant policies.

44. **We seek to improve** the coordination of the activities of international and intergovernmental organisations and other institutions concerned with Internet Governance and the exchange of information among themselves. A multi-stakeholder approach should be adopted, as far as possible, at all levels.

### 3. **Public policy issues relevant to Internet Governance**

#### 3a) **Infrastructure and management of critical Internet resources**

45. **We recognise** that, for historical reasons, the authorisation of changes in the root zone file system of the Internet has rested with a single government. **We express our appreciation** for the way in which this task has been handled and acknowledge the priority given to the security, stability and continuity of the Internet.

46. **We strive to establish** a transition to a new cooperation model that helps up implement the “Geneva principles” regarding the role of governments and all stakeholders. Institutional arrangements for Internet Governance should be founded on a more solid democratic, transparent and multilateral basis, with a stronger emphasis on the public policy interests of all governments, and with clarification of the relationships among the different actors.

47. **We seek to ensure** balanced access to IP addressing resources on a geographical basis.

48. **We recognise** the need for elaboration of policies concerning the management and further development of the domain name space.

#### 3b) **Public policy issues related to the use of the Internet**

49. **We seek to counter** the growing threats to the stability and security of the Internet. **We reaffirm** that a global culture of cyber-security needs to be promoted, developed and implemented in cooperation with all stakeholders and international expert bodies. These efforts should be supported by increased international cooperation. Within this global culture of cyber-security, it is important to enhance security and to ensure the protection of data and privacy, while enhancing access and trade. In addition, it must take into account the level of social and economic development of each country and respect the development-oriented aspects of the Information Society.

50. **We underline the need to develop** effective instruments and efficient mechanisms for the prosecution of crimes using technological means, that are committed in one jurisdiction but have effects in another. **We call upon governments**, in cooperation with other stakeholders, to continue to develop appropriate instruments and mechanisms, including treaties and enhanced cooperation, to allow for effective criminal investigation and prosecution of crimes committed in cyberspace as well as against networks and technological resources. This should address the problem of cross-border jurisdiction, regardless of the territory from which the crime was committed and/or the location of the technological means used, while respecting sovereignty.

51. **We resolve to deal effectively** with the significant and growing problem posed by spam. **We call upon governments**, in cooperation with other stakeholders, to adopt a multi-pronged approach to counter spam. This would entail:

- a) appropriate legislation and enforcement;

- b) development of technical measures;
- c) establishment of multi-stakeholder partnerships;
- d) awareness raising and user education of anti-spam measures;
- e) development of a global and coordinated approach to the problem.

**52. We reaffirm our commitment** to the freedom to seek, receive, impart and use information for the creation, accumulation and dissemination of knowledge. **We urge** that measures undertaken to ensure Internet stability and security, to fight cybercrime and to counter spam do not violate the provisions for freedom of expression as contained in the Universal Declaration of Human Rights and the WSIS Declaration of Principles.

**53. We encourage** those governments that have adopted legislation on privacy and/or data protection to coordinate these measures, and their enforcement, with other countries and **we call upon** those governments that have not yet developed such measures to consider doing so, with the participation of all stakeholders.

**54. We call for** the policy and privacy requirements of global electronic authentication systems to be developed through a multi-stakeholder process.

**55. We note with satisfaction** the increasing volume and value of the purchase of goods and services using e-commerce, both within and across national boundaries. **We call for** the development of consumer protection laws and enforcement mechanisms to protect the rights of consumers during the online purchase of goods and services, and for enhanced international cooperation to facilitate a further expansion of the possibilities of e-commerce as well as consumer confidence in it.

#### **4. Measures to promote development**

**56. We reaffirm our commitment** to turning the digital divide into a digital opportunity, and ensuring harmonious, fair and equitable development for all, particularly for those who risk being left behind and being further marginalized.

**57. We maintain that** the uneven sharing of the burden of costs for international Internet connectivity should be redressed through further dialogue. **We call for** affordable access to ICTs, including by:

- a) Reducing international Internet costs charged by backbone providers, supporting, *inter alia*, the creation and development of regional ICT backbones and Internet Exchange Points to reduce interconnection cost and broaden network access;
- b) Encouraging ITU to continue the study of the question of the International Internet Connectivity (IIC) as an urgent matter to develop appropriate Recommendations.
- c) Developing low-cost equipment, such as computers, especially for use in developing countries.

**58. We would work to enhance** multi-stakeholder participation in governance mechanisms. This would involve making available adequate resources to build capacity in a range of areas relevant to Internet management at the national level and to ensure effective participation in global Internet governance, particularly for developing countries.

**59. We urge** international organizations, including intergovernmental organizations where relevant, to ensure that all stakeholders, particularly from developing countries, have the opportunity to

participate in the determination of policy decisions that affect them, and promote and support such participation.

**60. We commit to working earnestly** towards multilingualization of the Internet, as part of a multilateral, transparent and democratic process, involving governments and all stakeholders. Specifically **we would speed** up the process for the introduction of multilingualism in the area of domain names, including for email addresses and keyword look-up.

**61. We recognise that** an enabling environment, at national and international levels, is essential for the development of the Information Society, including for the development and diffusion of the Internet and its optimal use.

## **5. Follow-up and Possible Future Arrangements**

**62.** In reviewing the adequacy of existing institutional arrangements for Internet Governance and for policy debate, **we agree that** some adjustments need to be made to bring these into line with the “Geneva principles”. Accordingly, we propose:

- *Approach: evolutionary; incremental*
- *Framework for interface between existing and future arrangements*
  - *Governance/oversight function: (models)*
  - *Recommended mandate and structure, subject to agreement on the interface.*
- *Possible forum*

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