**OPINION IEG**

**ON THE ROLE OF GOVERNMENT IN**

**THE MULTISTAKEHOLDER FRAMEWORK FOR INTERNET GOVERNANCE**

**The fifth World Telecommunication Policy Forum (Geneva, 2013)**,

***considering***

that the mandate and role of the ITU are established in the ITU’s Constitution and Convention and in relevant decisions and resolutions of conferences and assemblies,

***recalling***

Paragraph 35 of the Tunis Agenda for the Information Society (Tunis, 2005) [[1]](#footnote-1), which affirms that the management of the Internet encompasses both technical and public policy issues and should involve all stakeholders and relevant intergovernmental and international organizations; and which recognizes the respective roles of the cited entities;

Paragraph 55 of the Tunis Agenda for the Information Society (Tunis, 2005), which recognizes that the existing arrangements for Internet governance have worked effectively to make the Internet the highly robust, dynamic and geographically diverse medium that it is today, with the private sector taking the lead in day-to-day operations, and with innovation and value creation at the edges;

that all governments should have an equal role and responsibility for international Internet governance and for ensuring the stability, security and continuity of the Internet, while also recognizing the need for development of public policy by governments in consultation with all stakeholders, as expressed in § 68 of the Tunis Agenda;

the need for enhanced cooperation in the future, to enable governments, on an equal footing, to carry out their roles and responsibilities in international public policy issues pertaining to the Internet, but not in the day-to-day technical and operational matters that do not impact on international public policy issues, as expressed in § 69 of the Tunis Agenda,

Plenipotentiary Resolutions 101 - Internet Protocol-based networks, 102 - ITU's role with regard to international public policy issues pertaining to the Internet and the management of Internet resources, including domain names and addresses, and 133 - Role of administrations of Member States in the management of internationalized (multilingual) domain names (Guadalajara, 2010), which resolve, inter alia, to explore ways and means for greater collaboration and coordination between ITU and relevant organizations[[2]](#footnote-2) involved in the development of IP based networks and the future internet, through cooperation agreements, as appropriate, in order to increase the role of ITU in Internet governance so as to ensure maximum benefits to the global community;

Resolution 3/PLEN of the Word Conference on International Telecommunications (Dubai, 2012) - To foster an enabling environment for the greater growth of the Internet;

Resolution **A/RES/67/195 of the** United Nations General Assembly**,** which in paragraph 19 stresses the need for the enhanced participation of all developing countries, in particular the least developed countries, in all Internet Governance Forum meetings, and in this regard invites Member States, as well as other stakeholders, to support the participation of Governments and all other stakeholders from developing countries in the Forum itself, as well as in the preparatory meetings;

***taking in to account***

that several Member States have adopted high-level principles for Internet Governance, with a focus on the complementary roles of governments, private sector, civil society and other stakeholders in Internet-related public policy issues.

that some Member States consider that the key trend in the development of modern information society is the increasing role of Internet in the system of International telecommunications/ICT, and also a part of national telecommunication infrastructure. Accordingly, they consider the Internet numbering, naming, addressing and identification resources as a critical international resource.

***recognizing***

that various organizations provide valuable contributions on numerous issues relating to Internet Governance;

that many Member States still seek adequate representation in the current framework for government participation on issues of Internet governance;

that Member States have equal roles and responsibilities for ensuring the reliable allotment, assignment and reclamation of Internet numbering, naming, addressing and identification resources

that a significant number of issues on Internet Governance are linked with telecommunications.

the sovereign right of States in the field of Internet-related public policy.

***emphasizing***

the constructive role played by the ITU in fostering the continuing development of the Internet, in particular through the contributions of its members and the activities of its three Sectors;

that ITU is a multistakeholder organization, open to the private sector and to civil society, which can participate both as members in their own right and as members of national delegations;

the important and constructive role of open and inclusive multistakeholder consultations at the national level,

***is of the view***

that the ITU, the specialized agency for telecommunications of the United Nations, is uniquely qualified to provide Member States with the necessary and adequate support to ensure broad government participation, within the framework of international Internet Governance, on issues related to telecommunications;

that Member States have rights to:

a) establish and implement national public policy, on matters of Internet governance, ensure security of national Internet segment, as well as regulate within their territory;

b) propose international policy on matters of Internet governance,

c) establish policies aimed at meeting public requirements with respect to Internet access and use;

d) take necessary regulatory measures to ensure security and confidence in provision international telecommunication services, provide implementation of these measures by authorized operating agencies.

that governments are provided opportunities to participate in existing multistakeholder processes related to various aspects of Internet development and their policies;

that multistakholder governance of the Internet must continue to involve all parties, each in their respective roles;

that all parties should continue to cooperate in good faith in accordance with their respective roles and mandates;

that the ITU, within its mandate, must continue to facilitate intergovernmental discussions on Internet governance;

***instructs the Secretary-General***

to support, through the ITU Secretariat, the participation of developing countries, in particular the least developed countries, in the appropriate organizations within the current framework for Internet Governance, including the offer of capacity building on specific issues;

to continue promoting openness and transparency in the decision-making process within the ITU.

[to ensure that the ITU continues to play an active role in the internet governance through the development of general principles of international Internet governance, which may include but not limited to the following provisions]:

1. Internet governance shall be effected through the development and application by governments, the private sector and the civil society of shared principles, norms, rules, decisions-making procedures and programs that shape the evolution and use of the Internet.

2. Member States should ensure that administrations and operating agencies cooperate in ensuring the integrity, reliable operation and security of the national Internet segment.

***invites Member States***

to contribute to the discussion of cooperation and participation within the Internet governance framework, both in the current WSIS agenda and in preparation for the Overall Review of the Implementation of the WSIS Outcomes (WSIS+10);

to establish policies aimed at meeting public requirements with respect to Internet access and use;

to cooperate in organizing and implementing their own national models of Internet Governance, with the assistance of the ITU whenever deemed necessary, and taking into account existing arrangements;

to contribute constructively to the further development of the Internet and to discuss relevant issues within ITU as appropriate;

to actively contribute to and participate in the multistakeholder fora, together with all other stakeholders;

to encourage and promote policies that are conducive to launching creative and innovative technologies.

1. 35. 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:

   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.

   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.

   Civil society has also played an important role on Internet matters, especially at community level, and should continue to play such a role.

   Intergovernmental organizations have had, and should continue to have, a facilitating role in the coordination of Internet-related public policy issues.

   International organizations have also had and should continue to have an important role in the development of Internet-related technical standards and relevant policies.. [↑](#footnote-ref-1)
2. Including, but not limited to, the Internet Corporation for Assigned Names and Numbers (ICANN), the regional Internet registries (RIRs), the Internet Engineering Task Force (IETF), the Internet Society (ISOC) and the World Wide Web Consortium (W3C), on the basis of reciprocity. [↑](#footnote-ref-2)