WSIS Prepcom 2
Roundtable N° 6
Enabling Environment

Amadeu Abril i Abril
Member of the Board of Directors, Internet Corporation for Assigned Names & Numbers (ICANN)
Professor, ESADE Law School
Director, European Documentation Center (ESADE)
Legal & Policy Advisor, Nominalia
Of Counsel, Cuatrecasas Law Firm
Skeptic jurist
Discuss the legal and regulatory framework, code of conduct, standards and norms in order to:

- Enhance the human resource capabilities and capacity of relevant regulatory agencies, especially in developing and least developed countries.
- Protect data privacy.
- Create trust in cyberspace transactions and building confidence in e-commerce.
- Establish appropriate international cooperation for the protection of intellectual property and finding an appropriate balance between the IP protection and information dissemination.
- Reinforce international cooperation to fight against cyber-crime
- Favor fair and competitive environment for ICT products and services
- Create trust and confidence of business entities to invest in infrastructure
Who takes decisions in cyberspace?

- Governments?
- Network engineers & software coders?
- Self-regulatory bodies?
- Private corporations?
- No one?
- We all?
- Amadeu?
- Do we need an “Internet Government”? 
What’s All This About?

- What Institutional Framework?
- Who sets the Policy Goals?
- Who makes the Rules?
- Who enforces them?
- Who are the stakeholders?

- What sort of rules do we need/want?
Sets of Usual Dichotomies

- Should we regulate, or regulation just harms? (regulation <-> free frontier)
- Do we need legal rules or technical measures?
- Regulation <-> self-regulation
- Regulating or enabling? (legislation <-> promotion)
- Our priority must be protecting users/consumers or encouraging providers? (protecting consumers <-> promoting emergence of new markets)
- Security <-> freedom/privacy
- Promoting creativity <-> favouring dissemination of information
Things are not that easy

- These and many more questions
- One given answer might fit all scenarios, areas, societies?
- Do we really want to make choices?

- Can we learn from experiences in our travel to the unknown?
The Roundtable’s *Dream Team*

- Amadeu Abril i Abril (moderator);
- Nadia Hegazi (Egypt)
- Jean-François Soupizet (*European Commission*)
- Manuel Lezertua (*Council of Europe*)
- Renaud Sorieul (*UNCITRAL*)
- Abdou Abbas Sarr (*Droit et Toile*)
- Riad Bahsoun (*TIT*)
- Christopher Kuner (*ICC*)