Kuwait Information Technology Society (KITS) Submission on Internet Governance Principles and Roadmap for the further Evolution of the Internet Governance Ecosystem

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NetMundial Global Meeting on the Future of Internet Governance

Sao Paolo, Brazil, 23-24 April 2014

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March 8, 2014

Abstract:

Kuwait Information Technology Society (KITS) is pleased to provide its input for the NetMundial Global meeting on the Future of Internet Governance Sao Paolo, Brazil, 23-24 April 2014. KITS contribution on Internet Governance Principles provides a number of considerations to be noted and highlights a proposed list of principles. KITS submission includes consideration addressing the Roadmap for the further Evolution of the Internet Governance Ecosystem.

Section 1. Internet Governance Principles

Internet Governance (IG) has become an increasingly important issue on global level since its introduction by the Tunis Agenda in the second phase of the World Summit on Information Society (WSIS) November 2005. The need for a principle based approach arises from many factors, part of it are:

- The increase role of the Internet in our daily life.
- The Internet impact on the economic and social conditions.
- The Internet users high growth rate, especially from the developing world, and their demands.
- The need for improved Internet access.
- The different views of stakeholders groups from different regions of the world on matters related to IG.

Considerations on IG Principles:

1. It is important to agree on the definition of Internet Governance and set the principles in accordance to it. Over the years many interpretations of what is meant by IG have been surfaced, however we can say that the only working definition we have for Internet Governance is paragraph 34 of the Tunis agenda:

“ 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.”

1.

Internet Governance and the development of its principles is not only a global issue, it is a national and a regional issue too. We need to promote a principled based IG approach on all levels to unify our understanding of IG, the Internet itself and the respective role of each stakeholder group.

2. The Issue of sovereignty and national jurisdiction and where or how they are applied in cyberspace need to be addressed.

3. Internet Governance principles should not be discussed or addressed as a reaction to incidents. They should be addressed in terms of the evolution of the Internet to be a better environment and an improved resource to its users.

4. Different regions of the world, different stakeholders groups and different cultures and societies have different priorities and concerns regarding the Internet. Therefore, It should be acceptable to have diverse sets of principles that are different from each other as long as they are developed with an acceptable conduct and as long as they preserve civil rights to an acceptable level. Within that respect, a global set of a high level IG principles are needed to be developed that is acceptable to all and that is considered the basic fundamental sets of IG principles to be followed by everyone.

5. Over the years, efforts have been made to develop IG principles. These efforts mostly were made by either an entity from a single stakeholder group or developed nationally as in the Brazilian model which is considered the only set of principles that is into effect today. While these efforts can serve as a reference, it is important that the development of IG principles especially on global level should involve a balanced global representation of all stakeholder groups from different part of the world.

6. The Universal Declaration of Human Rights, the International Covenant on Civil and Political rights, The Geneva Declaration of Principles and The Tunis Agenda should be the basis of any globally adopted Internet Governance Principles. National efforts in this direction should reflect also civil rights as stated in national constitutions and legislations.

Proposed Internet Governance Principles:

1. Internet Governance is a multistakeholder process in nature. Principles, policy development and procedures related to IG should be all developed in an open, inclusive, transparent and democratic process with a balanced involvement and contributions from all stakeholder groups.

2. The Internet should be regarded as a public good for all Internet users and stakeholder groups. They should all be empowered with the capabilities and resources that the Internet can offer to them.

3. The same rights applied to people Offline should be applied online. This is should not only be led by The Universal Declaration of Human Rights and the International Covenant on Civil and Political rights, but also by countries constitution and national legislation. The issue of sovereignty in this respect should be addressed.

4. All Internet users should be entitled to an equitable, just and open access to the Internet. Individuals with disabilities, living in rural areas, closed communities, isolated geographical areas, or belong to indigenous groups are all entitled to the same equal access.

5. Freedom of expression, the free flow of information and open access to knowledge should be preserved to all Internet users.

6. Net neutrality and open standards development should be preserved and maintained.

7. Internet Governance should foster innovation, create opportunities, improve social and economic conditions in an equal manner to all Internet users. Intellectual property rights should respected and protected.

8. Individuals' privacy and data protection measures in accordance with civil rights and states sovereignty should be respected. Instruments to protect them from any type of violation should be established.

9. The Internet should preserve and promote cultural and linguistic diversity. The Internet is a borderless place were cultures and people meet, communicate and

outreach. Tools to foster and enrich local content should be promoted and encouraged.

10. Internet stability, security, robustness and resilience are crucial factors to establish user confidence and trust. They are equally important to the economic and social evolution of the Internet. Within this respect, Internet Governance should ensure that proper instruments and actions addressing these factors are adequately addressed and implemented.

11. The day-to-day technical operation of the Internet is a privately-lead effort by the technical community independent from the influence of any single government.

Section 2. Roadmap for the Further Evolution of the Internet Governance Ecosystem

It is important in the first place to identify the organizations or platforms related to the Internet Governance Ecosystem. This should be conducted in a neutral manner and an acceptable consensus on it should be reached.

It is further important that the initiation of any process related to the evolution of the Internet Governance Ecosystem should be multistakeholder in nature where every stakeholder group is engaged in equal footing to discuss all matters involved.

The Internet Governance Forum (IGF) has proved to be an effective independent platform to discuss issues related to IG. Its global success has initiated and influenced many similar forums on regional and national levels. This is an indicator of how the IGF became an effective tool to discuss Internet Governance issues. Its open, inclusive and multistakeholder nature contributed mainly to its success. Its continuation at this stage of time is essential to all stakeholders groups. However it is important at this stage to reconsider its format and outcomes in order for it to play a better role on global Internet governance issues and policy development.

The Internet is a global public good. The Internet Eco System (including Critical Internet

resources: root servers, domain names and addressing), requires a global model that is fair, open, transparent and accountable to the wide range of Internet users and involved stakeholders. The global model should be based on the current existing organizations rather than establishing new legal structures or new umbrellas.

While the discussion on the evolution of the Internet Governence Ecosystem focuses on the globalization of the ICANN and the IANA functions, It is important to address the status of other IG related organizations that are limited in its process to a specific stakeholder group. Such organizations should be open to the equal participation of all stakeholder groups in any process related to the development of IG policies. The ICANN should be praised for the steps it took over the past years to improve its bottom up process in policy development as well as its openness and engagement with many stakeholder groups in different regions of the world on issues related to Internet Governance and policies.

Yet further steps are needed toward the globalization of the ICANN and the IANA functions. The globalization of the ICANN should include its status to become more of a global organization. However, more thoughts need to be given to the globalization of the IANA functions due to its technical nature and its vital role in the security and stability of the Domain Name System. Future steps taken toward the globalization of the ICANN and the IANA functions should be evolutionary and should not affect the stability, robustness and resilience of the Internet.