Evolution of the Internet governance ecosystem and the future of the Internet

- Area: ROADMAP FOR THE FURTHER EVOLUTION OF THE INTERNET GOVERNANCE ECOSYSTEM
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Abstract

CDT welcomes the NETmundial meeting on Internet governance and looks forward to exploring practical and credible proposals for evolving the Internet govenance ecosystem in ways that further the Internet's global reach, openness, distributed governance and unique capacity to empower the exercise of human rights.

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The Center for Democracy & Technology (CDT) is pleased to submit the following comments to the NETmundial Global Multistakeholder Meeting on the Future of Internet Governance. This submission responds to issue # 2 on the *Roadmap for the Further Evolution of the Internet Governance Ecosystem*.

CDT welcomes the decision by the Brazilian government to host the upcoming NETmundial meeting. The meeting should be a useful opportunity to review some of the persistent and sometimes problematic issues central to the future of the Internet

governance and related public policy discussions. The meeting seeks to encourage and explore ways in which the Internet governance ecosystem might change, which, if done so for the right reasons, could bring about appropriate and constructive evolution.

As we all engage in this process CDT urges a measured and reflective approach.The Internet has become an enabler of the success of nations, has empowered persons around the globe in ways unimagined and continues to encourage and facilitate endless innovation and creativity. It is, as the NETmundial website suggests, a “global platform for social, economic and human development and a catalyzer to exercise human rights.” Therefore, changes to the Internet and its governance must sustain and enhance the benefits of this medium.

The successful evolution of the Internet as a global network has depended on a flexible, decentralized, bottom-up and issue-driven set of interrelated governance processes that are open to participation by all stakeholders. CDT believes that change should not occur solely for sake of change, or as a response to pressures of a particular stakeholder group (or some subset thereof). Changes should not be driven by agendas that seek to diminish the evolving roles and responsibilities of non-governmental stakeholders. CDT believes that proposals to unduly increase the role of governments in Internet governance will only exacerbate governance challenges rather than lessen them.

A case in point is the past year’s on-going revelations about the scope of surveillance activity by the US, the UK, and other governments. CDT opposes and seeks substantive changes to the mass surveillance regimes of states but does not believe that issues of Internet governance and surveillance should be conflated. While some try to point to mass surveillance as an example of the supposed failure of the current Internet governance ecosystem, the revelations have, in fact, exposed exactly the opposite: the processes that led to the development of these surveillance practices demonstrate the danger of governments retreating from open and participatory policy development processes.

The NETmundial website suggests that responses to furthering the evolution of the Internet governance ecosystem should seek to "ensure the stability, resilience and efficiency and also comply with principles of equitable multi-stakeholder participation, accountability, transparency and predictability." CDT completely agrees, and suggests that any proposed change, evolution or addition to the existing Internet governance ecosystem must be the result of agreed processes that should include, at a minimum:

? multi-stakeholder consultations

? open, inclusive and transparent processes

? identification of real (not perceived) and practical needs that are substantiated through credible research and analysis

? constructive and proportionate solutions

? multi-stakeholder endorsement, and

? implementation that is accountable, transparent and subject to review.

CDT notes that implementation of any proposed changes to the governance system should not necessarily require a legislative acts or similar hard law approaches. Nor should implementation necessitate international treaties or intergovernmental structures. A diversity of mechanisms exists and we have no doubt that the Internet's evolution will bring about further innovation in governance processes and mechanisms.

Any proposed change or solution should also be understood and agreed by all stakeholders as credibly enhancing the Internet through furthering

? resilience

? interoperability

? reliability

? global reach and scalability

? openness

? decentralization

? accessibility

? end-user control, and

? distributed and inclusive (multi-stakeholder) governance.

These criteria are essential to the future evolution of the Internet and its continued success and are recognized as such in the following Internet principles and policy documents, among others:

? The CGI.br Principles for the Governance and the Use of the Internet on Universality (number 3), Innovation (5), and functionality, security and stability (8)

? The OECD Principles for Internet Policy Making on Promoting the open, distributed and Interconnected nature of the Internet

? The Council of Europe Declaration on Internet Governance Principles on the Universality of the Internet, the Integrity of the Internet and Architectural Principles.

Whether we are talking about strengthening the Internet Governance Forum, globalizing ICANN, bringing other stakeholders into the London Process or improving or establishing other fora and/or mechanisms, proposals for change must be credible, practical and have as their intent the continued openness, vibrancy and reach of the Internet.

Finally, the globalization of ICANN and the IANA function will no doubt be the focus of much attention at the NETmundial meeting. As the globalization of ICANN continues (through opening offices and increasing its presence internationally) it is essential that there be fuller discussion of feasible proposals/roadmaps for the future of the IANA function (and its oversight). Any proposals for change in the core functions or role of ICANN should be subject to robust evaluative processes and be required to meet key criteria such as those outlined above; they should not be imposed from above or by one stakeholder grouping (whether internal or external). Change must preserve and improve upon ICANN's open and transparent processes; multi-stakeholder bodies derive their legitimacy and credibility in part from their transparent processes and ability to reach

consensus. And, it goes without saying that any proposed change to core operational elements of the management and functioning of the Internet must be assessed with the greatest of care and considerable caution.

CDT encourages the NETmundial meeting to find constructive, innovative and multi-stakeholder ways of furthering the evolution of the Internet governance ecosystem that are based upon a common understanding among all stakeholders of the imperative of enhancing the Internet's resiliency, global reach, openness, distributed governance and unique capacity to empower the exercise of human rights.