SPANISH GOVERNMENT Contribution to the Global Multi-stakeholder Meeting on the Future of Internet Governance

- Area: COMBINED INTERNET GOVERNANCE PRINCIPLES AND ROADMAP
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Abstract

The Government of Spain appreciates the opportunity to participate in the ?Global Multi-stakeholder Meeting on the Future of Internet Governance?, kindly hosted by Brazil. We are very much looking forward to engaging with other stakeholders in open discussions that pave the way for the evolution of the multistakeholder framework and make it sustainable in the future. We wholeheartedly wish the meeting every success in this important endeavour.

Document

Internet Governance Principles

Internet Governance (IG) involves governments, technical community, private sector and civil society in the development and application of a set of shared principles, rules, decision making processes and programs that contribute to the development and use of the Internet. This triple partake endows IG with its multistakeholder character.

Several sets of principles regarding the Internet have already been outlined by different bodies and organizations worldwide, including the COMPACT principles put forward by the EU Commission. It is not our goal here to number them in an exhaustive fashion, but to underscore the ones particularly relevant for the forthcoming Brazil discussions.

Albeit acknowledging that principles should be long-lasting and respect technology neutrality, while remaining ready to evolve in time, some of them constitute the core of the framework and should not be subject to modification: the secure, open, free and unfragmented nature of the Internet should remain, in full respect of human rights, including freedom of expression.

Spain shares the view that private-sector led, bottom-up, multistakeholder model for Internet governance, in particular for the technical coordination and management of the domain name system, including the assurance of its resilience and stability, should be continued and further developed, with a view to fostering innovation and progress.

Inclusiveness of all world regions in dialogues and decision making processes should be further encouraged. Likewise, in furtherance of the MS model information sharing and avenues for participation of Internet users not acquainted with the Internet governing bodies, yet affected by their decisions, should be improved.

This multistakeholder framework should have as active ingredients true accountability and transparency to be future-proof. This pair of ingredients makes up the crux of any stakeholder organization since parties are governing themselves and must feel they retain control over the policies adopted at it.

The same rights that people have in the analogue offline world must also be protected in the digital online one. In this respect, while private sector initiative should be maintained and innovation should not be hampered, the explosion of Internet and its huge importance for people and businesses demands more involvement from governments in the decision making processes that shape the Internet in order to protect public policy interests.

In this light, sustaining the rule of law on the Internet has become a challenge given the global nature of the network. Governments should work together to provide users with affordable, swift and effective ways to assert their rights in a globalized marketplace.

Roadmap for the Further Evolution of the Internet Governance Ecosystem

Some suggestions regarding a roadmap for the development of the Internet governance framework to be discussed in the Brazil conference follow:

1. **Set up a scale line for the globalisation of ICANN and the Affirmation of Commitments (AoC)**

Spain supports an increase in the globalization of the IG framework and in particular of ICANN's management of the DNS. The internationalisation of ICANN would facilitate the involvement, on equal footing, of all interested authorities in its functioning, supervision and decision making processes.

The major challenge for all stakeholders is to lay down the relevant procedures and timescales for this process of internationalisation of ICANN. This could become a discussion target for the Brazil conference.

2. **Conduct an analysis aimed at globalising the IANA function**

Regarding IANA’s function, all agents involved recognise it as critical. Therefore, Spain agrees with the proposal of the European Commission to identify ways to globalise the control over the IANA functions while safeguarding our shared interests in DNS stability and security.

Any plan to globalize the IANA functions should be preceded by legal and technical analysis to ensure that stability and security of the Internet are preserved in the process of

globalization of these functions.

In globalizing monitoring of IANA functions, prime importance should be attached to setting a sound, stable and reliable supervisory system over the performance of the IANA functions by ICANN.

3. **Strengthen ICANN's Governmental Advisory Committee (GAC)**

Section I.2.11 of ICANN Bylaws states that in performing its mission, one of the core values that should guide its decisions and actions is "*while remaining rooted in the private sector, recognizing that governments and public authorities are responsible for public policy and duly taking into account governments' or public authorities' recommendations.*"

The GAC has been given an explicit role to warrant the safeguarding of the public interest, and hence it is crucial that it has the possibility to exercise their responsibilities through a full involvement in ICANN's decision making processes providing advice on public policy matters. To this end, GAC recommendations should be reinforced, by intensifying follow-ups on the coherence between Board measures and GAC recommendations, and upgrading feedback mechanisms to help both parties understand each other´s viewpoints and come to solutions congruous with public policy interests.

Besides, the following proposals would heighten the multilateral character and the efficiency of the GAC:

· Intensify the participation of States in the GAC. In this regard, the existing and successful scholarship programme should be upheld and augmented.

· Enhance GAC working methods, procedures and decision making processes.

· Provide additional support to the GAC Secretariat to promote an agile working environment that contributes to engaging more members in active discussions and streamlining GAC involvement in ICANN policy development process.