

## ETNO Reflection Document on the report of the Working Group on Internet Governance

### Executive Summary

ETNO finds the definition of Internet Governance adopted by the Working Group is appropriate.

ETNO shares the views that further international dialogue and cooperation must be encouraged for aspects linked to the security of the Internet, cybercrime, and spam.

In ETNO's view necessary investments in infrastructure, applications and services must be supported by a positive, market-driven approach.

ETNO believes that the current system of management of IP addresses must be maintained, and that the report doesn't sufficiently recognise the continuing efforts and improvements in this area and in the area of management of domain names.

ETNO suggests to foster the different existing fora linked to Internet and Internet technologies rather than creating a new all purpose forum.

ETNO believes that the current role played by the GAC within ICANN has to be maintained and reinforced.

ETNO favours the replacement of the oversight functions held by the US Government by a simple audit function.

At this stage, ETNO is not able to support any of the four models described in the report.

### Introduction

The Working Group on Internet Governance (WGIG) was set up by the Secretary General of the United Nations in accordance with the mandate given to him during the first phase of the World Summit on the Information Society (WSIS) held in Geneva on 10-12 December 2003. During this first phase, Heads of States and Government recognised the importance of the Internet as a central element of the infrastructure of the information society while acknowledging that there are differing views on the suitability of current institutions and mechanisms for managing

processes and developing policies for the global Internet. For this reason, they requested the Secretary General to set up a Working Group on Internet Governance, with a view to preparing the ground for negotiations at the second phase of WSIS, to be held in Tunis in November 2005.

The WGIG comprised 40 members from governments, private sector and civil society. The report was presented on the 18 July 2005<sup>1</sup>.

The report proposes a working definition of Internet Governance. It identifies the public policy issues that could be relevant to Internet Governance and assesses the adequacy of existing governance arrangements. Finally it contains recommendations related to Internet Governance mechanisms and Internet related issues.

## **ETNO comments on the WGIG report**

Aware of the leading role of the private sector in innovation and investment, ETNO believes that WSIS objectives must basically remain in line with present and prospective market realities, in order not to destabilize the development of the Internet.

ETNO finds market needs and the user interests must prevail over any initiative which could challenge the existing organisations and initiatives with their respective areas of expertise and prerogatives. Above all, the full potential of existing mechanisms needs to be exploited in order to avoid duplication of efforts and misuse of resources.

### **1- Definition of Internet Governance**

The definition adopted by the Working Group is appropriate. This definition takes into account the various stakeholders and issues involved in the functioning of the Internet, and avoids confusion linked with this notion in the past.

### **2- Identifying public policy issues**

ETNO shares the views expressed in the report that aspects linked to the security of the Internet, cybercrime, and spam are critical. On the basis of a common understanding and a wider awareness of these issues, international dialogue and cooperation must be further encouraged especially through industry self-regulation initiatives.

Information Society will only develop with appropriate policies aiming to attract the necessary investments in infrastructure, applications and services.

As far as international connectivity is concerned, ETNO believes that the development of traffic exchanges should be mainly market driven and the Association favours commercially negotiated arrangements.

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<sup>1</sup> Available on <http://www.wgig.org/>.

ETNO is concerned about the evaluation in the report of issues relating to facilities, infrastructure and the management of the domain name system and Internet Protocol addresses. Currently these responsibilities fall under the responsibility of ICANN and other actors involved in the management, like the Regional Internet Registries. The report is particularly unjust on these issues. It doesn't sufficiently recognise the continuing efforts and improvements in this area.

ETNO believes that the current system of management of IP addresses (RIRs) as part of ICANN and in accordance with ICANN principles of transparency, bottom-up approach and geographic representation must be maintained.

### **3- Proposals for action**

#### **3.1 Forum function**

The report recommendation to create a forum for all stakeholders on all Internet governance-related issues is a matter of concern. The creation of a single forum linked to the United Nations would not allow an effective participation of key actors in the different areas, given the complexity and the broad scope of questions linked to the different aspects of Internet policy and Internet technology.

Fostering the different existing fora linked to Internet and Internet technologies, or creating new specific fora when needed, seems to be a better and more effective way to develop the dialogue between stakeholders on issues that are multidimensional and cut across many boundaries.

The scope or mandate of any new forum should be defined very carefully in order to avoid overlap or duplication with exiting structures or institutions.

#### **3.2 Global public policy and oversight**

ETNO supports the three principles expressed in the report:

- No single government should have a pre-eminent role in relation to international Internet Governance.
- The organisational form for the governance function should be multilateral, transparent and democratic, with the full involvement of governments, the private sector, civil society and international organisations.
- In particular the governance function should involve all stakeholders and relevant intergovernmental and international organizations within their respective roles.

ETNO welcomes and supports the idea that the Governance functions should not include day to day operational management of the Internet.

Regarding the different organisational models described in the report, ETNO believes that the current role played by the Governmental Advisory Committee (GAC) within ICANN, in close relation with the other ICANN structures, has to be maintained and reinforced by:

- a better participation of governments within the GAC,
- a better collaborative work between the GAC and other ICANN structures.

The development of policies in the area of ICANN responsibilities needs at each stage of the process a dialog between the various actors and stakeholders, including government representatives. Most of the global policies that cannot be considered as public policies have or are susceptible to have a component of that nature.

Therefore, it is primordial to keep inside ICANN a body (currently the GAC), able to provide guidance on public policy aspects to all supporting organizations at an early stage of the policy development process.

ETNO favours the replacement of the current oversight function exercised by the US Government by a simple audit function ensuring ICANN's transparency through annual reports and controlling that ICANN is functioning well.

At the current stage of proposals, ETNO is not able to support any of the of four models described in the report.

- An extensive oversight function, as described in models one, three and four, would compromise well-functioning existing bodies.
- Model two is mainly focused on a centralised forum function that should be avoided.