

The World of Internet Governance

1. The need for Internet Governance

Before starting the discussion of Internet Governance (IG) one could first ask why there is a need for governance of the Internet at all? In the 90'es the internet was seen by many as a new "place" out of reach of traditional governance measures. John Barlow famously made the declaration of independence of the internet back in 1996, in which it was stated that the internet was beyond reach of traditional governance powers and should be left to govern itself (Barlow, 1996). But others, like Professor Eli Noam, predicted the regulation of the internet was unavoidable and gave the argument for why: *"This is not because of meddlesome bureaucrats, but because the Internet will become too successful to be treated differently from the rest of society and the rest of the economy.... each society will apply its accumulated wisdom, misconceptions, preferences and interest groups muscle to the rules governing transactions over the Internet."* (Noam, 1997).

Today, looking back, few would disagree with Noam about the success of internet. Noam's point is that the internet has evolved from a specialized research network into a public utility (i.e. like telephone, TV, radio, etc) and that it is therefore very natural it would also be regulated in much the same way. Others like Auerbach (former director of ICANN – Internet Cooperation for Assigned Names and Numbers), argues that governance of the internet is necessary in order to make it transparent who takes the decisions, instead of allowing decision-making powers to flow into non-transparent private hands and illegitimate self-proclaimed internet governance organizations. The arguments are varied, but there seems to be a growing consensus for the need of internet governance and an agreement that the "virtual wild west days are over" (Johnson et al, 2004): *"We have moved past the debate of the late 1990s about whether the Net can or should be governed"*

2. The Internet Governance Forum – a solution?

That is all very well and fine, but the one-million dollar question remains today: How should the internet be governed and perhaps equally important – who should do it? The newly created forum for IG, the IGF, is specifically set up to answer the latter two questions and the first meeting will take place in Athens in 2006. The IGF has the as its main task to *Discuss public policy issues related to key elements of Internet governance* (Tunis Agenda). The overall goals for internet governance are clearly stated in the Tunis Agenda: *"The international management of the Internet should be multilateral, transparent and democratic, with the full involvement of governments, the private sector, civil society and international organizations. It should ensure an equitable distribution of resources, facilitate access for all and ensure a stable and secure functioning of the Internet, taking into account multilingualism."* These goals are broad and in a way does not really answer the how and who question in details, but at least it states some golden guidelines that can be used as a benchmark when evaluating how the internet governance is proceeding. In my eyes there is no doubt that the IGF will certainly have its hands full and that we will see some quite heated debates within that forum. The IGF also needs to open up the Pandora box of what areas should be governed. Are we

talking about underlying technology protocols, content on the internet, trade on the internet or what? Even though, the WGIG (Working Group on Internet Governance) have come up with a working definition on Internet Governance there is plenty of scope for discussing the details, since the WGIG definition is quite broad : *“Internet governance is 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.”* These days, more and more new inventions “shape the evolution and use of internet”. One can just mention VoIP (using the internet for transferring voice - essentially replacing the old phone). Does this mean that VoIP should be regulated? A tough question for the IGF, I would say. The answers will also most certainly depend on who you ask. I have both hopes and fears for the IGF. My fear is it will be just another UN-forum where difficult issues are buried and nothing comes out of it. My hope is that it will be another UN-forum where difficult issues are discussed and something comes out of it.

3. The continuing struggle for control

The internet is not in crisis – it works – there is no imminent disaster lurking around the corner. This is normally the argument of the status quo arrangement of the ICANN having responsibility for managing many of the vital internet resources. How the future arrangement will be is uncertain, but as the Economist recently wrote on the plans of China to introduce new domain names such as Chinese equivalents to .edu and .com domains in the Chinese language from 1. March there is a push for change from some: *“Moreover, the Chinese addresses are considered “temporarily set” in place; designed in other words, to rattle a sabre at ICANN (and America), not spear it in the belly—for the time being. Even so, China's actions threaten not just ICANN's legitimacy but the universality of the internet itself.”* (The Economist, March 2006). What is evident from this is that the battle for the internet did not end with the WSIS, instead it has just begun.

But everybody, hopefully it will one day be everybody with the closing of the digital divide, will have an interest in a properly governed internet – be it governments, companies, or individuals. I hope that the IGF will be a place for visions, thought provoking discussions and new partnerships. I see no reason why the delegates in Athens should not show up with an optimistic and open mind on how the internet should be governed. Internet Governance is like the spice in cooking: apply not to much, but not too little and in the right places at the right time. Difficult indeed, but worthwhile getting right.

By Martin Knudsen, 2006.

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