

# **Report of the Working Group on Internet Governance**

**Château de Bossey  
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## I. Introduction

1. This report has been produced by the Working Group on Internet Governance (WGIG), which 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. The WGIG comprised 40 members from Governments, private sector and civil society, who all participated on an equal footing and in their personal capacity. It was chaired by Mr. Nitin Desai, Special Adviser to the Secretary-General for the WSIS. The list of the members of the WGIG is attached as an annex to the report.

2. A background report (hereafter referred to as “Background Report”) that includes much of the work produced in the course of the WGIG process is made available separately. It reflects the wide variety of opinions held within the group and reflects many comments made by stakeholders. The Background Report makes clear whether an argument or opinion is shared by the entire group or only by some of its members. It does not have the same status as the WGIG Report, but can be used as a reference.

3. The WGIG held four meetings in Geneva: 23-25 November 2004; 14-18 February 2005; 18-20 April 2005; and 14-17 June 2005.

4. The mandate of the WGIG stemmed from the Geneva phase of the WSIS, during which Heads of State and Government recognized the importance of the Internet: they acknowledged that the Internet is a central element of the infrastructure of the emerging information society, while recognizing 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 the WSIS, to be held in Tunis in November 2005.

5. The WSIS Declaration of Principles and the WSIS Plan of Action<sup>2</sup> adopted in Geneva set the parameters for the WGIG and contain its Terms of Reference and work programme. The WGIG has been asked, inter alia, to “investigate and make proposals for action, as appropriate, on the governance of the Internet by 2005”,<sup>3</sup> dealing with the following issues:<sup>4</sup>

- Develop a working definition of Internet governance
- Identify the public policy issues that are relevant to Internet governance
- Develop a common understanding of the respective roles and responsibilities of Governments, existing international organizations and other forums, as well as the private sector and civil society in both developing and developed countries

6. In carrying out its assignment, the WGIG was guided primarily by the key WSIS principles. In particular, the WSIS principle relating to the stable and secure functioning of the Internet was judged to be of paramount importance. Hence, at the

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<sup>1</sup> WSIS Declaration of Principles, paras. 48-50 (WSIS-03/GENEVA/DOC/0004).

<sup>2</sup> WSIS-03/GENEVA/DOC/0005.

<sup>3</sup> WSIS Declaration of Principles, para. 50 (WSIS-03/GENEVA/DOC/0004).

<sup>4</sup> WSIS Plan of Action, para. 13 (b) (WSIS-03/GENEVA/DOC/0005).

outset, the WGIG agreed that all recommendations aiming to improve current governance arrangements should be fully assessed in terms of their capacity to address the WSIS principles.

7. For developing an understanding of governance issues, the WGIG found it useful to review the different phases of the Internet's development, from a research project in the 1960s to a widespread commercial infrastructure with close to 1 billion Internet users connected in 2004. This historical lens was useful to identify guiding principles and factors that have enabled or contributed to the Internet's successful development, including the open and decentralized nature of its architecture and the underlying technological development of its core standards, as well as the management of names and numbers.

## II. Working definition of Internet governance

8. While there is a common understanding of the Internet, there is not yet a shared view of Internet governance, hence the mandate from the WSIS for the WGIG to develop a working definition of Internet governance. During the 10 years in which the Internet evolved from a research and academic facility into "a global facility available to the public",<sup>5</sup> very different points of view emerged about the scope and mechanisms of Internet governance.

9. The WGIG first considered five criteria, namely that the working definition should be *adequate, generalizable, descriptive, concise* and *process-oriented*. Second, the WGIG analysed a wide range of public-sector, private-sector and multi-stakeholder governance mechanisms that currently exist with respect to different Internet issues and functions. Finally, the WGIG assessed a number of alternative definitions proposed by various parties in the course of the WSIS process and related international discussions.

10. Taking into account the criteria, analysis and proposals mentioned above, as well as the larger debate among stakeholders involved in WSIS, WGIG and the broader Internet community, the WGIG provides the following working definition:

*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.*

11. This working definition reinforces the concept of inclusiveness of Governments, the private sector and civil society in the mechanisms of Internet governance. This working definition also acknowledges that with respect to specific issues of Internet governance each group will have different interests, roles and participation, which in some cases will overlap.

12. It should be made clear, however, that Internet governance includes more than Internet names and addresses, issues dealt with by the Internet Corporation for Assigned Names and Numbers (ICANN): it also includes other significant public policy issues, such as critical Internet resources, the security and safety of the Internet, and developmental aspects and issues pertaining to the use of the Internet.

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<sup>5</sup> WSIS Declaration of Principles, para. 48 (WSIS-03/GENEVA/DOC/0004).

### **III. Identifying public policy issues that are relevant to Internet governance and assessing the adequacy of existing governance arrangements**

13. The WGIG devoted much of its attention to the identification of public policy issues that are potentially relevant to Internet governance, as called for in paragraph 13 (b) of the Plan of Action. It agreed to take a broad approach and not exclude any potentially relevant issue. Based on this fact-finding work, the WGIG established four key public policy areas:

(a) Issues relating to infrastructure and the management of critical Internet resources, including administration of the domain name system and Internet protocol addresses (IP addresses), administration of the root server system, technical standards, peering and interconnection, telecommunications infrastructure, including innovative and convergent technologies, as well as multilingualization. These issues are matters of direct relevance to Internet governance and fall within the ambit of existing organizations with responsibility for these matters;

(b) Issues relating to the use of the Internet, including spam, network security and cybercrime. While these issues are directly related to Internet governance, the nature of global cooperation required is not well defined;

(c) Issues that are relevant to the Internet but have an impact much wider than the Internet and for which existing organizations are responsible, such as intellectual property rights (IPRs) or international trade. The WGIG started examining the extent to which these matters are being handled consistent with the Declaration of Principles;

(d) Issues relating to the developmental aspects of Internet governance, in particular capacity-building in developing countries.

14. After examining in depth the issues pertaining to these four clusters, the WGIG identified and included in the Background Report the public policy issues that are relevant to Internet governance. The issues of highest priority, including related issues and problems, are set out below for the attention of the WSIS.

#### **15. Administration of the root zone files and system**

Unilateral control by the United States Government.

- For historical reasons, the existing system involves only one Government in the authorization of changes to the root zone file.

Lack of formal relationship with root server operators.

- The root zone operators perform their functions today without a formal relationship with any authority.

#### **16. Interconnection costs**

Uneven distribution of cost.

- Internet service providers (ISPs) based in countries remote from Internet backbones, particularly in the developing countries, must pay the full cost of the international circuits.

- Absence of an appropriate and effective global Internet governance mechanism to resolve the issue.

17. **Internet stability, security and cybercrime**

- Lack of multilateral mechanisms to ensure the network stability and security of Internet infrastructure services and applications.
- Lack of efficient tools and mechanisms to be used by countries to prevent and prosecute crimes committed in other jurisdictions, using technological means that might be located within or outside the territory where the crime had a negative effect.

18. **Spam**

No unified, coordinated approach.

- There is no global consensus on a definition of spam and no global arrangement to address this matter or enable national anti-spam laws to be effective. However, there is an increasing number of bilateral and plurilateral agreements between countries to enforce national anti-spam laws, share best practices and cooperate on solutions.

19. **Meaningful participation in global policy development**

There are significant barriers to multi-stakeholder participation in governance mechanisms.

- There is often a lack of transparency, openness and participatory processes.
- Participation in some intergovernmental organizations and other international organizations is often limited and expensive, especially for developing countries, indigenous peoples, civil society organizations, and small and medium-sized enterprises (SMEs).
- The content produced by some intergovernmental organizations and other international organizations is often restricted to members only or is available at a prohibitive cost.
- Frequency and location of venues for global policy meetings causes some stakeholders from more remote areas to limit their participation.
- There is a lack of a global mechanism for participation by Governments, especially from developing countries, in addressing multisectoral issues related to global Internet policy development.

20. **Capacity-building**

Adequate resources have not been available to build capacity in a range of areas relevant to Internet management at the national level and to ensure effective participation in global Internet governance, particularly for developing countries.

## 21. **Allocation of domain names**

Need for further development of policies and procedures for generic top-level domain names (gTLDs).<sup>6</sup>

- The need for further development of policies for the management and further development of the domain name space, though also due to the inherent complexity of the matter, has a significant impact on key issues, such as the equitable distribution of resources, access for all and multilingualism.

## 22. **IP addressing**

Concerns over allocation policies for IP addresses.

- For historical reasons, there is an imbalance in the distribution of IPv4 addresses.<sup>7</sup> This issue has already been addressed by the regional Internet registries (RIRs). In the light of the transition to IPv6,<sup>8</sup> some countries feel that allocation policies for IP addresses should ensure balanced access to resources on a geographical basis.

## 23. **Intellectual property rights (IPR)**

Application of intellectual property rights to cyberspace.

- While there is agreement on the need for balance between the rights of holders and the rights of users, there are different views on the precise nature of the balance that will be most beneficial to all stakeholders, and whether the current IPR system is adequate to address the new issues posed by cyberspace. On the one hand, intellectual property rights holders are concerned about the high number of infringements, such as digital piracy, and the technologies developed to circumvent protective measures to prevent such infringements; on the other hand, users are concerned about market oligopolies, the impediments to access and use of digital content and the perceived unbalanced nature of current IPR rules.

## 24. **Freedom of expression**

Restrictions on freedom of expression.

- Measures taken in relation to the Internet on grounds of security or to fight crime can lead to violations of the provisions for freedom of expression as contained in the Universal Declaration of Human Rights and in the WSIS Declaration of Principles.

## 25. **Data protection and privacy rights**

Lack of existence or inconsistent application of privacy and data-protection rights.

- There is a lack of national legislation and enforceable global standards for privacy and data-protection rights over the Internet; as a result, users have few if any means to enforce their privacy and personal data-protection rights, even

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<sup>6</sup> See glossary.

<sup>7</sup> Version four of the Internet Protocol.

<sup>8</sup> Version six of the Internet Protocol.

when recognized by legislation. An example of this is the apparent lack of personal data protection in some of the WHOIS<sup>9</sup> databases.

26. **Consumer rights**

- There is a lack of global standards for consumer rights over the Internet, for example in the international purchase of goods through e-commerce; as such, users have few if any means to enforce their rights, even when these rights are recognized by legislation. In the case of digital goods and online services, there are problems for the practical and full application of traditional consumer rights.

27. **Multilingualism**

- Insufficient progress has been made towards multilingualization. Unresolved issues include standards for multilingual TLDs, e-mail addresses and keyword lookup, as well as insufficient multilingual local content. There is a lack of international coordination.

28. The WGIG identified a number of other important issues, such as convergence and “next generation networks” (NGNs), as well as trade and e-commerce, without however focusing on them in any detail.

#### **IV. Developing a common understanding of the respective roles and responsibilities of all stakeholders from both developed and developing countries**

29. Recognizing the essential role of all stakeholders in Internet governance, this section expands on the roles and responsibilities of the principal stakeholders, i.e., Governments, the private sector and civil society, as well as intergovernmental and international organizations, as outlined in the WSIS Declaration of Principles.<sup>10</sup> The academic and technical communities also play an important role.

30. **Governments.** The roles and responsibilities of Governments include:

- Public policymaking and coordination and implementation, as appropriate, at the national level, and policy development and coordination at the regional and international levels.
- Creating an enabling environment for information and communication technology (ICT) development.
- Oversight functions.
- Development and adoption of laws, regulations and standards.
- Treaty-making.
- Development of best practices.
- Fostering capacity-building in and through ICTs.
- Promoting research and development of technologies and standards.

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<sup>9</sup> A database that is widely used to provide information services to Internet users (see glossary).

<sup>10</sup> WSIS Declaration of Principles, para. 49 (WSIS-03/GENEVA/DOC/0004).



- Promoting access to ICT services.
  - Combating cybercrime.
  - Fostering international and regional cooperation.
  - Promoting the development of infrastructure and ICT applications.
  - Addressing general developmental issues.
  - Promoting multilingualism and cultural diversity.
  - Dispute resolution and arbitration.
31. **The private sector.** The roles and responsibilities of the private sector include:
- Industry self-regulation.
  - Development of best practices.
  - Development of policy proposals, guidelines and tools for policymakers and other stakeholders.
  - Research and development of technologies, standards and processes.
  - Contribution to the drafting of national law and participation in national and international policy development.
  - Fostering innovation.
  - Arbitration and dispute resolution.
  - Promoting capacity-building.
32. **Civil society.** The roles and responsibilities of civil society include:
- Awareness-raising and capacity-building (knowledge, training, skills sharing).
  - Promoting various public interest objectives.
  - Facilitating network-building.
  - Mobilizing citizens in democratic processes.
  - Bringing perspectives of marginalized groups, including, for example, excluded communities and grass-roots activists.
  - Engaging in policy processes.
  - Contributing expertise, skills, experience and knowledge in a range of ICT policy areas.
  - Contributing to policy processes and policies that are more bottom-up, people-centred and inclusive.
  - Research and development of technologies and standards.
  - Development and dissemination of best practices.
  - Helping to ensure that political and market forces are accountable to the needs of all members of society.
  - Encouraging social responsibility and good governance practice.

- Advocating for the development of social projects and activities that are critical but may not be “fashionable” or profitable.
- Contributing to shaping visions of human-centred information societies based on human rights, sustainable development, social justice and empowerment.

33. Furthermore, the WGIG recognized that the contribution to the Internet of the academic community is very valuable and constitutes one of its main sources of inspiration, innovation and creativity. Similarly, the technical community and its organizations are deeply involved in Internet operation, Internet standard-setting and Internet services development. Both of these groups make a permanent and valuable contribution to the stability, security, functioning and evolution of the Internet. They interact extensively with and within all stakeholder groups.

34. The WGIG also reviewed the respective roles and responsibilities of existing intergovernmental and international organizations and other forums and the various mechanisms for both formal and informal consultations among these institutions. It noted that there is scope to improve coordination to some extent.

## **V. “Proposals for action, as appropriate”<sup>11</sup>**

### **A. Recommendations related to Internet governance mechanisms**

35. The WGIG addressed the adequacy of current Internet governance arrangements in relation to the principles outlined in the final WSIS documents and came to the conclusion that some adjustments needed to be made to bring these arrangements more in line with the WSIS criteria of transparency, accountability, multilateralism and the need to address all public policy issues related to Internet governance in a coordinated manner. It grouped these issues in four clusters: a forum, global public policy and oversight, institutional coordination, and regional, subregional and national coordination.

36. The WGIG recommends the creation of a new space for dialogue for all stakeholders on an equal footing on all Internet governance-related issues.

37. With regard to the roles and responsibilities of Governments, the WGIG decided to put forward different options for the deliberations within the WSIS context. The four different proposals all complement the forum described in section V.A.1 below.

38. The WGIG also concluded that there would be merit in improving institutional coordination, as well as coordination among all stakeholders at the regional, subregional and national levels.

39. The four proposals are set out below.

#### **1. Forum function**

40. The WGIG identified a vacuum within the context of existing structures, since there is no global multi-stakeholder forum to address Internet-related public policy issues. It came to the conclusion that there would be merit in creating such a space for dialogue among all stakeholders. This space could address these issues, as well

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<sup>11</sup> WSIS Declaration of Principles, para. 50 (WSIS-03/GENEVA/DOC/0004).

as emerging issues, that are cross-cutting and multidimensional and that either affect more than one institution, are not dealt with by any institution or are not addressed in a coordinated manner.

41. The WGIG also noted that one of its overarching priorities was to contribute to ensuring the effective and meaningful participation of all stakeholders from developing countries in Internet governance arrangements. Existing institutions that address some of these Internet-related public policy issues, such as the Organization for Economic Cooperation and Development (OECD), are not generally global in their membership and therefore developing countries lack a forum for discussing Internet-related public policy issues. Other global institutions are narrower in focus or do not allow for multi-stakeholder participation. It noted that the existing mechanisms do not sufficiently take into account geographic balance and linguistic diversity. Their fragmented nature and structure also make it difficult for developing countries to have their voices heard.

42. One of the main aims of the WGIG is to foster full participation in Internet governance arrangements by developing countries. The WGIG placed this aim in the context of one of the priorities it had identified in the course of its work, namely, capacity-building in developing countries.

43. Such a space or forum for dialogue (hereafter referred to as “the forum”) should allow for the participation of all stakeholders from developing and developed countries on an equal footing. Gender balance should be considered a fundamental principle with the aim of achieving an equal representation of women and men at all levels. Special care should be taken to ensure diversity of participation as regards, inter alia, language, culture, professional background, involvement of indigenous peoples, people with disabilities and other vulnerable groups.

44. The forum should preferably be linked to the United Nations, in a form to be defined. It would be better placed than existing Internet institutions to engage developing countries in a policy dialogue. This would be an important factor in itself, as the future growth of the Internet is expected to be mainly in developing countries.

45. The forum should be open to all stakeholders from all countries; any stakeholder could bring up any Internet governance issue. The forum would be reinforced by regional, subregional and national initiatives and supplemented by open online mechanisms for participation. It should support the information and communication technologies for development (ICT4D) agenda emerging from the WSIS and Millennium Development Goals (MDG) processes. It could assume, inter alia, the following functions:

- Interface with intergovernmental bodies and other institutions on matters under their purview which are relevant to Internet governance, such as IPR, e-commerce, trade in services and Internet/telecommunications convergence.
- Identify emerging issues and bring them to the attention of the appropriate bodies and make recommendations.
- Address issues that are not being dealt with elsewhere and make proposals for action, as appropriate.
- Connect different bodies involved in Internet management where necessary.

- Contribute to capacity-building for Internet governance for developing countries, drawing fully on local sources of knowledge and expertise.
- Promote and assess on an ongoing basis the embodiment of WSIS principles in Internet governance processes.

46. There was a clear understanding that such a forum should not be seen as a continuation of the WGIG. Rather, it should be modelled on the WGIG open consultations, supported by a very lightweight structure and guided by a multi-stakeholder coordinating process, to be defined. Overlap or duplication with existing institutions should be avoided and the best possible use should be made of research and work carried out by others.

47. The forum should develop partnerships with academic and research institutions to access knowledge resources and expertise on a regular basis. These partnerships should seek to reflect geographic balance and cultural diversity and promote cooperation among all regions.

## **2. Global public policy and oversight**

48. The WGIG recognized that any organizational form for the governance function/oversight function should adhere to the following principles:

- No single Government should have a pre-eminent role in relation to international Internet governance.
- The organizational form for the governance function will be multilateral, transparent and democratic, with the full involvement of Governments, the private sector, civil society and international organizations.<sup>12</sup>
- The organizational form for the governance function will involve all stakeholders and relevant intergovernmental and international organizations within their respective roles.<sup>13</sup>

49. The WGIG agreed that the continued internationalization of the Internet and the principle of universality reinforces the need for a review of existing governance mechanisms, hence the WGIG undertook such a review and the results are presented here.

50. There is a wide range of governance functions that could include audit, arbitration, coordination, policy-setting and regulation, among others, but not including involvement in day-to-day operational management of the Internet that does not impact on public policy issues.

51. The review considered different organizational models for this purpose and the four models are set out below for consideration.

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<sup>12</sup> WSIS Declaration of Principles, para. 48 (WSIS-03/GENEVA/DOC/0004).

<sup>13</sup> WSIS Declaration of Principles, para. 49 (WSIS-03/GENEVA/DOC/0004).

**Model 1**

52. This model envisages a Global Internet Council (GIC), consisting of members from Governments with appropriate representation from each region and with involvement of other stakeholders. This council would take over the functions relating to international Internet governance currently performed by the Department of Commerce of the United States Government. It would also replace the ICANN Governmental Advisory Committee (GAC).

53. The functions of the GIC should include:

- Setting of international Internet public policy and providing the necessary oversight relating to Internet resource management, such as additions or deletions to the root zone file, management of IP addresses, introduction of gTLDs, delegation and redelegation of ccTLDs.
- Setting of international public policy and coordination for other Internet-related key issues, such as spam, privacy, cybersecurity and cybercrime, which are not being fully addressed by other existing intergovernmental organizations.
- Facilitating negotiation of treaties, conventions and agreements on Internet-related public policies.
- Fostering and providing guidance on certain developmental issues in the broader Internet agenda, including but not limited to capacity-building, multilingualism, equitable and cost-based international interconnection costs, and equitable access for all.
- Approving rules and procedures for dispute resolution mechanisms and conduct arbitration, as required.

54. The relationship between the GIC and technical and operational Internet institutions, such as the reformed and internationalized ICANN, should be formalized. In this model, ICANN will be accountable to GIC.

55. The GIC should be anchored in the United Nations.

56. For the issues dealt with in this body, the governmental component will take a leading role. The private sector and civil society will participate in an advisory capacity.

**Model 2**

57. There is no need for a specific oversight organization.
58. It may be necessary to enhance the role of ICANN's Governmental Advisory Committee (GAC) in order to meet the concerns of some Governments on specific issues.
59. The forum, as proposed in section V.A.1 above, with full and equal participation of all stakeholders, could, in addition to the various functions set out therein, provide coordination functions for participating stakeholders and produce analysis and recommendations on some issues.
60. This forum would provide a coordination function for participating stakeholders by creating a space in which all issues involving the existing Internet governance organizations could be openly discussed. These discussions will be enabled by the transparency of the participating organizations and participation should include a commitment to transparency.
61. The forum would also interact with or create specific issue initiatives to produce analyses or recommendations on different Internet-related issues. The initiatives should include all the stakeholders involved in the issue and would make recommendations to the forum and to the stakeholders.

**Model 3**

62. For policy issues involving national interests, given that no single Government should have a pre-eminent role in relation to international Internet governance, an International Internet Council (IIC) could fulfil the corresponding functions, especially in relation to ICANN/IANA competencies.
63. In addition, its functions might include international public policy issues relating to Internet resource management and international public policy issues that do not fall within the scope of other existing intergovernmental organizations.
64. For those issues, the governmental component of the IIC will take a leading role, with the private sector and civil society providing advice.
65. Equally, the IIC could perform a fostering role for certain developmental issues on the broader Internet agenda.
66. The new body could make the Governmental Advisory Committee (GAC) redundant.
67. This internationalization should be accompanied by an adequate host-country agreement for ICANN.

**Model 4**

68. This model brings together and addresses three interrelated areas of Internet policy governance, oversight and global coordination, and proposes structures to address the following challenges:

- Public policy development and decision-making on international Internet-related public policy issues led by Governments.
- Oversight over the body responsible at the global level for the technical and operational functioning of the Internet led by the private sector.
- Global coordination of the development of the Internet through dialogue between Governments, the private sector and civil society on an equal footing.

69. *The Global Internet Policy Council (GIPC)*

- “Responsible for international Internet-related public policy issues”, and contribute public policy perspectives to Internet-related technical standard-setting.
- Government-led mechanism that encompasses issues addressed by existing intergovernmental organizations and other public policy issues that currently do not have a natural home or cut across several international or intergovernmental bodies.
- Participation by the private sector and civil society, both in an observer capacity.

70. *World Internet Corporation for Assigned Names and Numbers (WICANN)*

- Responsible for the “development of the Internet in both technical and economic fields” (a role similar to that performed by ICANN). Private-sector-led body made up of a reformed internationalized ICANN linked to the United Nations.
- In this body, Governments will have two distinct and separate functions.
- The oversight function over the body responsible, at the global level, for the technical and operational functioning of Internet (ICANN). This is the role currently performed by the Department of Commerce of the United States Government. This role would be played by an Oversight Committee appointed by and reporting to the intergovernmental body (the Global Internet Policy Council). The oversight function would not be of an operational or management nature.
- The second function is advisory, as currently played by the ICANN Governmental Advisory Committee (GAC).
- Participation of Governments and civil society in an observer/advisory capacity.

- WICANN would have a host-country agreement.
71. *The Global Internet Governance Forum (GIGF)*
- Responsible for “facilitating coordination (and discussion) of Internet-related public policy issues”.
  - Participation on equal footing by Governments, the private sector and civil society.

### 3. Institutional coordination

72. Pursuant to paragraph 50 of the WSIS Declaration of Principles, the WGIG recommends that the secretariats of intergovernmental organizations and other institutions dealing with Internet governance issues continue to improve the coordination of their activities and exchange information on a regular basis, both among themselves and with the forum.

### 4. Regional and national coordination

73. The WGIG noted that international coordination needs to build on policy coordination at the national level. Global Internet governance can only be effective if there is coherence with regional, subregional and national-level policies. The WGIG therefore recommends:

(a) That the multi-stakeholder approach be implemented as far as possible in all regions in order for the work on Internet governance to be fully supported at the regional and subregional levels;

(b) That coordination be established among all stakeholders at the national level and a multi-stakeholder national Internet governance steering committee or similar body be set up.

## B. Recommendations to address Internet-related issues

74. The WGIG agreed that there are two overarching prerequisites to enhance the legitimacy of Internet governance processes:

- The effective and meaningful participation of all stakeholders, especially from developing countries.
- The building of sufficient capacity in developing countries, in terms of knowledge and of human, financial and technical resources.

75. The WGIG identified a number of recommendations emanating from the priority issues outlined in section III above. Some of these are addressed to the various Internet governance mechanisms proposed in section V.A above, while others are not attributed to any specific institutions.



**76. Administration of the root zone files and root server system of the domain name system (DNS)**

- Define the institutional arrangements and the responsibilities and relationships between the institutions that are required to guarantee continuity of a stable and secure functioning of the root server system of the DNS.
- Noting that the number of root servers cannot be increased to more than 13 due to protocol limitations, carry out a requirements analysis to determine the appropriate evolution, including possible restructuring, of the architecture to meet end-user requirements.
- Clarify the institutional arrangements needed to guarantee continuity of a stable and secure functioning of the root system during and after a possible period of governance reform.

**77. IP addressing**

- Transition to IPv6 should ensure that allocation policies for IP addresses provide equitable access to resources.

**78. Interconnection costs**

- Invite international agencies and the donor community to intensify their studies in this area, in particular to examine alternative solutions, such as the development of regional IP backbones and the establishment of local and regional access points.
- Call on the groups studying Internet governance issues to take note of the WSIS Declaration of Principles, i.e., to be multilateral, transparent and democratic and to have the capacity to address Internet governance in a coordinated manner, based on a multi-stakeholder approach.
- Invite relevant international organizations to report on these matters to whatever forum, body or mechanism(s) that the WSIS will create for issues related to Internet governance and global coordination.
- Encourage donor programmes and other developmental financing mechanisms to take note of the need to provide funding for initiatives that advance connectivity, Internet exchange points (IXPs) and local content for developing countries.
- Building on current international agreements, encourage interested parties to continue and intensify work in relevant international organizations on international Internet connectivity issues.<sup>14</sup>

**79. Internet stability, security and cybercrime**

- Efforts should be made, in conjunction with all stakeholders, to create arrangements and procedures between national law enforcement agencies consistent with the appropriate protection of privacy, personal data and other human rights.

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<sup>14</sup> This issue has received sustained attention in the Asia-Pacific Economic Cooperation (APEC) and the International Telecommunication Union (ITU), and has been raised in the World Trade Organization (WTO) as well.

- Governments, in cooperation with all stakeholders, should explore and develop tools and mechanisms, including treaties and cooperation, to allow for effective criminal investigation and prosecution of crimes committed in cyberspace and against networks and technological resources, addressing the problem of cross-border jurisdiction, regardless of the territory from which the crime was committed and/or the location of the technological means used, while respecting sovereignty.

#### 80. **Spam**

- There is a need for global coordination among all stakeholders to develop policies and technical instruments to combat spam.
- WSIS should recognize the need to act against spam and include common principles of action concerning cooperation in this field. It should recognize the need to produce anti-spam efforts, not only for legislation and cross-border enforcement but also in terms of industry self-regulation, technical solutions, partnerships between Governments and the Internet community, awareness-raising and user education. Special attention should be given to the connectivity and bandwidth limitations of developing countries. A joint statement could be agreed on the occasion of the WSIS and annexed to the final document(s) of the Summit.

#### 81. **Freedom of expression**

- Ensure that all measures taken in relation to the Internet, in particular those on grounds of security or to fight crime, do not lead to violations of human rights principles.

#### 82. **Meaningful participation in global policy development**

- International organizations, including intergovernmental organizations where relevant, should ensure that all stakeholders, particularly from developing countries, have the opportunity to participate in the determination of policy decisions that affect them, and promote and support such participation.
- Specific efforts should be made to address the lack of funds of the different stakeholders of developing countries, which impedes them from actively and consistently participating in international Internet governance processes.

#### 83. **Data protection and privacy rights**

- Encourage countries that lack privacy and/or personal data-protection legislation to develop clear rules and legal frameworks, with the participation of all stakeholders, to protect citizens against the misuse of personal data, particularly countries with no legal tradition in these fields.
- The broad set of privacy-related issues described in the Background Report should be discussed in a multi-stakeholder setting so as to define practices to address them.
- The policies governing the WHOIS databases should be revised to take into account the existence of applicable privacy legislation in the countries of the registrar and of the registrant.
- Policy and privacy requirements for global electronic authentication systems should be defined in a multi-stakeholder setting; efforts should then be made

to develop open technical proposals for electronic authentication that meet such requirements.

#### 84. **Consumer rights**

- Efforts should be made to render consumer protection laws and enforcement mechanisms fully and practically applicable and to protect consumers during the online purchase of physical and digital goods and online services, especially in cross-border transactions.
- Efforts should be made to define global consumer rights industry standards, applicable in the use and/or purchase of online services and digital goods. These efforts should be agreed by all stakeholders and should take into consideration applicable local laws and regulations on consumer protection, IPR and other relevant matters.
- An ongoing multi-stakeholder assessment process for newly developed technologies that may affect consumer rights should be created.

#### 85. **Multilingualism**

##### (a) Domain names:

- Ensuring bottom-up and inclusive development of a transparent policy for the introduction of multilingual domain names.
- Strengthening the participation and coordination of all Governments and all stakeholders in the governance process. This is required to push forward the development and implementation of multilingual domain name solutions, including multilingual e-mail addresses and key word lookup.
- Strengthening cooperation between IETF and IDN registries,<sup>15</sup> thus creating a sound international environment for the further development of technical standards and action plan for global deployment.

##### (b) Content:

- More effort should be put into developing content development tools to facilitate the creation of multilingual content.
- Governments, the private sector and civil society are encouraged to promote and create more content in local languages to be posted on the Internet.

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<sup>15</sup> See glossary.

## Annex

### **Membership and secretariat of the Working Group on Internet Governance**

#### **Chairman**

Nitin Desai  
Special Adviser to the Secretary-General for the World Summit on the Information Society (Delhi/Mumbai)

#### **Members**

Abdullah Al-Darrab  
Deputy Governor of Technical Affairs, Communications and Information Technology Commission of Saudi Arabia (Riyadh)

Carlos A. Afonso  
Director of Planning, Information Network for the Third Sector;  
Member, Brazil's Internet Steering Committee; Member, Non-Commercial Users Constituency (Rio de Janeiro)

Peng Hwa Ang  
Dean, School of Communication and Information,  
Nanyang Technological University (Singapore)

Karen Banks  
Networking and Advocacy Coordinator, Association for Progressive Communications;  
Director, GreenNet (London)

Faryel Beji  
President and CEO, Tunisian Internet Agency (Tunis)

Vittorio Bertola  
Chairman, ICANN At Large Advisory Committee; President and CTO, Dynamic Fun (Turin)

José Alexandre Bicalho  
Member, Brazilian Internet Steering Committee; Adviser to the Board of Directors of the National Telecommunications Agency (Brasilia)

Kangsik Cheon  
Chief Operating Officer, International Business Development, Netpia (Seoul)

Trevor Clarke  
Permanent Representative of Barbados to the United Nations Office at Geneva (Geneva)

Avri Doria  
Research Consultant (Providence, Rhode Island)

William Drake  
President, Computer Professionals for Social Responsibility;  
Senior Associate, International Centre for Trade and Sustainable Development (Geneva)

Raúl Echeberría  
Executive Director/CEO, Latin American and Caribbean Internet Addresses Registry (Montevideo)

Dev Erriah  
Chairman, ICT Authority of Mauritius (Port Louis)

Baher Esmat  
Telecom Planning Manager, Ministry of Communications and Information Technology  
of Egypt (Cairo)

Juan Fernandez  
Coordinator of the Commission of Electronic Commerce of Cuba (Havana)

Ayesha Hassan  
Senior Policy Manager for Electronic Business, IT and Telecommunications,  
International Chamber of Commerce (Paris)

David Hendon  
Director of Business Relations, United Kingdom Department of Trade and Industry  
(London)

Qiheng Hu  
Adviser to the Science and Technology Commission of the Ministry of Information  
Industry of China; Former Vice-President of the Chinese Academy of Sciences (Beijing)

Willy Jensen  
Director General, Norwegian Post and Telecom Authority (Oslo)

Wolfgang Kleinwächter  
Professor, International Communication Policy and Regulation, University of Aarhus  
(Aarhus)

Jovan Kurbalija  
Director, DiploFoundation, Geneva/La Valletta (Geneva)

Iosif Charles Legrand  
Senior Scientist, California Institute of Technology (Pasadena, California)

Donald MacLean  
Director, MacLean Consulting (Ottawa)

Allen Miller  
Executive Director, World Information Technology and Services Alliance  
(Arlington, Virginia)

Jacqueline A. Morris  
Consultant (Port of Spain)

Olivier Nana Nzépa  
Coordinator, Africa Civil Society (Yaoundé)

Alejandro Pisanty  
Director of Computing Academic Services, Universidad Nacional Autonoma de Mexico;  
Vice-Chairman of the Board of ICANN (Mexico City)

Khalilullah Qazi  
Counsellor, Permanent Mission of Pakistan to the United Nations Office at Geneva  
(Geneva)

Rajashekar Ramaraj  
Managing Director, Sify Limited (Chennai (formerly Madras))

Masaaki Sakamaki  
Director, Computer Communications Division, Ministry of Internal Affairs and  
Communications (Tokyo)

Joseph Sarr  
President, NTIC Commission, Dakar Regional Council (Dakar)

Peiman Seadat  
Counsellor, Permanent Mission of the Islamic Republic of Iran to the United Nations  
Office at Geneva (Geneva)

Charles Sha'ban  
Executive Director, Abu-Ghazaleh Intellectual Property (Amman)

Lyndall Shope-Mafole  
Chairperson, Presidential National Commission on Information Society and  
Development of South Africa (Pretoria)

Waudu Siganga  
Chairman, Computer Society of Kenya (Nairobi)

Juan Carlos Solines Moreno  
Executive Director, Gobierno Digital (Quito)

Mikhail Yakushev  
Director of legal support department, Ministry of Information Technology and  
Communications of the Russian Federation (Moscow)

Peter Zangl  
Deputy Director-General, Directorate General Information Society and Media, European  
Commission (Brussels)

Jean-Paul Zens  
First Counsellor, Director of the Media and Telecom Department, Ministry of State of  
Luxembourg (Luxembourg City)

#### **Secretariat**

Markus Kummer, Executive Coordinator

Frank March, Senior Programme Adviser

Tarek Cheniti, Consultant

Hind Eltayeb, Administrative Assistant

Robert Shaw, part-time, seconded by ITU

Howard Williams, part-time, seconded by the University of Strathclyde

David Satola, World Bank (part-time in his personal capacity)

Chengetai Masango, Intern (April-July 2005)

Chango Mawaki, Fellow, in association with DiploFoundation (June 2005)

Seiiti Arata, Fellow, in association with DiploFoundation (June 2005)

Dhrupad Mathur, Fellow, in association with DiploFoundation (June 2005)

## Glossary

<b>APEC</b>	Asia-Pacific Economic Cooperation
<b>ASCII</b>	American Standard Code for Information Interchange; seven-bit encoding of the Roman alphabet
<b>ccTLD</b>	Country code top-level domain, such as .uk (United Kingdom), .de (Germany) or .jp (Japan)
<b>DNS</b>	Domain name system: translates domain names into IP addresses
<b>GAC</b>	Governmental Advisory Committee (to ICANN)
<b>gTLD</b>	Generic top-level domain, such as .com, .int, .net, .org, .info
<b>IANA</b>	Internet Assigned Numbers Authority
<b>ICANN</b>	Internet Corporation for Assigned Names and Numbers
<b>ICT</b>	Information and communication technology
<b>ICT4D</b>	Information and communication technology for development
<b>IDN</b>	Internationalized domain names: web addresses using a non-ASCII character set
<b>IETF</b>	Internet Engineering Task Force
<b>IGOs</b>	Intergovernmental organizations
<b>IP</b>	Internet Protocol
<b>IP Address</b>	Internet Protocol address: a unique identifier corresponding to each computer or device on an IP network. Currently there are two types of IP addresses in active use. IP version 4 (IPv4) and IP version 6 (IPv6). IPv4 (which uses 32 bit numbers) has been used since 1983 and is still the most commonly used version. Deployment of the IPv6 protocol began in 1999. IPv6 addresses are 128-bit numbers.
<b>IPRs</b>	Intellectual property rights
<b>IPv4</b>	Version 4 of the Internet Protocol
<b>IPv6</b>	Version 6 of the Internet Protocol
<b>ITU</b>	International Telecommunication Union
<b>IXPs</b>	Internet exchange points
<b>MDGs</b>	Millennium Development Goals

<b>NAPs</b>	network access points
<b>NGN</b>	Next generation network
<b>OECD</b>	Organization for Economic Cooperation and Development
<b>Registrar</b>	A body approved ("accredited") by a registry to sell/register domain names on its behalf.
<b>Registry</b>	A registry is a company or organization that maintains a centralized registry database for the TLDs or for IP address blocks (e.g. the RIRs — see below). Some registries operate without registrars at all and some operate with registrars but also allow direct registrations via the registry.
<b>RIRs</b>	Regional Internet registries. These not-for-profit organizations are responsible for distributing IP addresses on a regional level to Internet service providers and local registries.
<b>Root servers</b>	Servers that contain pointers to the authoritative name servers for all TLDs. In addition to the “original” 13 root servers carrying the IANA managed root zone file, there are now large number of Anycast servers that provide identical information and which have been deployed worldwide by some of the original 12 operators.
<b>Root zone file</b>	Master file containing pointers to name servers for all TLDs
<b>SMEs</b>	Small and medium-sized enterprises
<b>TLD</b>	Top-level domain (see also ccTLD and gTLD)
<b>WGIG</b>	Working Group on Internet Governance
<b>WHOIS</b>	WHOIS is a transaction oriented query/response protocol that is widely used to provide information services to Internet users. While originally used by most (but not all) TLD Registry operators to provide “white pages” services and information about registered domain names, current deployments cover a much broader range of information services, including RIR WHOIS look-ups for IP address allocation information.
<b>WSIS</b>	World Summit on Information Society
<b>WTO</b>	World Trade Organization

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