



Council of European National  
Top-Level Domain Registries



# Why We Need Multistakeholder Internet Governance

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# Why We Need Multistakeholder Internet Governance

The “multistakeholder approach” to Internet governance has never been straightforward.

While the concept has been a centrepiece of Internet governance discussions for more than 20 years, it has also served as a lightning rod for arguments over how decisions about the Internet, its use, and its operation should be taken. This often gets boiled down to a simple “government control” versus “bottom-up, community control” binary, but the reality is far more complex, particularly when applied to specific policy questions - and there are plenty!

Adding to this complexity is the fact that there is, at best, a very loose collective understanding of what constitutes the “multistakeholder approach”. This is, to some extent, by design - a loosely defined multistakeholder “approach” can be adopted in specific multistakeholder models or structures to suit the specific policy-making need (e.g. the multistakeholder model adopted by ICANN and its community). But this ambiguity has also helped to ensure that debate about the legitimacy and application of the multistakeholder approach has never been resolved to the satisfaction of all parties.

That debate is currently reaching a new fever pitch, with numerous global Internet governance processes approaching inflection points, and widespread concern about the general commitment to multistakeholder Internet governance, the form that multistakeholder governance should take, and the adequacy of current multistakeholder structures and processes.

Too often lost in many of these discussions are the practical examples that demonstrate why a multistakeholder approach has been critical to the Internet’s success and can provide superior outcomes for all Internet governance stakeholders (including governments!). This brief paper is an attempt to consider what is gained through the development and application of governance processes that provide all stakeholders with a meaningful role, and identifies three distinct ways in which such processes are intrinsic to the past and future success of the Internet.

## A note on methodology

An initial framework of this report was presented at the 2023 Annual CENTR Meeting (GA70), held in Brussels on 14 November 2023. Reactions and input were received from a number of CENTR members (operators of country-code Top-Level Domains in Europe) during the meeting and via an email survey in the weeks following. The diverse examples of multistakeholder governance found across the ccTLD ecosystem provided valuable insight that has been reflected in the final report.

## Background

The history of the multistakeholder approach is as ambiguous as its definition. Speaking to the Internet Governance Forum in 2019<sup>1</sup>, the RIPE Chair Mirjam Kühne noted that the RIPE community (and related technical forums) were “multistakeholder avant la lettre” (i.e. before it existed), being “diverse and open to anybody”. This openness and transparency were certainly hallmarks of the Internet from very early in its development, in contrast to the standardisation processes surrounding some of the other communication technologies competing for dominance in the 1980s and 1990s.

It wasn't until the World Summit on the Information Society (WSIS) process in the early 2000s, however, that the term “multistakeholder” really entered the Internet governance lexicon. A recurring element in the report of the Working Group on Internet Governance (formed between the two WSIS phases in 2003 and 2005), a key WSIS outcome document, the 2005 ‘Tunis Agenda for the Information Society’, subsequently noted that, in relation to Internet governance, “[a] multi-stakeholder approach should be adopted, as far as possible, at all levels”, and that “multi-stakeholder participation is essential to the successful building of a people-centred, inclusive and development-oriented Information Society”<sup>2</sup>.

Speaking at the 2023 Asia Pacific Regional Internet Governance Forum (APrIGF), APNIC Managing Director Paul Wilson noted that the WSIS process did not invent the multistakeholder approach, but rather “discovered” it by looking to the success of the Internet. And there was definitely an element of pragmatism in the WSIS embrace of a multistakeholder approach - the WSIS Declaration of Principles (published in 2004) acknowledged that, “[r]ealizing that the ambitious goal of this Declaration - bridging the digital divide and ensuring harmonious, fair and equitable development for all - will require strong commitment by all stakeholders”, and that, “management of the Internet encompasses both technical and public policy issues and should involve all stakeholders and relevant intergovernmental and international organizations.”

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1 <https://labs.ripe.net/author/chrisb/championing-a-model-of-internet-governance-cooperation-ripe-chair-at-igf-2021/>

2 <https://www.itu.int/net/wsis/docs2/tunis/off/6rev1.html>

It was clear that most felt that the Internet, assuming it could attain more comprehensive global coverage, offered incredible potential for economic and social development. It was also recognised that the Internet's growth and success up to that point, particularly in technical and business terms, had been grounded in open governance processes<sup>3</sup>. With the WSIS focus firmly on extending the benefits of Internet access to the many still under-served people, there was little appetite to disrupt or undermine those processes and jeopardise the Internet's continued expansion.

At the same time, an Internet governance effort in the United Nations space was always going to look a little different to the more freewheeling, organic governance approaches of institutions like the Internet Engineering Task Force (IETF) or the Regional Internet Registry (RIR) policy-making communities. The reference in paragraph 31 (and elsewhere) of the Tunis Agenda to a governance model, "based on the full participation of all stakeholders... within their respective roles and responsibilities [emphasis added]", has sparked a thousand debates, and is reflected in a UN multistakeholder approach that places individual (or representative) participants into clearly established (if not always clearly defined) stakeholder categories whose modes of engagement often differ.

While earlier UN processes had been based around a "tripartite" model of stakeholder categories (namely civil society, government, and the private sector), an innovation coming out of WSIS and employed in the formation of the Internet Governance Forum was to identify the Internet technical community and academia as a distinct stakeholder group. This approach, which has since been adopted and adapted in settings including the OECD and G7/8 discussions, recognises a need, specific to Internet governance, to incorporate the perspective (and gain the buy-in) of those most directly responsible for creating and maintaining the technical architecture that underpins the global Internet.

## One Multistakeholder Approach, Many Multistakeholder Models

Specific multistakeholder models vary across a number of dimensions. One such dimension ranges from, at one extreme, models that identify stakeholders only as individuals (meaning that they do not require - or even allow - for identification with a larger stakeholder group) to the other extreme of models that strictly identify individuals based on their affiliation with larger stakeholder groups.

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<sup>3</sup> From the report of the Working Group on Internet Governance (WGIG, 2005), paragraph 7: "[A] 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."

The first model is generally employed by technical institutions like the IETF or the RIR communities. It necessarily places the focus on open, inclusive access for individuals. Those individuals can then participate on an equal footing to reach collective decisions.

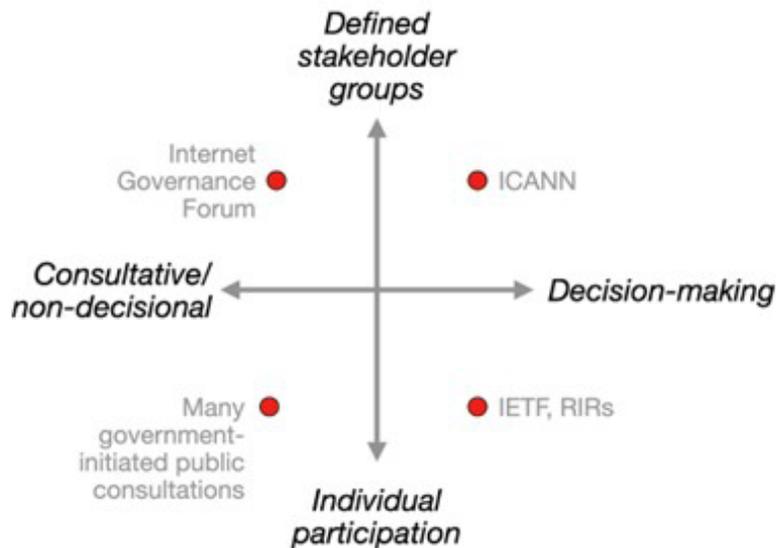
In the latter model, where individuals are grouped by stakeholder identity, those stakeholder groups may be treated differently or have distinct modes of participation. Government participants, for example, may obtain certain privileges in some multistakeholder models (particularly those based within inter-governmental organisations, where it's not uncommon to find governments speaking ahead of other stakeholders). However, it's also important to note the challenges (and sometimes barriers) for government representatives participating in multistakeholder processes like those in the IETF, specifically because those representatives are not participating in their individual capacity. The ICANN multistakeholder model, with its Government Advisory Committee (GAC), can be understood as one effort to try and bridge that gap, establishing a formalised role for governments within a decisional multistakeholder framework<sup>4</sup>.

The other dimension to consider in relation to multistakeholder models is that which extends from purely consultative multistakeholder engagement through to the full and empowered engagement of all (or multiple) stakeholders in a decisional process. This is a rich spectrum, and many governance-related activities (including development of norms and coordinated positions) fall somewhere between those extremes. However, while WSIS achieved broad support for the multistakeholder approach to Internet governance, it's worth noting that in practice, this support has often been directed toward multistakeholder consultative models, rather than investing multistakeholder structures and processes with decision-making powers. This is not to dismiss such consultative processes, which can be an important adjunct to legislative procedures, informing decision-makers and (ideally) resulting in public policy that balances competing - or conflicting - interests.

There are robust examples of multistakeholder processes that are decision-making, though, particularly in the technical space - the IETF, the RIR communities, the World Wide Web Consortium (W3C), and ICANN provide diverse examples of structures in which decisions about policy or standardisation are made by and through the involvement and inclusion of different stakeholders. And while "decision-making" in the global diplomatic sense often looks quite different to technical policy-making or standard setting, there are examples in that arena where multistakeholder processes have been employed to produce concrete outcomes - the NETMundial event in 2014, which produced the NETmundial Multistakeholder Statement, and the IANA Stewardship Transition (2014-2016) are two of the most recognised.

4 <https://gac.icann.org/about/index>

As noted at the outset, commitment to a multistakeholder approach allows for the flexibility and openness to accommodate an array of distinct multistakeholder models or structures. The two dimensions described above can contribute to understanding how different multistakeholder examples compare - and over time this may provide insight into the tendencies and trajectories of evolving multistakeholder governance practices.



*Diagram A: Specific multistakeholder models can be mapped in relation to these two dimensions.*

## Current Tensions and Concerns

Such insight would be particularly timely at this moment, when the multistakeholder approach (and the commitment of various actors to multistakeholder Internet governance) is under intense scrutiny and a source of significant concern. This scrutiny can be attributed to a number of events and developments that will play out over the coming years.

A significant element has been the ongoing efforts of the United Nations' Secretary-General to further develop “digital cooperation” or “digital governance” institutions at the global level. This has gathered momentum over a number of years, kicking off with the formation of a High-level Panel on Digital Cooperation<sup>5</sup> in 2018, whose report, ‘The Age of Digital Interdependence’<sup>6</sup> (2019) was followed by the Secretary-General’s own ‘Roadmap for Digital Cooperation’<sup>7</sup> (2020) and the far-reaching

5 <https://www.un.org/en/sg-digital-cooperation-panel>

6 <http://www.un.org/en/pdfs/DigitalCooperation-report-for%20web.pdf>

7 <https://www.un.org/en/content/digital-cooperation-roadmap/>

‘Our Common Agenda’<sup>8</sup> report in 2021, which proposed, among its many recommendations, the creation of a Global Digital Compact.

While ‘Our Common Agenda’ specified that, “the United Nations, Governments, the private sector and civil society could come together as a multi-stakeholder digital technology track in preparation for a Summit of the Future to agree on a Global Digital Compact”, in practice there has been ongoing tension between a multistakeholder approach and a more multilateral, government-driven approach. With the Global Digital Compact well into its development at the time of this report’s publication, it seems likely that the “multistakeholder” aspects of this process will be purely consultative (characterised by the Co-Facilitators as “informal consultations”<sup>9</sup>), leaving drafting and negotiation of the Compact to government representatives. It is worth noting, however that, “the overwhelming majority of the submissions” to the 2023 consultations were strongly supportive of a multistakeholder approach and, according to a report commissioned by the .au registry auDA, “do not want to see a top down, United Nations’ state driven Internet governance”<sup>10</sup>.

Further complicating this situation is the fast approaching 20-year review of WSIS, a process that will culminate in 2025 and entail a decision on the future mandate of the Internet Governance Forum. With many diplomats, bureaucrats, and UN Member States now strongly (and understandably) focused on the need for a “reinvigorated multilateralism”<sup>11</sup>, the WSIS consensus around a multistakeholder approach to Internet governance is particularly fragile.

At the same time, existing models of multistakeholder governance in the technical space are facing new and more significant challenges than in the past. The situation playing out in relation to AFRINIC, the Regional Internet Registry for Africa, and the legal challenges being brought against that organisation, have served to highlight the changed (and charged!) environment in which such technical institutions now operate<sup>12</sup>. Meanwhile, increasing geopolitical tensions have tested governments’ commitment to the existing multistakeholder governance processes, and raised the question of whether trust in a multistakeholder ideal can survive in an era of diminished goodwill and outright international hostilities.

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8 <https://www.un.org/common-agenda-report>

9 Letter from the Co-facilitators Rwanda and Sweden on the intergovernmental process, January 2023 [https://www.un.org/techenvoy/sites/www.un.org.techenvoy/files/PGA-CoFacilitators-letters\\_GDC-roadmap.pdf](https://www.un.org/techenvoy/sites/www.un.org.techenvoy/files/PGA-CoFacilitators-letters_GDC-roadmap.pdf)

10 [https://assets.auda.org.au/a/2024-01/the\\_gdc\\_lessons\\_learned\\_report-\\_january\\_2024\\_0.pdf](https://assets.auda.org.au/a/2024-01/the_gdc_lessons_learned_report-_january_2024_0.pdf)

11 A recent example of this focus: <https://press.un.org/en/2023/sgsm21911.doc.html>

12 <https://afrinic.net/journey>

## The Value of the Multistakeholder Approach

Against this backdrop, it is important to understand and examine the value of the multistakeholder approach, its importance in the Internet's evolution and success, and its necessity if we are to continue to build, operate, and rely upon a global, interoperable network of networks. This paper identifies three notable qualities of the multistakeholder approach that have been intrinsic to the success of the Internet: consensus-based decision-making; the value of participation by diverse stakeholders; and the mitigation of political dominance of decision-making. It places an emphasis on those models that employ multistakeholder processes in decision-making.

### Consensus-based Decision-making

A common element of the multistakeholder governance structures is that decision-making is done by consensus. This is, in one sense, a necessity - as noted in RFC 7282, 'On Consensus and Humming in the IETF'<sup>13</sup> (2014):

We don't vote in the IETF. In some ways, we can't vote: Since the IETF is not a membership organization, it's nearly impossible to figure out who would get a vote for any given question.

That RFC goes on to make a particularly important observation in relation to the consensus-based approach:

We don't try to reach consensus in the IETF as an end in itself. We use consensus-building as a tool to get to the best technical (and sometimes procedural) outcome when we make decisions. Experience has shown us that traditional voting leads to gaming of the system, "compromises" of the wrong sort..., important minority views being ignored, and, in the end, worse technical outcomes.

This priority on identifying the solutions that work best for all or most participants has been central to the Internet's rapid and widespread adoption, helping to maintain the scalability, flexibility, adaptability, and resilience that Analysys Mason have recently described as the Internet's "four dimensions of success"<sup>14</sup>. As Don Tapscott and Lynn St. Amour noted in their 2014 evaluation of decision-making in Internet governance organisations:

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13 <https://datatracker.ietf.org/doc/html/rfc7282>

14 Analysys Mason; Study on the Internet's technical success factors; 2021; [https://report.analysys-mason.com/internet\\_success\\_factors/](https://report.analysys-mason.com/internet_success_factors/)

...consensus appears to work better than voting because it mitigates the typical lobbying that occurs when many votes are taken. Points of view are less static and more fluid, as participants are free to change their minds based on the merits of the arguments at hand. Consensus appears to facilitate more robust discussions and more robust solutions than a traditional hierarchical model as participants are compelled to probe issues deeply and constantly be evaluating their own and the group's positions.<sup>15</sup>

So consensus decision-making is a structural necessity in more open, multistakeholder models; it has also been seen to produce the kinds of technology and policy outcomes that underpin the adaptive, robust, and scalable Internet we have today.

A shift away from a multistakeholder approach towards a model with a single empowered stakeholder (generally government) removes the element of structural necessity - where states are the empowered decision-makers, there is the option to employ voting. Even in a UN agency such as the International Telecommunication Union (ITU), which includes Sector Members (i.e. non-state entities) in many of its discussions and places a strong emphasis on achieving consensus decisions on technical matters, the primacy of governments in the process can undermine trust that contentious issues will be resolved via consensus. This was evident in responses to the World Conference on International Communications (WCIT) in 2012, which “was criticized for discussing the most important motions in closed rooms; for reserving voting power only to states, preventing the meaningful participation of other stakeholders; and for deviating from the traditional ITU consensus rule, allowing a majoritarian vote on the outcome.”<sup>16</sup> While the WCIT situation may have been more complex or ambiguous than that assessment suggests, the conference left many doubting the robustness of a consensus approach where voting remains a fallback option.

## **Broader participation for more robust outcomes**

The second point is perhaps the most obvious - a multistakeholder approach allows for (and indeed, encourages) the active inclusion of more people, organisations, and perspectives in the development and discussion of policies and standards. Ideally, this can lead to more robust and durable outcomes, simply because more issues,

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<sup>15</sup> Tapscott D.; St. Amour, L.; *The Remarkable Internet Governance Network Part 1 - Understanding How a Global Ecosystem Can Govern*; 2014; p21

<sup>16</sup> Palladino, N.; Santaniello, M.; *Legitimacy, Power, and Inequalities in the Multistakeholder Internet Governance: Analyzing IANA Transition*, 2021, p6

concerns, and ideas have been considered and accounted for in the development of policy or standards (including by those people most directly affected by them).

This point is well illustrated in the examples provided by CENTR members and their governance models, many of which have been explicitly designed to integrate various stakeholders into governance processes. Two examples received as feedback after the 2023 Annual CENTR Meeting illustrate this point, the first provided by .PT (registry for the .pt domain):

.PT is a private non-profit association and has as members the Foundation for Science and Technology, I.P., Digital Economy Association (ACEPI) and the Portuguese Association for Consumer Protection (DECO). Both the General Assembly and the Board of Directors are composed of members that represent the interests of the Portuguese Government, the consumers, the academy and the companies. So each part is given an active voice in the ccTLD operational governance. We also have an Advisory Council with representatives of 20 strategic national entities that together represent various sectors and interests of the Portuguese digital ecosystem (consumers, companies and registrars, IP rights holders, telecom operators, etc.). This multistakeholder model of governance, where different players collaborate and have an active voice, has been crucial to strengthening efficiency and accountability of the national ccTLD.

The second from AFNIC (registry for .fr):

AFNIC was established in 1997 as a non-profit association and has set up a multi-party governance bringing together all the stakeholders in the French internet ecosystem: public authorities, users, and the private sector in order to promote dialogue between all stakeholders and ensure the general interest of the internet in France. AFNIC incorporates different bodies in its governance representing all stakeholder groups: academia, public authorities, private players, users, registrars, foreign counterparts, etc.

Two other CENTR members (Punktum dk and Red.es) highlighted the ongoing implementation of the EU's NIS2 Directive<sup>17</sup> as an example requiring the active

<sup>17</sup> The Directive on measures for a high common level of cybersecurity across the Union, often referred to as NIS2, is a piece of EU legislation that came into force in 2023, and must be transposed into national legislation by each EU Member State.

engagement of multiple stakeholders (not just government) to negotiate an effective and workable outcome. Red.es (registry for the Spanish ccTLD) notes that, “in view of the implementation of NIS2, we will undoubtedly have to consult again with all stakeholders in order to meet the different requirements of the law and decide the different new process we’ll have to perform.”

The openness of a multistakeholder model can also ensure that individuals and groups who don’t have the opportunity to speak through their governments have alternative avenues to channel their concerns and interests, whether via civil society organisations or as individual participants in open technical discussions on policy and standard setting.

Opening up decision-making processes to wide-ranging input and feedback can pose its own challenges, but the benefits in doing so are significant. Not only are the outcomes achieved more effective in a technical or operational sense; an outcome grounded in the participation of all stakeholders is fortified against subsequent claims of illegitimacy or ignorance. In an example like the IANA Stewardship Transition, the involvement of all stakeholders in developing and agreeing on a solution was vital to ensuring the stability and durability of the new IANA governance model, and thus the operation of the Internet itself. In its 2016 assessment of the global Internet community’s stewardship proposal, the U.S. National Telecommunications & Information Administration (NTIA) described the importance and significance of establishing and maintaining a multistakeholder approach to management of the DNS:

Like the Internet itself, the multistakeholder model is characterized by its open participation and decentralized processes. The Internet thrives only through the cooperation of many different parties. The multistakeholder model reflects this fact by enabling a diversity of stakeholders to participate, fostering a diversity of opinions and ideas. The result is more creative problem solving. It is a nimble, flexible approach, much better suited to rapidly changing technologies, business practices, and markets than traditional regulatory or legislative models.<sup>18</sup>

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18 [https://www.ntia.doc.gov/files/ntia/publications/iana\\_stewardship\\_transition\\_assessment\\_report.pdf](https://www.ntia.doc.gov/files/ntia/publications/iana_stewardship_transition_assessment_report.pdf)

## Keeping Technical Governance Politically Neutral

Finally, a multistakeholder approach can help to reduce the risk that Internet governance decisions will be made based solely or primarily on political grounds.

This is an issue around which concern has grown in recent years, as Internet governance discussions and debates have increasingly found their way into legislative chambers. In some cases, multistakeholder consultative processes have helped to prevent or redirect politically-motivated governance initiatives that would have had serious technical or operational impact. The discussion around the inclusion of root server operators in the European Union's NIS 2 Directive is one recent example, where a political concern about uneven jurisdictional control over the root server operators would have led to European legislation bringing root server operators under EU oversight - engagement by the technical community via European Commission consultations and subsequent engagement with Members of the European Parliament was able to ensure this language was removed from the final legislation.<sup>19</sup>

Likewise, the 2022 case where Ukrainian authorities requested that ICANN<sup>20</sup> and the RIPE NCC<sup>21</sup> deregister Russian-held Internet names and numbering resources provides an example where the multistakeholder governance structures ensured that such actions could not be taken based purely on a political imperative. These multistakeholder structures, formed and codified around a commitment to operation of the global Internet, are an important bulwark in a time of high political tensions and open conflict between states.

## Where to From Here?

The multistakeholder approach is about far more than just a seat at the table in the fabled "room where it happens". Whether discovered or invented, it has always been the pragmatic response to the needs of building and maintaining the scalable, adaptable, interoperable network that our societies now rely upon.

That it is pragmatic and oftentimes successful does not mean, however, that it is without challenges or risks. At the fundamental level, the multistakeholder approach has been built on an assumption that all parties are working, in their own ways and with their own priorities, towards the operation and spread of a global and universally

<sup>19</sup> [https://labs.ripe.net/author/suzanne\\_taylor\\_muzzin/nis-2-and-the-other-eu-regulation-updates-you-need-to-know-november-2021/](https://labs.ripe.net/author/suzanne_taylor_muzzin/nis-2-and-the-other-eu-regulation-updates-you-need-to-know-november-2021/)

<sup>20</sup> <https://www.icann.org/en/system/files/correspondence/marby-to-fedorov-02mar22-en.pdf>

<sup>21</sup> <https://www.ripe.net/publications/news/ripe-ncc-response-to-request-from-ukrainian-government/>

accessible Internet. That assumption may be less assured now than at the time of the first WSIS conferences.

Even in conflicted and unstable times, though, the importance - often criticality - of the Internet to the daily lives of so many (and the hopes that so many others have for improved connectivity and accessibility) serves to remind us that there is still a need for the multistakeholder approach to collective decision-making. Internet-related policy-making, even at the United Nations level, cannot be severed from the technology that underpins the Internet, any more than it can be severed from the people and businesses that use the Internet every day in a myriad of ways.

If there is a recommendation to take from this paper, it is that greater effort be devoted to ensuring that the wide range of successful multistakeholder models, including (and especially) those found across the ccTLD operators community, be more widely communicated and understood. Particularly when we consider the challenges of integrating multistakeholder processes into public policy-making, the diverse multistakeholder governance structures employed by ccTLD operators, working closely with their respective governments and other stakeholder groups, provide important examples and emerging best practices for all parties.

There will be many opportunities in the coming months and years to remind decision-makers of the value and necessity of the multistakeholder approach. The commitments made nearly 20 years ago should not be taken for granted, and should be open to re-examination and reconsideration, especially given how much has changed in both technological and social terms. But the fundamentals of a global network of networks, able to scale to connect all humanity, adaptable to an ever-evolving range of applications, and operating across thousands of autonomous networks, remains the same. And the multistakeholder approach remains the key.



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Top-Level Domain Registries**



## About CENTR

CENTR is the association of European country code top-level domain (ccTLD) registries, such as .de for Germany or .si for Slovenia. CENTR currently counts 51 full and 8 associate members – together, they are responsible for over 80% of all registered domain names worldwide.

**The objectives of CENTR are to promote and participate in the development of high standards and best practices among ccTLD registries.**

Full membership is open to organisations, corporate bodies or individuals that operate a country code top level domain registry.

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