AN INTRODUCTION TO THE INTERNET GOVERNANCE FORUM

INTRODUCTION

This CENTR issue paper aims to provide a clear explanation of the origins of the Internet Governance Forum (IGF), the IGF's importance and relevance to CENTR members.   It tracks the different ways in which CENTR has supported and interacted with the IGF, and finally looks ahead at its likely future.

Jargon Buster

ccTLD	country code Top Level Domain, eg .be, de, .es, .fr, .uk
CENTR	the European ccTLD organisation (the Council for European National Top Level Domain Registries) - www.centr.org
ICANN	the global coordinator of the domain name system (the Internet Corporation for Assigned Names and Numbers) - www.icann.org
IGF	The Internet Governance Forum, established by the United Nations 2005 www.intgovforum.org
ITU	International Telecommunications Union, the leading United Nations agency for information and communication technology issues, eg radio spectrum, telecommunication infrastructure, and interconnection standards www.itu.int
MAG	The Multi-stakeholder Advisory Group to the IGF, established by the UN Secretary-General. Its purpose is to assist the Secretary General in convening the Internet Governance Forums. Its members are selected for their background in government, private sector and civil society, including representatives from the academic and technical communities www.intgovforum.org/cms/magabout
UN	United Nations - www.un.org/
WSIS	The United Nations' World Summit on the Information Society, 2003-2005 www.itu.int/wsis/index.html

ORIGINS-OF-THE-INTERNET-GOVERNANCE-FORUM.*01*

The Internet Governance Forum was set up by the United Nations through its World Summit on the Information Society (WSIS) in 2005[1]. Originally, the WSIS had the goal of building "a people-centred, inclusive and development-oriented information society"[2]. In reality, the WSIS process was characterised by deep divisions over the management of the domain name system, particularly the US Government's contractual relationship with ICANN, and its role in authorizing changes to the domain name root database.

The issue proved so divisive that it threatened to derail the WSIS process. In this context, the Internet Governance Forum (IGF) was set up with a 5-year mandate in an attempt to diffuse tensions. The IGF is set up as a multi-stakeholder forum to exchange views and ideas on policy issues related to the Internet.

The IGF has two key features, it is non-decision making and Multi-stakeholder:

- Multistakeholder. Usually, UN processes are governments only. In the IGF, all stakeholders participate on an equal footing – governments, private sector, civil society, academics and the technical community.
- Non-decision making. The IGF does not produce resolutions or declarations. There are no negotiated outcomes. Its role is to provide an "interactive, collaborative space where all stakeholders can air their views and exchange ideas"[3].

The IGF's initial 5-year mandate expired in 2010. It was extended with another five years by resolution 65/141[4] of the UN General Assembly (20 December 2010). In 2012 the IGF will be hosted by Azerbaijan in its capital Baku from 6 to 9 November. More information on the IGF 2012 can be found on the host country's website www.igf2012.com.

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1 WSIS, the Tunis Agenda http://www.itu.int/wsis/docs2/tunis/off/6rev1.html, paragraphs 72-82
2 WSIS, Geneva Declaration of principles http://www.itu.int/wsis/docs2/tunis/off/6rev1.html, paragraph 1
3 http://www.intgovforum.org/cms/aboutigf
4 http://www.un.org/depts/dhl/resguide/r65.shtml

The Internet has revolutionised the way people communicate with each other, particularly communication across national borders. In regulatory terms, the Internet differs from traditional communication systems, like telephones and broadcast media, in that (apart from its origins as a US government research project), the Internet's governance "has evolved as a network of institutions that brings experts, stakeholders and public interests together in a system that is controlled by no one but open to everyone. It's an innovative, although not necessarily perfect, new approach to global governance of vital assets"[5] (Carl Bildt, New York Times, 2005).

The Internet developed so fast that no global system to govern it could keep pace. Moreover, the nature of the Internet, with a diversely owned infrastructure, low barriers to creating/publishing content, or setting up as an Internet Service Provider, challenged traditional regulatory models based on a top-down license-and-control paradigm. For governments which favoured a free-market, light-touch regulatory approach, such as the US and some EU states, the disparate nature of the Internet was a key contributor to its innovation, and helped to underpin freedom of expression online. For others, including some totalitarian states, the openness of the Internet's governance, including its naming and addressing posed a potential threat to their regimes.

During the early part of the WSIS process, there was a wide spectrum of awareness amongst government negotiators about how the Internet works, and what regulatory interventions or structures would be feasible or desirable.

Whilst discourse within the WSIS tended to assume that there was a single model for domain name registries, in fact each ccTLD is organised according to national rules and laws, and there is a rich variety of models – including government run, private sector not-for-profits, and academic institutions. There was a risk that ccTLDs' local determination would be compromised through the absorption and centralisation of decision-making or regulation into the United Nations, or for greater intergovernmental oversight/regulation of ICANN.

One of the key aspects of the WSIS and IGF processes has been the rivalry between ICANN and the ITU. The ITU was rumoured to have ambitions take over the management of the domain name system, although this has been consistently denied by the UN Secretary General[6] and the ITU leadership[7]. Such a move would have transferred ICANN's coordination role into an intergovernmental structure. For some, this would be a more familiar, structured regime than ICANN, which was viewed as a chaotic environment in which governments' role was marginal and their advice sometimes disregarded. Opponents of change argued that non-governmental, key players in Internet Governance (eg many ccTLDs) would have no place at ITU as of right, and would lose the ability to influence issues relating to Internet infrastructure.

The Internet Governance Forum's creation recognised that non-governmental actors had an important role in the Internet's development, and that there was a need for deeper understanding of the issues before creating or adapting institutional mechanisms to regulate it.

IGF's-RELEVANCE-FOR-ccTLDs.**03**

ccTLDs had an interest in making the IGF work. Throughout the WSIS, the contentious issue was the domain name system and its management. Therefore, for ccTLDs, part of the domain name ecosystem, unless the IGF was viewed as a success, there could be a fundamental change to the way that the domain name system was organised or regulated.

The Internet Governance Forum also provided an opportunity for ccTLDs to educate other stakeholders about the diversity of structures, and how effectively ccTLDs had developed to serve their local Internet communities. Whether government run, licensed or self-regulated, each ccTLD within the CENTR region was structured and defined its policies in a unique way according to the needs of its local community.

There were numerous similarities between the CENTR community and the IGF. For example, like many Internet organisations, CENTR had always had a multi-stakeholder approach, reflecting that its member ccTLD managers came from both private and state sectors. There was also an emphasis on lightweight structures and information – best practice – sharing rather than negotiated decision-making.

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5 Keep the Internet free, Carl Bildt, New York Times, 11 October 2005

6 Kofi Annan, UN Secretary General "But let me be absolutely clear. The United Nations does not want to 'take over', police or otherwise control the Internet." WSIS Summit Highlights, November 2005, http://www.itu.int/wsis/tunis/newsroom/highlights/16nov.html

7 Dr Hamadoun Touré, May 2012, http://www.itu.int/en/osg/speeches/Pages/2012-05-01.aspx

HOW-IS-THE-IGF-FINANCED?.04

The IGF is not funded from the regular UN budget, but is funded through voluntary contributions coming from the different stakeholder groups (government, private sector and technical community). The majority of the organisational costs of holding the annual meeting are borne by the host country.

Throughout the IGF's initial 6 years, the technical community has been generous in its support of the IGF, through donations in cash, in kind, and participation in meetings. Some CENTR members are listed as IGF donors[8].

Some of the main contributors announced early 2012 to raise their contribution. The European Commission pledged an amount of 465,000 euro to finance the IGF secretariat for the coming years.

Despite the generosity of many stakeholders, the level of funding, particularly from the business community, has fallen short of expectations. Critics of the current funding mechanisms argue that the IGF funding needs to be placed on a more stable footing, and that absorption into the United Nations' budget would provide a more egalitarian basis for funding, as it would effectively be shared by all countries (in contrast to voluntary funding mechanisms, which are supported mainly by stakeholders from developed countries). Supporters of the current funding mechanisms point out that the multi-stakeholder nature of the funding would be lost through absorption into the UN, and with that, the independence of the Secretariat.

HOW-HAS-CENTR-INTERACTED-WITH-THE-IGF?.05

Since the beginning of the IGF, CENTR has played a leading role in coordinating ccTLD involvement in the IGF. As a result of the close collaboration amongst the 4 regional organisations[9] experiences from ccTLD registries from all continents were shared at the IGF.

- CENTR has organised ccTLD workshops at every IGF meeting in collaboration with the other regional ccTLD organisations. The workshops provided a strong technical community contribution to best practice and information sharing within the IGF. The 2007 workshop "The Functioning of the Domain Name System" is included in the IGF's inventory of good practices[10]. Others were presented under the theme of Critical Internet Resources.
- The CENTR IGF working group and mailing list actively involves CENTR members, and representatives from the regional ccTLD organisations in the preparation of workshop proposals, and identifying speakers.
- CENTR members have provided speakers for IGF workshops.
- During the IGF 2010 in Vilnius in recognition of their ongoing collaboration, the four regional ccTLD organisations signed a letter of intent, as a tangible outcome to ensure that the exchange of best practices amongst ccTLDs will continue across regional borders.
- At least 15 CENTR members have played an active role in developing and supporting IGF processes at the regional and national level[11].
- A majority of national IGF processes within the CENTR region are coordinated by the national ccTLD (either alone or in partnership with others). There are national processes within the CENTR region in amongst others Denmark, Finland, Germany, Italy, the Netherlands, Portugal, Russia, Spain, Sweden and the UK.
- CENTR members are on the organising committee for EuroDig, the European regional dialogue on Internet Governance, and 5 full CENTR members are sponsoring EuroDig2012 in Stockholm.
- CENTR members have actively participated in the IGF's Multistakeholder Advisory Group (MAG) since 2006..

WHAT-WILL-BE-THE-IGF's-FUTURE?.06

The Internet Governance Forum's first 5 year mandate expired at the end of 2010. During 2009, the United Nations organised a consultation with stakeholders on the continuation of the IGF. Over 120 responses were received. 87% of stakeholders who responded to the consultation favoured continuation of the IGF in its current form, or with minor tweaks, which could be achieved within its current structure[12].

Also CENTR members supported the continuation of the IGF in its current format, with a lightweight, Geneva based independent secretariat, supported by the Multistakeholder Advisory Group, funded by voluntary contributions.[13]

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8 .uk, .ch, .no, .at, .ru, .info, .com www.intgovforum.org/cms/funding
9 AfTLD for Africa, APTLD for Asia and the Pacific, CENTR for Europe and LACTLD for Latin America and the Caribbean.
10 http://www.intgovforum.org/cms/2010/good-practice.pdf
11 Paragraph 80, Tunis Agenda
12 http://www.etlaw.co.uk/docs/Continuation%20of%20the%20Internet%20Governance%20Forum.pdf
13 CENTR comment on the continuation of the IGF, 15 July 2009, http://www.centr.org/document/2005

Some governments, including China and some developing countries, are uncomfortable with the IGF's multistakeholder environment and non-decision-making character, and express frustration at what they see as its failure to provide outcomes, results or tangible outputs. From their perspective, the IGF has failed to give sufficient attention to solving issues relating to control over the domain name root zone file "by one country" (ie the US).[14]

By contrast, supporters of the IGF process point to its impact in bringing together stakeholders who would not normally meet under the same roof, its contribution to diffusing tensions (so visible during the WSIS) and improving the depth of understanding on key issues. Best practice sharing and influence on other Internet Governance processes (eg steps to internationalise ICANN) are also highlighted as positive impacts.

At the end of 2010 the UN General Assembly extended the mandate of the IGF with another five years until 2016. 'The desirability of the continuation of the Internet Governance Forum will be considered again by Member States in the General Assembly in the context of a ten-year review of the implementation of the outcome of the World Summit on the Information Society in 2015.'[15]

The General Assembly however, recognised 'the need to improve the Forum, with a view to linking it to the broader dialogue on global Internet governance.'[16] Within the UN structures a 'Working Group on Improvements to the Internet Governance Forum' was created with this purpose by the Commission on Science and Technology for Development (CSTD)[17]. The working Group is made up of 22 UN Member States[18] and to reflect the multi-stakeholder approach the CTSD also invited representatives from the business community, from civil society from the technical and academic community and from Intergovernmental organisations. Each of the four defined stakeholder groups was invited to select five representatives.

The working group knew a difficult start and its first meetings were characterised by a hostile and combative environment and deep ideological differences. The working group was not able to complete its task within the set timing and needed an extension of its mandate[19]! But skilful chairing, the movement of divisive discussions on "enhanced cooperation" to a separate venue, and increased levels of trust built between the stakeholder groups over six meetings finally helped produce recommendations that all members could live with![20]

The final report was published on 16 March 2012 and discussed at the 15th session of the CSTD on 22nd May 2012. The report's recommendations cover the following fields: the shaping of the outcomes of IGF meetings, the working modalities of the IGF, including open consultations, the Multi-stakeholder Advisory Group (MAG) and the Secretariat, broadening participation and capacity building, and linking the IGF to other Internet governance related entities.[21]

CONCLUSIONS.07

In regulatory terms, the Internet is still new, and its global governance remains in state of flux. The non-threatening, non-decision-making environment of the IGF has allowed multistakeholders to interact, improved the level of understanding on key issues, and helped to begin to diffuse tensions. However, the evolution of Internet Governance is not complete, and we can expect continuing change over the next 5 to 10 years.

Throughout the IGF's 5 year mandate, CENTR has proactively participated, sharing best practice, acting as an educator to the global community about ccTLD issues and governance. Its IGF working group has effectively coordinated with other regional ccTLD organisations, leading to the signing of a letter of intent for future collaboration.

FURTHER-READING.08

- CENTR IGF page: www.centr.org/dns-explained/internet-governance
- IGF Website: http://www.intgovforum.org/
- The Internet Governance Project: http://www.internetgovernance.org/
- World Summit on the Information Society: http://www.itu.int/wsis/index.html
- EuroDig : www.eurodig.org

14 http://unpan1.un.org/intradoc/groups/public/documents/un/unpan039400.pdf

15 Resolution RES/65/141

16 Resolution RES/65/141

17 http://www.unctad.info/en/CstdWG/ - One will often refer to the working as 'CSTD working group'

18 Brazil, Chile, Costa Rica, Egypt, El Salvador, Finland, Ghana, Greece, Hungary, India, Iran (Islamic Republic of), Lesotho, Lithuania, Pakistan, Portugal, Russian Federation, Slovakia, South Africa, Sri Lanka, Switzerland, Tunisia and the United States of America.

19 ECOSOC resolution 2010/2 (original mandate), ECOSOC resolution 2011/16 (extension of the mandate)

20 Sam Dickinson, IGF Improvements report finally published, 5 April 2012, http://news.dot-nxt.com

21 Report of the Working Group on Improvements to the Internet Governance Forum, 16 March 2012, http://www.unctad.org/en/docs/a66d67_en.pdf