

Brussels, 27 April 2007

Internet governance and the Commission's follow up to the World Summit on the Information Society: Frequently Asked Questions

How is the current system of Internet Governance shaped?

The internet governance controversy turns on the question of who manages a key part of its infrastructure – the domain name system (DNS). This question is linked to the so-called IANA (Internet Assigned Numbers Authority) function currently exercised by ICANN, the California-based not-for-profit Internet Corporation for Assigned Names and Numbers, under a zero-dollar purchase order with the US Department of Commerce (DoC). The IANA function comprises *inter alia* the performance of administrative functions associated with root server management. These include making recommendations to the DoC in connection with delegation and redelegation requests for Internet Top Level Domains.

In effect, this arrangement currently gives the US government the sole right to decide when a new Top Level Domain (TLD) can be introduced into cyberspace, whether it be a new country code (.uk, .fr, .eu etc) or a new "generic" TLD, such as .com or .org.

The fact that the internet has become a strategically vital part of most countries' communications infrastructure, and one that directly affects economic growth and social development is prompting many to question whether one government alone should supervise such an important part of the infrastructure. Many countries see the internet as a global resource, and some even argue that all nations should have a role in setting policies through a multilateral institution. Internet Governance has therefore become an issue which was extensively debated at the World Summit on the Information Society in Tunis.

What was the overall outcome of the World Summit on the Information Society?

The World Summit on the Information Society was a formal UN initiative involving Heads of State and Government. It took place in two phases: in Geneva in December 2003, and in Tunis in November 2005.

The World Summit reached consensus on a global approach to the Information Society that is applicable to all UN Member States and based on the two final documents: the "Tunis Commitment" (human rights and fundamental freedoms, including receiving and imparting information) and the "Tunis Agenda for the Information Society" (challenges and how to address them). The main issues debated in Tunis were Internet governance, financial mechanisms for bridging the "digital divide", and a mechanism for implementing the Summit's commitments. The Tunis documents recognise that all governments should have an equal role in and responsibility for international Internet governance; acknowledge the need for enhanced cooperation to enable governments to carry out their roles and responsibilities in international public policy issues on an equal footing; and lay the foundation for a new forum for multi-stakeholder policy dialogue - the Internet

Governance Forum (IGF). The EU is participating actively in the setting up of both processes and has defined its priorities.

What was the discussion on Internet Governance at the World Summit on the Information Society about?

In relation to Internet Governance, the World Summit on the Information Society in Tunis in November 2005 addressed a broad range of important issues that had not been resolved in the first phase of the World Summit held in Geneva in December 2003, starting with a commonly accepted definition of the term itself. Following the findings of a UN Working Group on Internet Governance (set up after Geneva), it was agreed that Internet Governance comprises more than Internet naming and addressing, and includes other significant public policy issues such as critical Internet resources, the security and safety of the Internet, developmental aspects and issues pertaining to the use of the Internet. While stressing the importance of maintaining security and stability of the Internet and the need to fight spam, at the same time it was affirmed that measures addressing those goals should protect and respect the provisions for privacy and freedom of expression.

What are the principal outcomes of the discussion on Internet Governance at the World Summit on the Information Society in November 2005?

The World Summit recognised a need for further development of, and strengthened co-operation among, stakeholders for public policies for generic top-level domain names (gTLDs). Regarding ccTLDs, the need to respect the legitimate interests of countries regarding decisions affecting their ccTLDs was an important element of the Tunis outcome.

The priority given by the EU to appropriate governance arrangements for the Internet was underlined by the fact that the 25 nations of the European Union spoke with one voice at the Tunis World Summit, expressed by the UK Presidency and the European Commission. **The Commission aims at continuing this approach also during the follow up of the Tunis Summit.**

The Summit also called for the creation of an “**Internet Governance Forum (IGF)**” to facilitate multi stakeholder dialogue and stressed the need for “**enhanced cooperation**” that in the [Tunis Agenda](#) on the Information Society is described as follows:

***Paragraph 69.** We further recognise the need for enhanced cooperation in the future, to enable governments, on an equal footing, to carry out their roles and responsibilities, in international public policy issues pertaining to the Internet, but not in the day-to-day technical and operational matters, that do not impact on international public policy issues.*

***Paragraph 70.** Using relevant international organisations, such cooperation should include the development of globally-applicable principles on public policy issues associated with the coordination and management of critical Internet resources. In this regard, we call upon the organisations responsible for essential tasks associated with the Internet to contribute to creating an environment that facilitates this development of public policy principles.*

Paragraph 71. *The process towards enhanced cooperation, to be started by the UN Secretary-General, involving all relevant organisations by the end of the first quarter of 2006, will involve all stakeholders in their respective roles, will proceed as quickly as possible consistent with legal process, and will be responsive to innovation. Relevant organisations should commence a process towards enhanced cooperation involving all stakeholders, proceeding as quickly as possible and responsive to innovation. The same relevant organisations shall be requested to provide annual performance reports.*

What did the Tunis World Summit on the Information Society add to the worldwide debate on Internet governance?

The Tunis Agenda on the Information Society can be considered to represent today's international consensus on Internet Governance matters. It calls for the international management of the Internet to be multilateral, transparent and democratic with the full involvement of governments, the private sector, civil society and international organisations. The EU was successful in convincing its international partners about the need to emphasise, in the Agenda, key public policy issues such as the freedom of expression and access, data protection, security and the fight against spam. The Tunis Agenda did conclude however that many of these international public policy issues require further attention but are not currently adequately addressed by the existing mechanisms.

In the process, the World Summit discussions significantly increased the attention of many governments to Internet Governance-related issues, and raised awareness among other stakeholders about governmental priorities and concerns.

What was the outcome of the Tunis World Summit on national sovereignty in internet governance?

The Tunis Agenda addresses the issue of legitimate interests of countries with regard to their ccTLDs:

Paragraph 63. *Countries should not be involved in decisions regarding another country's country-code Top-Level Domain (ccTLD). Their legitimate interests, as expressed and defined by each country, in diverse ways, regarding decisions affecting their ccTLDs, need to be respected, upheld and addressed via a flexible and improved framework and mechanisms.*

Country code Top Level Domains, such as ".de", ".uk", ".cz" or ".eu", are associated with countries (unlike "generic" Top Level Domains, such as ".com" or ".org").

Para 63 stipulates that countries should not be involved in decisions regarding *another* country's ccTLD. Such decisions could, for example, be necessary, if a country wanted to change the organisation/company in charge of its Top Level Domain.

At present, such a decision would need the US Commerce Department's approval, even if the change was for the Top Level Domain of, say, France or Slovakia (see steps 4 and 5 at <http://www.iana.org/cctld/redelegation-overview-09July05.html>)

Para 63 recognises, for the first time, that every government has sovereign rights over its country code TLD.

What was the outcome of the World Summit on internationalisation and the role and responsibility of governments in internet governance?

In the Tunis Agenda the internationalisation issue is brought up:

Para 66. In view of the continuing internationalisation of the Internet and the principle of universality, we agree to implement the Geneva Principles regarding Internet Governance.

Para 68. We recognise that all governments should have an equal role and responsibility, for international Internet governance and for ensuring the stability, security and continuity of the Internet. We also recognise the need for development of public policy by governments in consultation with all stakeholders.

Thus, a worldwide political agreement providing for further internationalisation of Internet governance, and enhanced intergovernmental cooperation to this end, was brokered at the World Summit. This took place to a very large extent on the basis of text proposals submitted by the EU (see [IP/05/672](#), [IP/05/1424](#) and [IP/05/1433](#)).

The Tunis agreement – for the first time – opens the door to involvement of all governments and interested stakeholders in key policy issues that could affect the architecture of the internet, in particular with regard to decisions on Top Level Domains of particular countries (such as .fr, .uk, .eu) as well as on generic Top Level Domains such as .com or .org.

What is the Commission's position on the follow up in the area of Internet Governance?

The Commission advocates a free, stable, democratic Internet that is open to users across the world. In order to implement such a key public policy priority, it is necessary to achieve the “enhanced cooperation” required by the Tunis Agenda. The EU had already identified its views on what the main areas of enhanced cooperation should be in the COREPER conclusions of November 2005. **The Commission will continue working closely with the EU Member States to identify further concrete proposal to contribute to the launching and implementation of this process.**

The position taken with regard to the Internet Governance Forum (IGF) is equally based on a consensus among Member States. In February this year, the Austrian Presidency presented the views of the EU at the open consultations in Geneva. The importance of a multi stakeholder approach and the need to have a well-focused agenda were particularly stressed. The EU suggested, as issues equally important to developing and developed countries, spam (including security-related aspects) and multilingualism. These issues were also mentioned by many other participants in the consultations. Given the Tunis Summit's focus on the digital divide, the EU would also welcome developing countries to put forward any additional topics in this context of particular importance to them.

The organisation of the IGF has progressed since February. A secretariat has been established and the first meeting has been scheduled for 30 October to 2 November 2006 in Athens. An Advisory Group will meet in Geneva in May, preceded by open multi-stakeholder consultations. **The EU will seek to ensure that it is adequately represented in this Advisory Group and thereby actively contribute to the IGF preparation.**

What are the next steps, following adoption of this Commission Communication?

Today's Communication on the follow-up to the World Summit on the Information Society will be on the agenda of the Telecom Council on 8 June in Luxembourg and of the Industry Committee of the European Parliament on 4 July in Strasbourg.

Further information is available at:

http://europa.eu.int/information_society/activities/internationalrel/global_issues/wsis/index_en.htm

Martin Selmayr : 02.298.12.30

Mona Lund : 02.299.90.20