Clarifying "Internet governance"

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Speaking only for myself

What is happening to the world?

- Arguably, information technology began in 1804, when Napoléon granted a patent to Joseph Marie Jacquard for an automatic loom including the use of punched cards. By the standards of human history, this is very recent.

- Even if you find that fanciful, it is only now that the IT revolution is truly pervasive in society, due to the amazingly low price of the technology.

- Society – including philosophers, economists and politicians – has not yet absorbed the implications of this revolution and still struggles to adapt. This is our problem.

- The Internet is not the cause of this; and therefore "fixing" the Internet will not fix the problem.

The "Internet governance" landscape

- Why the quotation marks?
  - Because "Internet governance" is a vaguely defined and widely misunderstood phrase.
- How can we clarify things?
  - By separating the issues & using precise words.
- Three types of issue:
  1. Matters of public interest *regardless of the Internet*;
  2. Matters of some public interest specifically linked to the Internet ("boundary issues");
  3. Technical matters of limited public interest.

What happens if we do not correctly subdivide the landscape

- "The primary task of Internet governance involves the design and administration of the technologies necessary to keep the Internet operational and the enactment of substantive policy around these technologies." (Laura DeNardis, *The Global War for Internet governance*, 2014)

- This simply lumps everything together under the "governance" rubric, and all clarity of thought is lost.

- Beware of Internet governance "professionals" who strive to label everything as part of their domain.

- Beware of facile phrases that mix separate and complex issues under single terms such as "network neutrality".

An example of the danger of conflation of ideas

- "`ICANN is an essential cog in the US gov mass surveillance operation. It is supposedly responsible of internet security.`" (1net mailing list, Jan. 2014)

- In fact, ICANN is at most responsible for the security of the DNS root and the registries maintained by IANA.

- All of the above statement is false, and can only result from conflation of ideas under the banner of "governance".

National vs trans-border issues

- Some matters will be resolved on a national basis, for example
  - policy for assigning names and resolving disputes in a ccTLD.
  - how national laws and practices in general apply locally to the Internet.
- In what follows, only issues with trans-border implications are considered.
  - this is not to imply that national issues are unimportant or that countries will not learn from each other.

Classifying the landscape

Public interest issues	Boundary issues	Technical issues
These are issues that apply to <u>every form of pervasive trans-border telecommunications</u> and are primarily sociological, economic or legal.	*Issues involving Internet technical administration that touch on the public interest and have a trans-border aspect.*	*Issues of technical design and operation of the Internet, managed for many years in multi-stakeholder fashion by the technical community.*
Need multi-stakeholder debate including Governments.	*May need further multi-stakeholder clarification.*	*Multi-stakeholder mechanisms are well established.*

Note well

- Of course, some technical details of the Internet affect matters of public interest.
  - These generate the boundary issues.
- But most technical details really are boring except for geeks.
- The big public-interest issues exist *regardless* of any technical choices, except the choice to build some kind of world-wide network.
  - Internet technology is incidental to these issues.
  - Relevant principles & rules will apply to all technologies, including the Internet.

Public interest issues (technology-independent)	Boundary issues (affect multi-stakeholder public interest)	Technical issues (little public interest)
consumer protection	*gTLD creation.*	*Protocol design including security design (IETF, W3C, OASIS, ITU-T, etc.)*
anti-competitive behaviour	*Dispute resolution in gTLD registration.*	
fraud		*Protocol parameter administration (IANA)*
software sabotage	*Domain name track/trace in gTLDs.*	
identity theft		*Address assignment details (RIRs, LIRs + IANA).*
bullying & blackmail	*Trans-border IP address track/trace.*	
grooming		*DNS operations (everybody).*
undesirable content & misinformation	*Privacy of registration data.*	
on-line gambling	*ISP & IXP peering.*	*Network operations (ISPs, IXPs, CERTs).*
intellectual property	*CERT coordination with law enforcement.*	
cross-border tax		
personal privacy & right to encrypt		
unwanted surveillance		

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Making progress

- The current "debate" (actually a *dialogue de sourds*) will not lead to progress.

- The Internet itself works pretty well, so that isn't a problem if we leave things as they are
  - but we simply aren't discussing the real public interest issues. That is storing up problems for the future.

- It's time to stop talking about Internet technology and start talking about the public interest issues themselves (to the extent that they have not already been discussed by the UN, the Council of Europe, etc.).