

A proposal for an Internet Policy Task Force

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This document is a personal summary of discussions that happened inside and outside the WGIG¹, in the spirit of providing one possible starting point to further the discussions on the “forum” that the WGIG proposed, and on how to turn it into something practically feasible.

In the redaction of the final report, the WGIG presented a generic proposal for a discussion and decision space, and focused the related section of the report on motivating its necessity and describing its mission, rather than on debating possible operational structures and practicalities. At the same time, many WGIG members and other participants to the process had already started to wonder about such details, and a certain degree of convergence was noticeable.

The concept

The concept of a “forum” as designed by the WGIG report is not meant to duplicate, substitute or control the work that is already being done in other institutions, and certainly not to create one single authoritative source of global policies for the Internet. The forum should be one more element in a network of institutions and stakeholders that each support a part of the Internet governance workload.

For this reason, the action of the forum should be mostly based on “soft power” and on authoritativeness rather than authority, though some hard (binding) power could perhaps be given to it in terms of dispute resolution, coordination, process management and issue dispatching to existing institutions.

The forum would fill the existing vacuum and address a list of practical problems that emerged from the open consultations held in the WGIG process:

- There is no forum to address broad horizontal issues that affect more than one institution.
- There is no forum to discuss coordination among multiple efforts addressing the same issues at different institutions or from different angles.
- There is no forum to monitor the implementation of WSIS goals, principles and criteria into Internet governance processes and institutions, and to act as “check and balance” if some of these processes go astray from their mandate and from the general principles.
- There is no forum to lead global discussion on some specific governance issues (spam, network security, consumer rights, privacy...), to identify institutions best suited to deal with them and to ensure that results are actually reached.
- There is no single and clearly visible forum where affected stakeholders can raise an issue of interest to them and understand where it might be addressed.
- There is no established mechanism to deal with new issues that will arise in the future.

¹Earlier versions of this proposal were circulated with the name of “Internet Steering/Coordination Group”.

It is clear that, due to the decentralized architecture of the Internet, to the important roles exerted by all stakeholders, and to the need of acting by moral suasion and non-binding power, such a forum can only be effective if all stakeholders support it and participate in it. As recognized by the WGIG report, this requires participation on an equal footing by members of all stakeholder groups. This also requires openness and transparency in all processes.

At the same time, it is important to design a practical and effective structure that can provide both a discussion space and a mechanism to approve recommendations and documents. A mere discussion space would not be of great use, if not coupled with the ability of coming to practical advances that can be agreed and released. Institutions that do not have an impact on reality are doomed to fail.

Dealing with issues

The problem of coupling effectiveness and inclusiveness in dealing with specific issues has been long debated over the Internet. Through the years, an effective model for the common determination of consensus policies was developed: the Internet Engineering Task Force (IETF). Even if the IETF processes themselves are under continuous discussion, some of their basic principles derive from the nature of the Internet, have been proven to work, and should be considered for the forum.

To start, the agenda of the forum should be set from the bottom. Any stakeholder feeling the need for a given issue to be addressed could post a request to the forum, that would then determine whether the issue falls into the mandate of an existing organization (and thus forward the request, together with any relevant recommendation) or whether it needs the creation of a specific working group.

In that case, an online working group would be created; participation in the working group would be open to any stakeholder, providing that he/she abides by some minimal rules of good conduct. Representatives of affected stakeholders and of involved Internet governance institutions, and, more generally speaking, any interested individual, would participate in the working group and contribute to the result. All discussions and deliberations should happen online, by the use of mailing lists and conferencing facilities; physical meetings, and even thematic conferences, could be arranged, but would not have decision-making authority. This would enable cheap and effective participation by those stakeholders who cannot afford flying around the world.

The aim of the working group should be the production of documents (best practices, policy suggestions, assessments...) and tentative recommendations, that would be adopted by the working group on a rough consensus basis. The role of the coordinator of the working group would be that of mediating among different positions until some consensus can be reached with satisfaction for all stakeholders. If consensus cannot be reached fully, different options could be presented. The results would then be forwarded to the entire forum for consideration and, possibly, approval.

All the recommendations and documents produced in this way would not have binding power, but would be subject to voluntary adoption by the stakeholders. At the same time, if the process worked well, it is imaginable that the majority of the stakeholders would be ready to accept such documents.

Making decisions

An assembly in which all stakeholders can participate, or an online working group where people exchange opinions, are useful tools to help the understanding of problems and the construction of consensus; at the same time, in processes where policy is discussed – even in a non-binding form – there is sometimes the need to formally take decisions.

This brings forward the need for an “executive group”, similar to what in the IETF is called the “Internet Engineering Steering Group” (IESG). This group would be tasked with the coordination of the work of the various working groups and discussion processes, and with the approval of their creation and their results. It could also take care of practical, organizational matters, such as deciding where and when to hold meetings. The group would not take decisions on the content of policy recommendations, other than finally approving or rejecting the results of the working groups; rejection could happen only in specific cases, for example if the result of the working groups contrasts with that of other working groups or with the general WSIS principles, and would only have the effect to send the document back to the working group for modification.

In general, the executive group should also work by consensus; given the “soft power” principle of the entire mechanism, serious breakups among stakeholders would basically impede the work anyway. In any case, voting should be used only to formally confirm the adoption of documents and decisions; well qualified majorities (75% or 80%, for example) should be required, to prevent attempts to ignore the views of a significant part of the stakeholders by forming alliances to out-vote them.

The executive group should be composed by 20 to 30 members – one third from governments, one third from private sector, one third from civil society. Members would serve two year terms (renewable). Members would participate as individuals and act as peers, in the interest of the Internet as a whole. Members would elect a Chair and other officers among themselves, and approve their own working rules.

In the initial setup, members would be appointed by the Secretary General of the United Nations, after consultation with the stakeholders. However, members should then be self-selected by each stakeholder group, with mechanisms to be approved by the executive group itself.

Institutions dealing with Internet governance should appoint “connectors” to participate as observers in the work of the executive group, and to manage communications between the forum and their institution.

Resourcing and funding

The practical needs of such a forum would be relatively limited: it should have a secretariat made of two or three people and funds to set up a website and other online cooperation and communication tools, organize meetings as necessary, and cover travel and outreach costs for the members of the executive group and other key participants (at least those from disadvantaged stakeholders).

It is imaginable that funds or in-kind donations for the forum, including temporary staff, could come in three ways:

- From existing international Internet Governance institutions;
- From the budget of the United Nations;
- From donations by individual private or public stakeholders.

Once a tentative structure is agreed, an attempt should be found to raise money for the first one or two years of operation. In the meantime, permanent funding mechanisms could be studied (the IETF, for example, found permanent funding through the Internet Society, which was indirectly awarded the role of registry for the .org gTLD).

Further money that could be necessary to create specific processes and working groups on a given issue could be raised as necessary. In any case, the Group should not be financially or operationally dependent on any single Internet governance institution.