



Project IG3T
Internet Governance:
Transparency, Trust and Tools
International research seminar

2008-2009

<http://www.info.fundp.ac.be/IG3T>

Foreword

You will find in this notebook the information concerning the workshops organized within the framework of the project IG3T.

At the moment, only the information concerning the Workshop 1 (Namur, Belgium) and the Workshop 4 (Paris, France) are complete. For other workshops, the practical information will be communicated with you on inquiry (cf. registration form) and our Web site will inform you from day to day about modifications of program.

I. Context and objectives

The concept of governance is commonly used today as a response to a demand for social regulations that respect the democratic conditions. These conditions are currently unsettled by the globalisation of the economy and the rise of the individualism that networks support. New constraints, but also new opportunities, are related to communication devices (technical and relational) that raise the question of the stability of standards and norms at the national, European and international levels.

The development of Internet as a «critical infrastructure» for all economic organisations, public authorities, daily conveniences (e-health, e-education, e-administration, e-commerce, etc.) and for individual or collective expression places it at the forefront of the issue of «public goods», alongside the climate or biodiversity problems. However, the principles of openness, availability and plasticity that are built into its initial architecture run up against conflicts of interest and values. The latter involve legitimacies and diffuse competing responsibilities that make the construction of the Internet as «a common good» a rather hypothetical process.

Neither data-processing techniques, nor substantive law, nor the concept of universal morals make it possible to go beyond this horizon of perplexity. The search for Internet ethics goes beyond the traditional dividing line between the justification of norms and their application, which is always threatened by hegemonic temptations or cultural relativism. Along the lines of the advances in medical ethics, this «NetEthics» could emerge from the pragmatic and pluralistic inclusion of the forms, tools and aims of reticular practices and their governance.

The World Summit on the Information Society gave itself a mandate that it endeavours to implement through the annual sessions of the Internet Governance Forum (IGF): building a multilateral, transparent and democratic form of governance for the Internet, which expresses and reinforces the preoccupation with human rights. This prospect seems largely accepted in theory. However, with the management of the critical resources of the Internet, the development of new applications and the controversial governance of behaviours, the task is immense and the consensus breaks down. Often contradictory claims and some more or less successful attempts do not fill the gap between the traditional political system and the new governance frameworks involving civil society. The new organisation and structure of the international institutions, gradually opened up to experts – and even lay people – is not enough to integrate normative dispositions that combine technological and economic innovations, democratic aspirations, institutional renewal and finalised objectives.

Nevertheless, we cannot give up the quest for principles that would make it possible to resolve the fundamental conflict of norms arising with the Internet. This conflict lies between privacy and security, freedom of expression and public morals, right of access for all and at the same time the right to be disconnected; it is a question of concrete facts and abstract rights. But this implies first dealing with a few preliminary questions: under what conditions are normative preferences discussed, established and brought up to date? What are the processes and forms by which the rights and responsibilities of web users can be protected or specified in a given context? How are ethical considerations and references built into devices and processes? What fundamental principles (individual rights and public freedoms) are involved, called into question or revitalised? What theoretical and practical tools make it possible to delineate the framework of action, and how do they relate to diverse predefined legislative frameworks? How to consider the principles of coexistence and the possibilities of coordination of the multiple stakeholders without encouraging the myth of the global Internet and worldwide governance?

In the dual context of a multicultural Europe and a planetary infrastructure of material and social communication, the ethical stake of Internet governance presents itself as a challenge of assuming – without encouraging radical relativism – the plurality of values, norms, cultures and traditions. More modestly, an initial stage of research consists of elucidating the way in which Internet governance challenges and disrupts traditional regulations (political, legal and judicial) by reactivating old questions (property rights, the social divide, crime, censorship, underdevelopment, etc.) or by facing more modern interrogations (technological convergence and man-machine relationship, social mobility and territory, private and social identities, etc.). A second requirement of research results in exploring the consequences of the new dynamics for the production of norms and standards with a view to envisaging new principles of coordination and determining methods of agreement.

II. The process

A comprehensive approach to the methods (institutional and non-formal) of Internet governance requires:

- a) A theoretical analysis of governance issues: in a context of weak legitimacy where the common good still has to be built, we need to test the assumption of an internal limit to the traditional and neoclassical approaches. We will question: 1) the inadequacies of the current institutional design to ensure maximum achievement of the normative hopes of the stakeholders and users, as well as 2) the limits of the traditional belief that regulations based on market mechanisms or the intervention of national or supranational public authorities are sufficient to guarantee a normative construction of the common good.
- b) An in-depth examination of the dead ends of western ethnocentrism and cultural relativism, in order to clarify the ways through which local governances could contribute to some global governance of the Internet.

- c) An attentive study of experiments, devices and methods for building norms and standards in various contexts, in order to reveal their underlying rationales, divergences and convergences. Building on this, we will try to establish a typology of these rationales aimed at approaching the technological and political conditions of the possibility of pluralism tied to the common good.
- d) A more applied analysis of the formal structures involved in Internet governance (in particular ICANN and the IGF), bringing evidence of their current political limits in the definition and design of collective action.
- e) An exploration of the consequences for public actors of the new governance tools produced by the circulation of «collective statements»¹, which could allow new modes of action.

For this purpose, the seminar will associate theoretical investigations with case studies, in the aim of leading to some recommendations. It will be held in five workshops, according to the following agenda:

Workshop 1: Friday, October 31, 2008 - Namur

Theoretical approach to the problems and limits of governance defined in terms of ethical normativity and elaboration of a common good.

Led by Philippe Goujon (FUNDP, Namur, Be.) and Sylvain Lavelle (CETS, ICAM, Lille, France)

Workshop 2: Friday, December 12, 2008 - Lille

Intercultural problems involved in the application contexts of norms

Led by Sylvain Lavelle (ICAM, Lille) and Philippe Goujon (CITA, FUNDP, Namur)

Workshop 3: Friday, March 27, 2009 - Milan

Technical normalcy and Internet governance: Socio-technical and socio-ethical dimensions

Led by Norberto Patrignani (Catholic University of Milan)

Workshop 4: Friday, June 12, 2009 - Paris

Forms of execution and institutionalisation of Internet governance

Led by Françoise Massit-Folléa (Vox Internet II, France)

Workshop 5: Friday, October 16 or October 23, 2009 - Bordeaux

Global Internet governance, intercultural information ethics and developing countries: the African case

In collaboration with the CEAN, Bordeaux – NetSuds /CNRS (Annie Chéneau-Loquay)

¹ (with the orientation that Alain Boureau gives to this concept): «An aspiration and a belief that everyone shares and that directs the action of each person while leaving each the choice of the precise significance that he or she gives to the statement.»

WORKSHOP 1: Friday, October 31, 2008 - Namur

Theoretical approach to the problems and limits of governance defined in terms of ethical normativity and elaboration of a common good

Faculty of Computer Sciences - University of Namur

Led by Philippe Goujon (University of Namur) and Sylvain Lavelle (CETS, ICAM, Lille)

The inclusion of social reflexivity in the relation between the justification and the application of norms makes it possible to give its full place to ethical normativity, which is often marginalised by technical normativity, whether instrumental or procedural. The aim of alternative governance integrating the relationship between justification and context is that of building a common good. It requires going beyond the implicit postulate of the absence of contradiction between maximising individual happiness and public common interest. It suggests «reflecting on the possible objectivation of the conditions necessary to satisfy the requirements of such a public interest» (Mayntz) to highlight the democratic, deliberative and practical dimensions of an ethical form of Internet governance.

09:00 **Registration**

09:30 **Introduction**

09:45 **Richard Delmas** (Principal Administrator - EC)
Genealogy of governance and its tensions

10:30 **Philippe Goujon** (University of Namur, BE)
Internet: democratic issues of a new governance

11:15 **Break**

11:45 *New models of democratic governance and their limits (stakeholders participative democracy...)*

12:30 **Lunch**

14:00 **Sylvain Lavelle** (Ethical, Technical & Society Centre, Group ICAM, Polytechnicum of Lille, FR)
Norms and contexts: multi/trans/inter-cultural perspectives on governance

14:45 **Daniela Obradovic** (University of Amsterdam – Newgov project, NL)
Globalization transforming democracy: Participation of civil society in new modes of governance at the international level

15:30 **Break**

16:00 **Matthias Kettner** (Witten Heidsecke University, DE)
Governance, ethics and new technologies

16:45 **Tom de Deurwardere** (CPDR, UCL – Refgov project, BE)
New models of Governance, stakeholders and the common good

WORKSHOP 2: Friday, December 12, 2008 - Lille

Intercultural problems involved in the application contexts of norms

Led by Sylvain Lavelle (ICAM, Lille) and Philippe Goujon (University of Namur)

The articulation of universal norms and their contexts of application raises a purely intercultural problem of adjustment of the rational justifications and social appropriations. The concept of «interculturalness», symmetrical to that of acculturation, has been explored at length from a mainly methodological point of view by the field of cultural anthropology. It is appropriate to draw all the conclusions from this perspective with regard to the issue of ethical and democratic governance of the norms and standards of the Internet. In particular, we will analyse and question the effective processes of anticipation, translation and adaptation, if not imposition, of the norms and standards of universal reach to a variety of cultural contexts (Europe, America, Asia). More specifically, in the case of the Internet, we will focus our attention on: a) the methods of designers to anticipate users' cultures; b) web users' methods for participating in the transformation of the cultures of innovation and invention; and c) the criticism of the assumption of a universal regulation in the form of charters or codes.

Themes:

- √ *Political cultures, democratic procedures and internet governance*
- √ *Internet governance in context: global norms and local applications*
- √ *International cooperation and intercultural relations*
- √ *Democratic governance and cultural diversity in Europe : relevance and lessons for Internet governance*
- √ *Legal pluralism, cultural diversity and Internet governance: the case of Canada and Australia*
- √ *Beyond legal pluralism: intercultural law and Internet governance: the case of India and Europe*
- √ *Republican law, customary law and ICT : the case of the Melanesian and European populations in the South Pacific (New Caledonia)*
- √ *Internet and multilingualism : framing research categories in European and Asian languages*

WORKSHOP 3: Friday, March 27, 2009 - Milan

Technical normalcy and Internet governance: Socio-technical and socio-ethical dimensions

Led by Norberto Patrignani (Catholic University of Milan)

The technical normativity of the Internet is particularly problematic as its underlying socio-technical and socio-ethical aspects generally remain removed from any form of reflexive criticism. The technical devices (supports, systems, networks) are often represented as complex objects. And, they are associated with a sort of structural and functional neutrality. However, it is important «to open the black box» of technology in order to identify and discuss the forms of normativity that these devices convey, with or without any deliberate intention from their designers. In particular, this is a question of determining to which degrees and according to which methods the decision-making and regulatory systems that govern the technical norms and standards of the Internet: 1) can integrate socio-technical and socio-ethical designs into their development; and 2) can be opened up to political checks and balances. In this workshop we will investigate the best blend of the several approaches or dimensions for governing a «public common» like the Internet: architecture (hardware, software), laws, education, etc.

Themes:

- √ *The Internet as a normative device for cultural practices*
- √ *Technical co-constitution and industrial design of ICTs and the Internet: an ethical perspective*
- √ *The normativity of the Internet: inherency or adherence of standards?*
- √ *Internet Communities in Europe*
- √ *Prescriptive aspects of the systems of naming and addressing: digital identities*
- √ *Standards and protocols: IPv6 and Internet post-IP*
- √ *Innovative ethical approaches to Internet governance*
- √ *Embedded ethics: the myth of amoral computing*

WORKSHOP 4: Friday, June 12, 2009 - Paris

Forms of execution and institutionalisation of Internet governance

Led by Françoise Massit-Folléa (Vox Internet II, FR)

Global Internet governance, as a form of techno-political regulation, suffers from a democratic deficit that is particularly obvious. Multiple devices are intended to reduce it. The creation of Fora (Forum des Droits sur l'internet, Forum sur la gouvernance de l'internet ...) is one of the means by which civil society is supposed to exert an influence on the development of standards and decision-making. However, an empirical examination of their organisation and operations reveals important gaps: don't these authorities ultimately legitimise the existing techno-political practices and neutralise some of the dynamics of collective action? At the same time, the technical choices incorporate values and interests that are contradictory. It is thus important to examine case studies (e.g. open source, filtering, intellectual property) by considering: a) the problems arising from the idea of a global ethics for the Internet and the sectorial realities of its governance; b) the unveiling of the necessary prerequisites that have underpinned Internet governance since the nineties and the conditions that would make agreement possible between the market-related aspects, the public policies and the «common good»; and c) the organisation of normative pluralism in contextual devices in which ethics and policies are brought up to date.

- (1) Jorge Perez (Polytechnic University of Madrid, SP)
Evolutions of the policies of Internet governance: «multi-stakeholder forums»
- (2) Claudia Padovani (University of Padua, IT)
Democracy and global governance, the wager of the Internet Governance Forum
- (3) Marcel Machill (University of Leipzig, DE)
Transparency in the Net: Functions and Deficiencies of Internet Search Engines
- (4) Eva Hemmungs-Wirten (University of Uppsala, SW)
Intellectual property and the limits of globalisation
- (5) Cécile Méadel (CSI-ENSMP) and Laurence Monnoyer-Smith (Technical University of Compiègne, FR)
Towards a typology of Internet governance devices
- (6) Francis Châteauraynaud (Director of the Group on pragmatic and reflective sociology, EHESS-Paris, FR)
Asymmetries in the seizure of power and forms of power in a networked world
- (7) Herbert Burkert (University of St Gall, CH)
The Institutionalization of the Net
- (8) Bernhard Rieder (Université Paris 8, FR)
Institutionalizing without Institutions? Self-Organization, Hierarchy and Power on the Web

Workshop 5: Friday, October, 2009 - Bordeaux

Global Internet governance, intercultural information ethics and developing countries: the African case

In collaboration with the CEAN, Bordeaux – NetSuds /CNRS (Annie Chéneau-Loquay)

A privileged case study is the appropriation of ICT, in particular the Internet, in Africa countries, and in turn, their participation in the overall regulation of the Internet. Africa indeed represents the typical example of a singular and diversified cultural unit that hitherto has not successfully exerted a significant influence on the worldwide governance of Internet. It is thus important to inquire into the methods by which various African countries mobilise at the national and/or regional level and position themselves in the international debates. It is in particular a question of specifying: a) what are the resources of social reflexivity invested as regards governance in the critical articulation between technical and ethical normativity; b) which factors would be capable of developing this reflexivity in the case of Africa, and by extension, in other countries in the process of development; and c) which options in terms of local institutional design could be used in the project of local Internet governances enriching and articulating with the international context.

Themes:

- √ An African vision of Internet Governance challenges
- √ Mobilizing associations and companies for Internet Governance awareness in Africa
- √ Development assistance and the « Fonds francophone des inforoutes »: a 10 years survey
- √ The landscape of regional cooperation in African ICT sector
- √ The problems of the frontier runner: access to network space
- √ Knowledge and development in Africa: the role of diaspora networks
- √ Internet and development in North Africa: business-centred and/or people-centred
- √ The construction of panoptical administrative control in the post-apartheid South African society
- √ Public policy renewal in the African context of the information society

General Information

Organizing committee

Philippe Goujon, University of Namur, Belgium
Sylvain Lavelle, ICAM, Lille, France
Françoise Massit-Folléa, Vox Internet, Lyon-Paris
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Sponsors

Fonds National de la Recherche Scientifique (FNRS), Belgium
Banque Nationale de Belgique (BNB), Belgium
University of Namur (FUNDP), Belgium
Agence nationale de la recherche (ANR), France

**The following information only concern the workshop organized in Namur
For other sites, please consult the Web site:**

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Registration

The access to the workshops is free but the registration is highly recommended.
The lunch will be had in city. A list of restaurants will be distributed to the participants.

Registration by :

- e-mail to bdi@info.fundp.ac.be (by indicating your complete coordinates)
- sending back the registration form (see address above)
- fax to +32/(0)81/72 52 80

Local

Academic room (4th floor)
Faculty of Computer Sciences - University of Namur
rue Grandgagnage, 21
5000 Namur

Parking

Free car park only to the car park «H. Lemaître», with authorization delivered by the University of Namur.
This car park is rue Henri Lemaître, in 5 min. on foot of the campus.
A park card will be sent to you if asked (see registration form).

Plan

An access map to our campus is available page 15.
For further information: <http://www.fundp.ac.be/universite/acces/>

Accommodation

We have selected four hotels within a walking distance of the University.
These hotels are often used by the visitors of the university and have always given complete satisfaction. In order to ease your choice, an indicative

comparison table is given below. Web links are provided to allow you to find additional information.

Breakfast abbreviations: (B) = breakfast included, (B: +9) = add 9 EUR for breakfast
Credit card abbreviations: Visa (V), American Express (AE), Eurocard (E), Diners Club (D)

Grand Hôtel de Flandre

Place de la Station, 14 - B-5000 Namur
Tel : +32 81 23 18 68 - Fax : +32 81 22 80 60 - www.hotelflandre.be
Distance with the University : 0,5 km
Prices in EUR(single/double rooms) : 51/67 (B)
Accepted credit cards : AE, D, E, V

Hotel «Ibis»

Rue du 1er Lanciers, 10 - B-5000 Namur
Tel : +32 81 25 75 40 - Fax : +32 81 25 75 50
http://www.accorhotels.com/accorhotels/fichehotel/fr/ibi/3151/fiche_hotel.shtml
Distance with the University : 1 km
Prices in EUR(single/double rooms) : 65/78 (B)
Accepted credit cards : AE, D, E, V

Hotel «Beauregard»

Avenue de Baron de Moreau 1 - B-5000 Namur
Tel : +32 81 23 00 28 - Fax : +32 81 24 12 09
<http://www.hotelbeauregard.be/>
Distance with the University : 2 km
Prices in EUR(single/double rooms) : 70/80 (B)
Accepted credit cards : AE, D, E, V

Hotel «Les Tanneurs»

Rue des Tanneries 13/B B-5000 Namur
Tel: +32 81 24 00 24 Fax: +32 81 24 00 25
<http://www.tanneurs.com>
Distance with the University : 0,8 km
Prices in EUR(single/double rooms) : 62-100/82-120 (B)
Accepted credit cards : AE

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