An Internet Governance Forum for Europe
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 Introduction

Madame President, Ambassador Frøysnes, Members of the European Parliament, Ladies and Gentlemen.

I am a member of the Internet Society, and Chairman of the European Coordinating Council of ISOC Chapters. ISOC-ECC is open to all ISOC Chapters in the members of the Council of Europe. As the delegate of ISOC Wallonia, I request the understanding of my francophone friends and colleagues that on this occasion I shall continue in English. ISOC supports Internet governance which is global, open and multistakeholder. Many European ISOC Chapters participate directly in Internet Governance through the UN Internet Governance Forum and ICANN's At Large Organisation. Individual ISOC members have been active in all aspects of Internet Governance during the past ten years, particularly advocating the public interest and the rights and concerns of Internet users; broadly, the agenda that we now identify with Civil Society.

ISOC-ECC is a co-signatory of the recent Open Letter to the European Parliament on Network Neutrality and we have addressed the EU Institutions and the legislature in France regarding the so called "three strikes" or "Hadopi" proposal.

Antecedents

The concept of Internet Governance is not new. In the mid-1990s ISOC initiated the debate about how the Domain Name Space should be expanded.

During 1998-1999, the Clinton Administration launched a consultation on the future of the DNS. In the context of the US Department of Commerce Green Paper and White Paper, the EU first proposed that the future ICANN should be internationalised. Although much progress has been made there is still unfinished business which will have to be resolved later this year.

In parallel, the UN started a broader Internet governance process through the World Summit on Information Society (WSIS), the Working Group on Internet Governance (WGIG) and the Internet Governance Forums (IGFs).
The next IGF will be in November 2009 in Sharm Al Sheikh, Egypt.

Internet governance takes place in a multi-stakeholder environment, within which Civil Society plays a crucial role as the advocate of the public interest and of Internet users. This applies to the UN IGF with its Multistakeholder Advisory Group (MAG) and to ICANN with its At Large organisation. It should also apply to the European IGF. Many European entities already participate in the IGF/MAG and in ICANN/At Large and would expect analogous open process in the EU.

As a matter of fact, the EU convened a multistakeholder group at an early stage. Here is a quote from the communiqué from the first meeting of the European Community Panel of Participants (EC-PoP):

"On July 7th 1998 the European Commission called a European consultative meeting ... One of the results from that meeting was the establishment of an EC Panel of Participants (EC-PoP), a European group of stakeholder representatives, to discuss a common position ... and to advise the EC. ... The EC-PoP strongly supports the international diversity of the (future ICANN) board."

The EC-PoP continued to meet on a regular basis for several years advising the Commission on Internet governance matters, and providing the platform to coordinate the positions of the European stakeholders. Re-vitalising that approach in Europe would now be timely.

An European IGF

Internet governance is approaching three significant thresholds, world wide:

The first is that the current "Joint Project Agreement" (JPA) between ICANN and the US DoC should come to an end in September 2009.

The second is the November IGF in Egypt.

To which I would have added the World Telecommunications Policy Forum, but that takes place next week in Lisbon. We would welcome information as to what the EU's position will be there, particularly regarding the Internet.

The voice of the European Union should be heard in each case. The EU's international position and relations with the new US administration could be determinant. At each critical diplomatic phase – whether it was the constitution of ICANN, or the initial agreement to delegate the Dot EU Domain – the European Union's position has been bolstered by a multistakeholder consensus, not only among the Member States, but also among Internet operators and users in Europe. Furthermore, our consensus-building methods, and the EU's positions have been subsequently supported and emulated around the world.

This, then, is what an European IGF is for. It is the multistakeholder dimension of our domestic and international Internet policy making process. National IGFs have been created in several Member States, notably with the support of their national ccTLDs. These initiatives are very welcome, but they are not enough for several reasons:

1.   Key international negotiations during the coming months will be conducted by the EU Commission and Presidencies.

2.   Most Member States look to the EU as a whole to carry the weight that they do not necessarily carry alone.

3.   Most of the European companies and the technical community already operate in a global economic context. Most of our legal framework for trade and communications is based on EU legislation.

4.   Civil Society participants are increasingly working globally, through the IGF, ICANN At Large, EuroDIG, ISOC and related entities.

5.   For all our participants, effective action in this area is costly in time and money, including – if I may say so - a great deal of unpaid voluntary time and travel. The European IGF organisation should concentrate knowledge and avoid duplication and dilution of effort.

Future Prospects

European stakeholders in the Internet now have an interest not only in the UN and the IGF and our relations with the United States, and ICANN. They also have a major interest in the domestic EU agenda, which should be included. The EU Institutions should also open their doors to multistakeholder consultation on the main issues as they arise. Much has been done by the Parliament and the Commission in recent years, notably through the use of the Internet to facilitate on-line transparency.

We just need to take it a step further, including aspects of our legislative process.

The potential agenda is quite broad, ranging from the technicalities of network management, privacy and on-line data protection, education and culture, to the human rights of individual users of the Internet.

However, moving in this direction will not be all plain sailing. There are some practical and political obstacles:

- In spite of the development of the Internet during the last decade, there are still stakeholders which hanker after past times. Surprisingly, parts of the telecommunications industry have still not accepted the end-to-end principle and seek to manage Internet traffic to their commercial advantage. That is the argument over Network Neutrality to which I referred at the beginning.

- Parts of the intellectual property community have still not accepted the Internet. Otherwise, we would not have had all that fuss in France about Hadopi, and the related amendments proposed in the European parliament. I suppose that those amendments in the Telecoms Package have now been withdrawn.

– There is already a degree of delay and duplication. We have been waiting for the Commission and the Parliament to take a lead. EuroDIG, which admirably tries to fill part of the gap, is not an alternative to an European IGF, linked to the legal and institutional instruments available to the European Union.

- The cost of travel to the relevant meetings is also a relevant factor for civil society representatives who are working in a voluntary capacity in their own time. ICANN recently financed the global participation of civil society delegates to a conference in Mexico City, the At Large Summit. Please note that the travel costs of commercial and industrial delegates are usually expensed against tax, whereas that is not possible for delegates acting for NGOs or in their personal capacity. In addition to having an effective European IGF, perhaps part of the solution would be for the European Commission to constitute a multistakeholder delegation to each of the principal international fora. For example to the next IGF. And to the next ITU WTPF.

- Each multistakeholder constituency must of course put its own house in order, not least Civil Society itself. We all need ground rules for consultation and consensus building, scheduling and the organisation of open process. We all need to be clear who is speaking on behalf of which interested participant.

Conclusions

Although I have clearly advocated a strong link between the European IGF and the EU institutions for important policy reasons, this is in no sense exclusive. On the contrary, the EC Panel of Participants was open from its inception to all European stakeholders, the European Commission associated the EFTA states and the enlargement candidates with the development of its Internet policies from an early stage. ISOC-ECC, which I currently Chair, is open to Chapters from all members of the Council of Europe.

The European IGF should follow that line, which is fully supported by the EuroDIG group, of which I am also a member. But we should not loose sight of the fact that our members and our constituents are primarily interested in results rather than process. It is an important self-discipline to concentrate debate on substance and outcomes rather than on structures and process. Thus the agenda needs to be set out in advance. At the end of the day, however fruitful and participative the dialogue, decisions have to be taken internationally. At that stage, Europe will look to the EU for a lead.

The Internet Society thanks the European Parliament and all the participants today for this opportunity to join the debate, setting the stage for the concrete follow-up during the coming months.