INTERNET GOVERNANCE

The European Commission presented in February 2014 its Communication on "Internet Policy and Governance, Europe's role in shaping the future of Internet Governance" where it called for more transparent, accountable and inclusive governance of the Internet.

Following this, COREPER agreed a line to take in preparation for the *NETmundial* Internet governance multistakeholder meeting that took place in Brazil in April 2014, in which Member States confirmed support for a single, open, free, secure, reliable and un-fragmented Internet and agreed to undertake a further reflection on the Internet Governance subject.

Consequently the (Telecoms) Council on 6 June discussed Internet Governance over a working lunch. The Council called for the establishment of principles consistent with fundamental rights and democratic values. It also reiterated its commitment to the multistakeholder model of Internet governance, consistent with a single, open and free Internet, and highlighted the need to strengthen the Internet Governance Forum. The Council also called for the globalisation of the Internet Assigned Numbers Authority (IANA) functions, while ensuring that any changes to the execution of the IANA functions would not compromise the security and stability of the domain-name system. It also called for further accountability, transparency and globalisation of ICANN.

In the last few months there have been further significant developments in the area:

Firstly, the NETmundial meeting referred to above – a spontaneous event under the auspices of the Brazilian government – was successful in adopting both a set of principles and roadmap for Internet Governance. In May 2014, the WSIS+10 review agreed on a revision of the Tunis agenda action lines; the modalities of this revision are being discussed by the UN General Assembly with a view to completing the review by December 2015. While WSIS has an agenda for development, due to capacity limitations the role of developing countries in the Internet Governance arena remains restricted.

Shortly before NETmundial, the US government announced its intention to effect the transition of the IANA function and of the current oversight role played by the US in the coordination of the Internet's domain name system (DNS) to the global multistakeholder community. The US government asked ICANN to develop a proposal for such a transition. The European Commission is following this development closely via the ICANN Government Advisory Committee (GAC) and as a member of the group coordinating the input on the IANA transition.

In parallel, ICANN (as the current holder of the IANA functions and the global coordinator for the DNS) has launched a process to improve its own accountability and governance.

Recent decisions on the new gTLD programme have shown that there are shortcomings and challenges to overcome in its own accountability and governance in particular, to address the challenges arising from the rapid growth of the Internet across different jurisdictions. It must also develop adequate transparency mechanisms to ensure it is an accountable counterpart to all its users.

Those two processes are separate but interlinked in making the Internet governance ecosystem work better: The IANA transition implies the transition of the US role in the DNS to the global multi-stakeholder community, while the ICANN accountability process looks more at how ICANN is accountable towards all Internet users and how it is governed.

There is clear agreement within Europe on what are the essential challenges in Internet Governance, and on the main principles to be established and preserved, as set out in the Commission Communication and confirmed by the Council. Europe is a key player in current events and therefore should speak with one voice in pursuit of European objectives and principles, in order to have weight and credibility in the various international fora discussing Internet Governance.

The issue at stake has three dimensions:

To start with, the EU needs to continue working for the transition of the IANA function towards a sustainable model that guarantees a pluralist overview and stability of the system and to push for an improvement in ICANN accountability.

Also, we need to protect the principles identified for transparent, accountable and inclusive governance of the Internet. Those include the Digital Single Market dimension (domestic dimension), in which net neutrality, the rule of law, the respect of jurisdictions and privacy are essential.

Finally, building capacity in developing countries is a priority to enable them to participate in the global debate and in the globalisation process.

For these reasons the Italian Presidency considers it essential to set out the next steps with a single approach to ensure the NETmundial roadmap is fulfilled.

Moreover, the Italian Presidency considers that the issue of Internet Governance is closely related to the consolidation of a digital single market in Europe. An open, transparent and multi-stakeholders governance of the Internet is essential both for the full exercise of citizenship rights in the digital sphere and for the development of healthy business practices for the benefit of everyone.

The Presidency welcomes the participation of Ministers and Vice President Kroes to the Informal Telecom Council in Milan, devoted to Internet Governance, and proposes to structure the debate on the basis of the following questions[1]:

1) How can the European Union speak with one voice in order to support a successful transition of the IANA to the international community? In which way can the function currently performed by the US government (oversight role) be made more inclusive of Europe, and ultimately of the global community? And in which form EU and US can cooperate for achieving such a goal?

In ICANN the main challenge for more accountability, transparency and globalisation will be to ensure the right checks and balances. How can it be ensured that ICANN respects different judicial systems, not least the EU aquis, and transforms itself into a truly accountable organization?

2) We can ensure internally the protection of an Internet open, transparent and multi-stakeholders governance of the Internet by consolidating the digital single market in Europe. Which principles are important to be agreed at EU level and which elements can be left at national level in view of completing the DSM: rule of law, jurisdiction, privacy, net neutrality?

3) Europe should act as a global player in the IG debate. How can we contribute to the UN/WSIS+10 review process and what other means are available to build capacity in developing countries?

The Presidency hopes that the Informal Council meeting will facilitate the consolidation of its proposal for a coordinated single EU position on the above matters, to ensure that the discussion can be best advanced in view of the Telecoms Council in November and of the next international debates on Internet Governance.

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[1] As customary, Member States are invited to submit written replies to these questions preferably before the Council policy debate. This will allow Member States representatives to focus on key issues during the debate.