

## **INFORMATION AND PARTICIPATION IN INTERNET GOVERNANCE:**

**A project of the Council of Europe, UNECE and APC**

### **Phase 2 report: Mapping the information and participation practice of internet governance entities**

**David Souter, May 2009**

-----

## **INTRODUCTION**

This discussion paper has been prepared for the Council of Europe, the UN Economic Commission for Europe (UNECE) and the Association for Progressive Communications (APC) as part of their work to explore the scope for guidelines and best practice in information and participation in internet governance.

The first phase of this CofE/UNECE/APC work considered the scope for developing common principles of information and participation which might provide a basis for guidelines or a code of practice which internet governance bodies might endorse. In particular, this work looked at the possible relevance to the internet of the information and participation principles included in UNECE's Aarhus Convention, which is concerned with access to environmental decision-making.

A report on this first phase of work was presented at a workshop held during the Hyderabad meeting of the Internet Governance Forum (IGF) in 2008, with participation from ISOC, ICANN, NRO and other interested parties. It emphasised:

- a) the need, in thinking about possible principles and best practices, to draw on the experience and established practice of core internet governance entities; and
- b) the need to facilitate cohesion between the internet's technical governance and the governance of those areas of social and economic life in which it plays an increasingly important part.

Discussions at the Hyderabad workshop provided a platform for further work, with the aim of developing outline principles or guidelines that could be discussed at a workshop to be held during the 2009 meeting of the IGF in Sharm el-Sheikh. It was felt that a mapping exercise, aimed at comparing the existing information and participation practice of core internet governance bodies, would provide a useful starting-point for this next phase of work. The provisional results of such a mapping exercise are included in this paper, which is intended for discussion during the 13 May 2009 IGF consultation in Geneva.

### **Framework for this report**

This paper is essentially work-in-progress, a first look at the structures which are currently used by core global and regional internet governance entities to manage information and participation, and thereby inclusiveness and accountability; the commonalities and differences between these; and the implications of these experiences for any generic approach to information and participation in the internet space.

The research for this paper has looked specifically at the following entities (here listed alphabetically):

- a) the Internet Corporation for Assigned Names and Numbers (ICANN)
- b) the Internet Engineering Task Force (IETF)
- c) the Internet Governance Forum (IGF)
- d) the Internet Society (ISOC)

- e) the Telecommunication Standardisation Bureau (ITU-T) of the International Telecommunication Union (ITU)
- f) the Number Resource Organisation (NRO) and the five Regional Internet Registries (RIRs) - AfriNIC, ARIN, APNIC, LACNIC and RIPE-NCC
- g) and the World Wide Web Consortium (W3C).

(The term "entities" is used in this report because, although somewhat artificial, it is more general than terms such as "agency" or "organisation" which some within the internet community consider inappropriate.)

Brief summaries of the information and participation arrangements of these entities are included in an annex. It should be noted, though, that these arrangements are often complex, and brief summaries cannot convey all (or even most) of the nuances involved, especially where responsibilities are technically (e.g. IETF and W3C) or institutionally (e.g. ISOC and ICANN) complex. Nor do summaries of formal arrangements necessarily reflect realities on the ground. Comment from readers aimed at improving the precision with which formal arrangements are described would be welcome. The nuances of informal realities will require further discussion and reflection which, it is hoped, can be included in the next phase of work.

All but one of the entities considered here are concerned primarily or exclusively with the internet. The exception, ITU-T, is concerned primarily with the underlying telecommunications infrastructure which provides the internet's main platform. This makes it highly important to internet governance, while its roots lie outside the internet experience which is shared by the other entities reviewed. Including ITU-T therefore serves to provide a point of comparison between entities which are rooted in the internet experience itself and those which are rooted in more traditional models of international governance.

This is not, of course, a comprehensive range of internet governance entities. Internet governance is often described as highly distributed, compared with governance in other technical and policy fields. The entities considered here are some (but not all) of those concerned with management of the internet's technical resources at global or world-regional level. With the possible exception of ISOC and (in a different sense) ITU-T, they are also "narrow" IG entities, *i.e.* entities which are concerned with governance of the internet itself rather than with "broad" areas of social and economic governance which are impacted by the internet. While, as the Hyderabad report for this project indicated, there is more of a continuum between "narrow" and "broad" internet governance than is sometimes understood, this means that the sample of entities here is (deliberately) skewed towards those whose experience derives from the internet itself rather than from more conventional international governance.

The structure of this report is as follows:

- Section 1 defines some of the key terms used in the report, including "information" and "participation".
- Section 2 describes the experience of internet governance entities here reviewed, focusing on:
  - a) their governance characteristics and roles
  - b) their membership and representational arrangements
  - c) their overall ethos for decision-making and engagement
  - d) information access; and
  - e) participation in decision-making.
- Section 3 draws this material together and outlines some issues raised by it for the future development of information and participation, and for any potential guidelines or code of practice.
- Section 4 suggests next steps which might be taken in this project.

## 1. DEFINITIONS

The meanings of a number of terms, as they are used in this report, need to be clarified.

The terms "governance" and "internet governance" are widely discussed elsewhere, and this is not the place to debate them at length.

"Governance" in this project refers to the institutions and mechanisms which administer, manage or set agreed and accepted principles of behaviour in any area of activity. It may be formal or informal; exercised by governments, businesses, NGOs or (through voluntary adherence to formal or informal codes of conduct) free associations of individuals. Governance instruments range from strict laws and regulations, through standards, contracts and codes of practice, through guidelines and coordination agreements, to norms and conventions that have no legal force but achieve compliance purely by consent.

This project has broadly adopted the definition of "internet governance" which was included in the outputs of the Working Group on Internet Governance (WGIG) and the World Summit on the Information Society (WSIS), as follows:

*Internet governance is the development and application by governments, the private sector and civil society, in their respective roles, of shared principles, norms, rules, decision-making procedures, and programmes that shape the evolution and use of the Internet.*

This definition recognises:

- that internet governance is undertaken by diverse organisations, including many which have a private sector or civil society structure, as well as (and often rather than) by governments and intergovernmental organisations;
- and that the instruments of internet governance reach well beyond formal legal instruments such as laws and standards, to include (for example) behavioural norms and even programme code.

In common with other commentators on internet governance, however, and with the IGF, this project interprets the scope of internet governance broadly, to include both "narrow" governance of the internet itself and "broad" governance in areas where internet governance responsibilities intersect with those of non-internet agencies.

(It should be noted, incidentally, that some in internet governance entities prefer to use the word "coordination", rather than "governance", to describe their work, though this is a reflection more of the style with which they seek to reach agreement than of the nature of their governance outputs.)

"Information" in this report refers to both:

- a) background information resources which enable decision-making processes and materials to be interpreted by participants and potential participants in decision-making, by other stakeholders and by the wider public; and
- b) decision-making (policy-making) materials (agendas, background documentation, information about decision-making processes, minutes, resolutions, etc.).

Background information resources enable people and organisations to understand decision-making processes that affect their lives; to judge whether or not they should participate in a particular decision-making process that is open to them; and to interpret decision-making materials so that they can participate effectively if they choose to do so. Information about ongoing decision-making processes is necessary for those who choose to participate in processes, whether as insiders or outsiders, to do so effectively.

The word "transparency" usually refers to the degree of openness of decision-making processes to external scrutiny - *i.e.* to the availability of documentation and to the visibility of debate to outsiders, their ability to observe how decisions are made (rather than, necessarily, to "participate" in making them). In practice, "transparency" also requires the availability of background information resources, without which observers are likely to fail to understand or misinterpret what it is that they observe. Transparency is, of course, even more important where participation - rather than mere observation - is permitted.

"Participation" in this report refers to the opportunity which is made available for those who wish to do so to contribute to a decision-making process which (they believe) affects them (or in which they believe they should be heard), and to the mechanisms which enable them to make a contribution.

Participation does not mean that the responsibility for making decisions is devolved from an established (governmental or other) decision-making body to a wider community (to a kind of plebiscite, for example). It means that opportunities are made available for those who wish to contribute to do so, through mechanisms such as public consultation exercises, open meetings, open mailing lists (a common practice in internet governance entities), the inclusion of non-governmental representatives in governance bodies and - in some cases - the use of decision-making principles such as a requirement for consensus or a right of veto that can be exercised by vote.

Participation arrangements may also include "market research" initiatives (questionnaires, public opinion polls *etc.*) by means of which an organisation seeks to establish and include the views of those who do not come forward to participate as well as those who do. This is often necessary where it is felt that decision-making should be informed by the whole community rather than just those with the loudest voices, higher status within the community or better education. In particular, it is often necessary in order to ensure that consultation is adequately representative of women, of the poor, and of minority and socially or economically marginalised groups.

The views contributed by participants will normally be diverse and, in most governance contexts, it remains the responsibility of elected or appointed decision-makers to balance views expressed, and the interests of different stakeholders, in the final decision-making process.

The term "engagement" is sometimes used in this report to refer jointly to "information" and "participation" as here defined.

The term "stakeholder", in this report, needs to be understood with care. In internet governance debates, this term is often used simply to differentiate between broad categories of participants in IG bodies - usually governments, the private sector, civil society and the "internet professional community". This use of the term stems from UN and WSIS precedents. In governance more generally, however, the term "stakeholder" is more nuanced, meaning those who are affected by the outcomes of a particular decision or by the outputs of a particular decision-making body: who have an "interest" or a "stake" in it. The four categories of stakeholder identity which are often used in internet governance discourse provide too crude a framework for the multiplicity of stakeholder interests in specific decision-making instances - where, for example, different private sector organisations, different citizens and different civil society actors have different interests that arise from factors other than their identity as "private sector", "citizen" or "civil society", and where those interests often cut across these crude identity distinctions.

A word, finally, about the Aarhus Convention, which has been influential in thinking about these issues within the Council of Europe, UNECE and APC. The Convention establishes rights to information and participation by citizens and non-governmental bodies (both businesses and civil society organisations) in decision-making processes which have environmental impact, within UNECE countries that have ratified the Convention (and other countries that may choose to adopt it). These information and participation rights cover both general policies relating to the environment and specific decisions (such as the construction of power stations) which have environmental impact.

The Convention represents a kind of frontier in information and participation rights: it goes as far as any intergovernmental agreement has gone in extending rights to citizens and non-governmental

organisations in what have historically been seen as areas of governmental decision-making responsibility. This makes the Convention of particular interest when considering interaction between the governance norms which predominate in governance of the internet (sometimes referred to in this report as "narrow internet governance", recognising that this shorthand is unpopular with some) and in the governance of other public policy areas with which the internet now intersects (likewise sometimes referred to in this report as "broad internet governance").

## 2. THE EXPERIENCE OF INTERNET GOVERNANCE ENTITIES

This section of the report summarises the experience of the internet governance entities here reviewed, in particular their existing information and participation arrangements. To reiterate, the entities reviewed are:

- the Internet Corporation for Assigned Names and Numbers (ICANN)
- the Internet Engineering Task Force (IETF)
- the Internet Governance Forum (IGF)
- the Internet Society (ISOC)
- the Telecommunication Standardisation Bureau (ITU-T) of the International Telecommunication Union (ITU)
- the Number Resource Organisation (NRO) and the five Regional Internet Registries (RIRs) - AfriNIC, ALIN, APNIC, LACNIC and RIPE-NCC
- and the World Wide Web Consortium (W3C).

Their arrangements are also tabulated in an annex (attached).

### a. Internet governance characteristics and roles

There are a number of common characteristics and a number of significant differences in the governance characteristics and roles of the internet governance entities reviewed here, which are (*prima facie*) likely to affect their information and participation practice. The most important of these are as follows:

- a) All but one of the entities reviewed here are exclusively concerned with the internet, and have evolved their governance practices, including those concerned with information and participation, within the internet community.

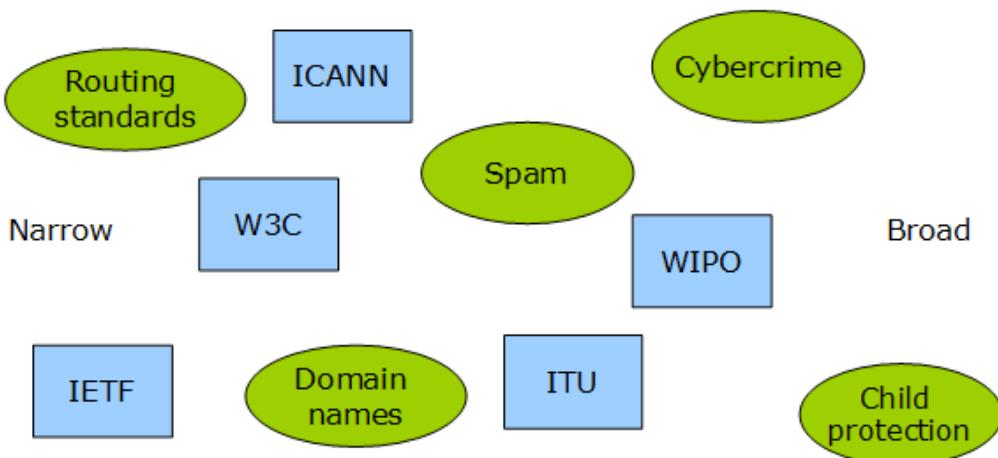
ITU-T, by contrast, is primarily concerned with the related but distinct - and much older - telecommunications sector. Its governance practices draw on conventional intergovernmental models, particularly that of the United Nations system, and (more recently) on international private sector collaboration in standard-setting.

- b) As noted above, the entities reviewed here are almost all clustered in a particular area of internet governance experience:

- they are all international entities and, with the exception of the RIRs, global entities;
- they are almost all primarily concerned with "narrow" technical governance (although the outcomes of their work can have significant social, economic, political and cultural impacts).

The exceptions are ISOC and the IGF. ISOC is largely concerned with policy discourse and the formulation of approaches to internet issues which may or may not find routes to implementation by technical entities. However, it also provides an institutional home for more technical entities including IETF (and has a national as well as international structure). The IGF is concerned with both technical and policy issues, and with the interface between them.

The distinction between "narrow" and "broad" internet governance is not always clear-cut. In practice, there is much more of a continuum, as illustrated in the report of this project to the Hyderabad IGF (see diagram below, which seeks to locate some issues and entities on this continuum). Some internet governance actors contend that all technical decisions include policy choices, and *vice versa*; others would prefer that technical decisions were made on purely technical grounds. The "broad" policy implications of "narrow" technical decisions are most evident in ICANN, where they have become highly contentious and contested.



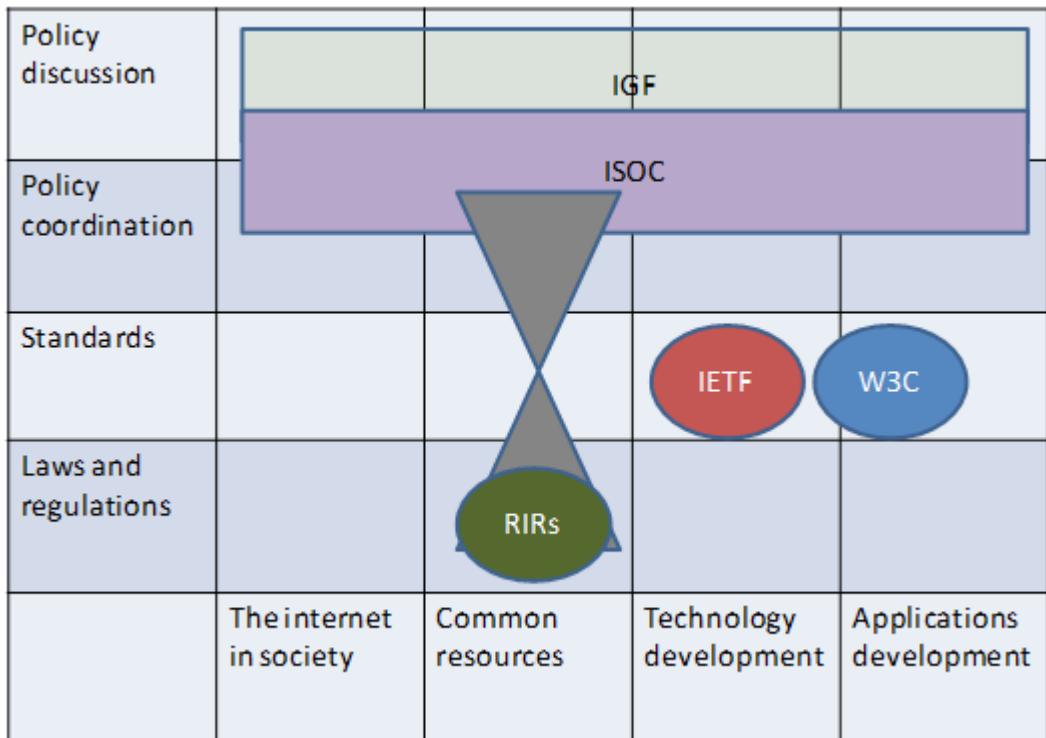
- c) Despite these commonalities, there are significant differences in the governance mechanisms and instruments for which the entities reviewed here are responsible and through which they work.
- ICANN, NRO and the RIRs are concerned with the administration of core internet resources (addresses and domain names), whose requisite uniqueness and critical importance for internet routing require strong rules for allocation and management, at global, regional and national/local levels. (It should be noted that, while ccTLDs are aligned with national boundaries, gTLDs and IP addresses lack national alignment).
  - IETF, W3C and ITU-T are standard-setting bodies, which establish the common technical foundations on which existing services are built and new services developed.
  - ISOC is a professional association, which seeks 'to provide leadership in Internet related standards, education, and policy around the world' by disseminating information, stimulating discussion, and providing a forum for the development and articulation of policies that represent its members.
  - The IGF is a discussion forum, with no decision-making or enforcement powers.

There are many ways in which these institutional characteristics can be mapped diagrammatically. One approach which has been used in other internet governance contexts, and which has some value here, differentiates between governance entities according to:

- a. the scope of their activities (*i.e.* the area of governance for which they are responsible); and
- b. the type of mechanisms which they employ.

The diagram below, adapted from earlier work for the G8 DOT Force (*Louder Voices*, 2002) and for the WGIG (Don MacLean, "Herding Schrödinger's Cats", 2003), uses the horizontal axis to differentiate by scope of activity and the vertical axis to differentiate by type of mechanism, ranging from hard (enforceable) governance mechanisms at its base to soft (normative) governance higher up the axis. (Both axes are expandable; the cell descriptions in this diagram are merely illustrative, particularly on the horizontal axis.) The depth of coloration can be used as an indicator of the strength of decision-making capacity associated with a particular entity.

The version of this diagram below makes some suggestions as to where the main entities discussed in this report might principally (note this word, "principally") be located. There is obvious scope for discussion about these locations, which are not intended to make any particular point about the entities concerned, but to illustrate use of the matrix form.



## b. Membership and representational arrangements

Participation arrangements in organisations can be considered in three tiers:

- i. arrangements for formal participation, usually some form of membership;
- ii. arrangements for the representation of members in decision-making processes (concerning both internal matters - the governance of the entity itself - and external matters - the decisions that it makes concerning its policy responsibilities, and the policies which it adopts and expresses, on behalf of members, in other contexts and to other organisations);
- iii. arrangements for the inclusion of input from non-members in the policy/decision-making process.

The following paragraphs deal with the first of these three issues. The second and third, concerning the participation of members and non-members, are discussed in section 2.e. below. The following paragraphs look, first, at the "core community", the group from which an entity draws its membership/participants and which it seeks to represent; then at membership arrangements; and finally at arrangements for representing the membership in apex decision-making bodies.

### i. The core community

The term "community" is widely used within internet governance.

- A lot of participants in internet governance debate refer, for example, to the "internet technical ..." or the "internet professional community" to describe those who are professionally engaged in the development of the internet.
- The more general term "internet community" is sometimes used to mean the wider group of individuals and organisations who express an interest in internet policy issues and engage in fora like the IGF.
- A number of the internet governance bodies reviewed here, notably the RIRs, use the term "community" to refer to their own "core communities" of users/participants.

Most internet governance entities are in some sense representative bodies: that is they seek to represent a particular interest or category of participant, a group described here and in the annex as their "core community". Representative bodies encourage those who are part of their core communities to become members of the organisation, though not all members of those core communities do so (and in some cases, the proportion of potential members who join is very low). Those outside core communities are often not accepted as members, or entitled only to some subordinate (or associate) form of membership, although their input into organisational thinking may still be welcomed. (The concept of a "core community" is also helpful in clarifying the identity of participants where membership arrangements are informal or imprecise, as they are for example in the IETF.)

The tables in the annex to this report seek to identify "core communities" for the internet governance bodies reviewed here. It should be noted that the purpose here is to establish those groups within the internet community whose interests and concerns are primarily served by the entity in question. Some of these entities would also say that they see themselves as acting on behalf of a wider "internet community" or in support of what they consider to be established "internet principles", and these may encourage participation (if not membership) by members of the wider "internet community" to facilitate this - as, for example, do the RIRs. Nevertheless, their core community is identifiable through their membership arrangements and specified objectives, and this is generally acknowledged.)

The "core communities" of the internet governance entities reviewed here can be categorised as follows:

- The core communities for NRO and the RIRs are the specialist communities which deal with address resources. For the RIRs, these are predominantly recipients/users of address space. NRO's core community is the RIRs themselves.
- ICANN is more complex. As a technical entity, its core community can be summarised as 'entities concerned with coordination and management of the domain name system.' This is, however, potentially, a very broad grouping, and ICANN's structure seeks to represent diverse constituencies through supporting organisations and advisory committees which have their own core communities (the RIRs, different constituencies of users of the domain name system, ccTLDs, governments and individual users of the internet).
- The core communities for the standards entities - IETF, ITU-T and W3C - are made up primarily of those who are concerned with the technical development of the internet, its underlying infrastructure and the applications that make use of it. These are all essentially technical communities, although there are considerable variations in their membership and participation arrangements (see below).
- The two "soft governance" entities reviewed - ISOC and IGF - have much wider core communities, which might be described as the "internet professional community" in the case of ISOC and, even wider, all those who are interested in the development and use of the internet in the case of IGF.

There are, obviously, issues here concerning the relationship between these "core communities" and the "multistakeholderism" which has become a central feature of how internet participants see internet governance, especially since its inclusion in the WSIS principles and the formation of the IGF. This is not the place to discuss these issues in depth, but it is worth noting that, while all "core communities" as understood here can be multistakeholder in character, in practice many come predominantly from

particular stakeholder groups (*e.g.* the internet technical community in the case of the IETF, governments and the private sector in the case of ITU-T, a sub-set of the private sector and the internet technical community in the case of W3C). The most "multistakeholder" in character by far is the IGF.

## ii. Membership

Most representative organisations have some form of membership structure through which interested individuals and/or organisations can formalise their participation.

Membership does not necessarily imply much in the way of participation. Company shareholders, for example, have rights to participate in annual meetings, but very few (and particularly few small shareholders) exercise these. Active participation rates in NGOs which attract members on the basis of the services they offer (*e.g.* access to heritage or cultural sites) tend to be much lower than in those which attract members on the basis of solidarity (for example trades unions or environmental pressure groups).

Although membership usually implies greater rights of participation than non-membership, participation rights need not be exclusive - and many internet governance entities extend them beyond their memberships to their wider "core communities" and even further (see 2.e below).

Membership arrangements vary considerably between the internet governance entities here reviewed:

- Membership in the RIRs is open to those organisations that require address space services from them in their regions, with some form of membership usually also available to others who wish to join but do not obtain address space. In some cases (*e.g.* ARIN), membership for address space users is automatic, while in others (*e.g.* RIPE-NCC), it is optional. In practice, membership is generally required only for participation in some governance functions such as the election of board members. The additional value of membership over *ad hoc* participation in other areas of activity (which is generally open) is therefore limited. It should be noted that membership does not convey any entitlements to address space, which is allocated on the basis of defined policies and procedures.
- Membership in ITU-T and W3C is effectively confined to organisations and/or official bodies.

In the case of ITU-T, full membership is confined to governments, with "sector" or "associate" membership available to businesses and other telecommunications organisations (subject, if they are located within countries, to the approval of their national governments). This lesser membership status entitles sector members (mostly private sector businesses) to participate in the technical work of ITU-T as a whole, and associate members to participate in the technical work of the particular area of ITU-T activity that is of interest to them; but entitles neither to a role in management decision-making. ITU-T sector and associate membership does, however, enable much greater information access than is available to non-members.

W3C is in practice a consortium of businesses (and some other organisations, including governmental agencies) which are concerned with web standards development. While membership in W3C is theoretically open to individuals, the Consortium warns that 'Our processes are designed for organisational participation and we do not have the support structure to handle large numbers of individual members.'

- "Membership" of ICANN is highly complex. ICANN is institutionally a corporation governed by a board of directors, which is appointed by institutional governance mechanisms that are accountable to different constituencies within its structure (see annex).

As a corporation, ICANN does not have "members" but instead has a variety of subsidiary bodies which represent different communities that have an interest in its work - ranging from technical agencies (such as the RIRs (represented through its Address Supporting Organisation, ASO) and ccTLDs (represented through its Country Code Names Supporting Organisation, ccNSO)) to diverse

communities of domain names users (represented through different constituencies within its Generic Names Supporting Organisation (GNSO)). Those governments that choose to participate do so through a Governmental Advisory Committee, whose status and influence are contested. Individual internet users are represented through "At Large Structures", geographical or issue-based entities which have their own place in the overall ICANN hierarchy (see annex diagram).

Overall, these representational arrangements in ICANN can be seen as means to incorporate all stakeholders that are considered relevant within its overall management structure - or ways of accommodating diverse groups reaching beyond its more technical core community. Participants and outsiders alike say that they find this complexity makes the organisation difficult to understand, and this has impacts on the relationship between the organisation's apex structures and its constituents.

- Membership of ISOC is open to organisations and individuals worldwide, without fee or (if they wish to participate in elections) on payment of a fee. Members are nominally expected to agree to a set of principles ('Individual memberships are for people who share the goal of supporting ISOC's Mission and Principles and agree to ISOC's code of conduct'), but it is difficult to see how this can be extensively enforced. Global members in most member countries can also enrol in national chapters. Like ICANN, ISOC is internally governed by a board, this time of "trustees", who are selected by different membership constituencies including the "narrow" IG bodies for which it provides an institutional home.
- There are no membership arrangements in the IETF or IGF.

In the case of IETF, participation in activities is open to anyone who wishes to participate. Its work and management processes are therefore structured along volunteer rather than representative lines, with administrative tasks outsourced to ISOC (institutional host) and an independent service business.

The IGF is also open to any participant, without membership arrangements - though the implications of this in a policy forum are rather different from those in a standard-setting body like the IETF. Although many IGF participants tend to think of themselves as belonging to one of four stakeholder groups (governments, private sector, civil society, internet technical/professional community), these distinctions are recognised by the IGF only at a conceptual and institutional level, not at that of individual participants.

These membership structures are significantly more diverse than are the "core communities" described earlier, and reflect the different origins of the entities concerned. The IETF, for example, has its roots deep in the early years of internet development, which were built around collaborative groups of computer scientists. ITU-T's roots, by contrast, lie in the much more formal intergovernmental experience of the telecommunications sector and the United Nations, leavened more recently by experience in international standards bodies, including the semi-formal collaborative standards development fora initiated in the private sector - this last being something of a model also for W3C. The RIRs were established at various dates between 1992 (RIPE-NCC) and 2004 (AfriNIC) and, while relatively uniform, their "membership" arrangements reflect requirements at the time of their creation. ICANN's membership arrangements, which are based around constituency representation, have been affected by contests over the status and character of the corporation as a whole. ISOC was formed as a representative body, which needs to accommodate both institutional/corporate and individual representation. The IGF is an outcome of the World Summit on the Information Society, in which "multistakeholderism" is more important conceptually than "membership".

### **iii. Representation of members in apex decision-making bodies**

Most organisations have some form of apex structure which is ultimately responsible for making decisions on behalf of members and/or stakeholders, and is commonly elected by them - a board of directors or trustees, for example, or an advisory committee.

Many of the internet governance entities reviewed here - and many within the internet professional community - have roots within the groups of computer scientists that were central to the internet's early development. These groups were essentially collaborative rather than hierarchical, and the influence of this early internet experience remains strong, especially in the more technical entities. While all of the internet governance entities reviewed have some form of apex structure, its institutional authority is in many cases much weaker than would be found in comparable organisations outside the internet.

- The IETF has the loosest and least powerful apex structure (which many IETF participants would not describe as such). An Internet Engineering Steering Group coordinates across the eight areas of IETF activity, and determines when and where consensus has been reached if this is in doubt. Individual Area Directors play this role in relation to particular areas of activity. However, these do not have authority over the way in which the IETF works as a whole, which is essentially determined by the way in which its Working Groups function themselves.
- W3C has an assembly of members ("Advisory Committee"), which appoints an Advisory Board which 'provides guidance to the Team [the (highly-influential) Director and research and engineering personnel] on issues of strategy, management, legal matters, process, and conflict resolution,' and oversees the standards development process. However, according to W3C, its statutory role is not [that of] a board of directors and [it] has no decision-making authority within W3C; its role is strictly advisory.'
- Each of the RIRs has some form of (variously titled) board or executive council, elected by members, which takes responsibility for standard corporate governance activities. These bodies have very limited roles in oversight of RIR policy-making processes concerning the conduct of IP address allocation and registration services), generally limited to the ratification of outcomes of more open policy processes. The ethos underlying them is that decisions are essentially taken through the development of consensus amongst participants in policy discussion (not just members), and the role of the apex body is largely concerned with determining that defined processes have been properly implemented.
- NRO's apex body is an executive council made up of representatives of RIRs.
- ISOC's 'governing body' is a board of trustees which is elected by constituencies within the overall organisation, including both organisational and individual members (the latter through the national chapters which they may join) and also including the internet technical bodies for which ISOC provides an institutional home.
- ICANN has the most complex hierarchical structure of any of the entities reviewed here, and this is illustrated by a diagram in the annex to this report. As a corporation, its apex body is a board of directors, which is selected by its Supporting Organisations (representing different constituencies within the ICANN structure) and by a Nominating Committee charged with appointing suitably qualified directors from among those who wish to be appointed. The Nominating Committee is itself selected by constituent entities within the ICANN structure. In essence, this is a complex system of indirect election in which different weights are given to different constituencies and/or different types of constituent. The purpose of indirect elections of this kind is generally to ensure that apex bodies represent different constituencies as effectively as they represent majority opinion. Some argue that complex structures also offer greater scope for the politicisation of authority and for tensions to arise between apex bodies and constituent members.
- The IGF has no formal apex body. Its secretariat reports to the United Nations Secretary-General, who established the Forum. The conduct of IGF meetings is developed with the support of a "Multistakeholder Advisory Group" appointed by the Secretary-General with a mandate to represent multistakeholder diversity, and to some degree on the basis of recommendations from groups which are accepted as representing stakeholder communities.

### c. The ethos of decision-making and engagement

The character and quality of engagement - *i.e.* of information and participation - in any organisation is determined by three main factors:

- its formal arrangements for information (see 2.d) and participation (see 2.e)
- its informal practice (for example, the extent to which established participants seek to include newcomers, the ways in which participation structures are tailored to enable inclusiveness, and the outcomes of these practices)
- and the ethos for decision-making and engagement, which has much to do with the way in which formal process translates into informal practice.

'Ethos' is defined by the Oxford English Dictionary as 'the characteristic spirit, prevalent tone of sentiment, of a people or community' - the community's perception, in other words, of how things are or ought to be done. This may be stated in formal documents - which may be observed or ignored in practice - or it may be unstated and informal. It can be much more important in determining the extent and nature of engagement in practice than any formal arrangements for information and participation.

Many of the internet governance entities reviewed here express a much more strongly inclusive ethos for engagement than is the norm in international or other governance. This ethos is widely seen as emerging from the highly collaborative nature of the internet's early development, in which loose associations of individual volunteers rather than institutional representatives were responsible for the internet's architecture, routing protocols and technical standards, and for underlying principles that transcend the boundaries between technology and philosophy.

This ethos of collaboration and free expression is, for example, inherent in both the Internet Society's principles and goals (<http://www.isoc.org/isoc/mission/principles/>) and in the IETF's traditions of collaboration between individual volunteers. It is also found, however, in the stated ethos for decision-making and engagement of most of the other entities reviewed here:

- The RIRs, for example, emphasise that their 'policies are developed by the membership and broader Internet community (APNIC): open, transparent and "bottom-up". In many ways, they act as industry self-regulatory bodies, and see themselves as stewards of resources on behalf of the wider (internet) community.'
- W3C, although its membership is overwhelmingly private sector, says that, 'because of the growing importance of the Web to so many people in so many aspects of their lives, it is critical that W3C engage the broader public as part of the development of the core Web standards and that W3C be accountable to this public audience.'
- ICANN, likewise, states that it 'operates on a multi-stakeholder model that brings all interested parties together to discuss policy issues that fall within ICANN's areas of responsibility' and that it 'follows a bottom-up model of policy development and relies on consensus from its stakeholders.'

Of course, what organisations say they believe and do is not always consistent with their practice. This report does not look at the relationship between principle and practice - which it is suggested should be considered in the next phase of work - but is concerned here with stated ethos and intent. So far as that is concerned, the broad ethos within those internet governance entities reviewed here that have emerged from the internet experience could be said to include the following principles:

- All information which is relevant to the entity and its work should, in all normal circumstances, be publicly available online.
- Internet policy and standards development should be open, transparent and inclusive.

- Participation in the internet's development should be open to all who have an interest in the internet and who wish to participate, irrespective of (stakeholder or other) status.
- Anyone should be able to initiate ideas for policy or standards development.
- Once ideas have been initiated, they belong to the community/entity rather than to their originators [this may be less general].
- Their further development should be collaborative, and should take place online and (if necessary or if required by the entity's own rules) in meetings which are open to all-comers.
- Adoption of new policies and standards should be based on consensus rather than majority decisions.

These points are, of course, differently nuanced in different entities reviewed here, but they are broadly consistent with the ethos which each expresses in its own publicity material. The one exception is ITU-T, whose traditions of engagement derive from the intergovernmental processes of the United Nations rather than the collaborative early years of internet development. Even so, when describing its approach, ITU-T emphasises collaboration between government and private sector participants (which, it argues, 'gives ITU standards unrivalled credibility') and the role of consensus in the adoption of decisions on standards (non-governments are excluded from ITU-T's policy decision-making).

More needs to be said about the role of consensus, point 7 in the list of suggested ethos principles above. Consensus holds a central position in the ethos of internet decision-making - in both standards bodies (IETF, W3C, ITU-T) and in those with administration and/or policy responsibilities (ICANN, NRO, RIRs). 'Rough consensus and running code' is, famously, a core principle of the IETF's standards development, while 'any decision made at a face to face meeting of a working group must also gain consensus on the working group mailing list.' In the RIRs, consensus is usually required at several defined stages of the policymaking process (described in 2.e below).

Consensus means, essentially, that a policy position or standards proposal has substantial support within the group that is considering it (whether that is an initial working group or a final decision-making body) *and* that there is no substantial hostility to the position or proposal (specifically that no-one is prepared to express a veto). This is markedly different from majoritarian decision-making (by vote) in which the objections of large numbers of participants may be overruled by the preference of a larger number of supporters (a majority). This distinction between consensus and majoritarian decision-making is made very clear by W3C:

*Where unanimity is not possible, a group should strive to make consensus decisions where there is significant support and few abstentions. ... Groups should favour proposals that create the weakest objections. This is preferred over proposals that are supported by a large majority but that cause strong objections from a few people. ... A group should only conduct a vote ... after the Chair has determined that all available means of reaching consensus through technical discussion and compromise have failed....*

A consensus-based ethos - which effectively grants a veto to any small but significant number of opponents - values the satisfaction of multiple stakeholder groups over the satisfaction of the majority. This chimes with some other aspects of the ethos evident in internet governance entities. It offers some additional protection against risk (which is important in standard-setting). It also makes it probable that there will be general implementation of new initiatives, where this is required. However, it is easier to implement in technical than in policy spheres. ICANN, for example, notes that 'Global consensus is difficult to define; even harder to achieve. Consensus can be achieved in the technical community from which ICANN was created, because you can test opinions and measure results. Consensus on policy questions is elusive, because you can't rely on objective data to choose between values.'

#### d. Information access

As the annex reveals, and as would be expected from the ethos just described, the approach to information access in the internet governance entities reviewed is generally highly permissive. Most of

the internet governance entities reviewed provide much more extensive information about their internal management, policy-making and (where relevant) standard-setting to the wider public than is the norm for governance bodies in other fields, particularly intergovernmental agencies. This is generally associated with much more open participation arrangements than are found in other areas of governance (see below). The main exception to this openness of information access is the ITU-T, which is part of a conventional intergovernmental agency.

Information in this context can be divided into a number of types, which may be more or less relevant in different entities, as follows:

- General information about the entity itself, its processes and activities.
- Information resulting from research, membership surveys and the collection of data supplied by members or other entities with which it works.
- Governance or management information - related to the decision-making processes of the board, the internal governance of the entity, its financial arrangements, management discussions and correspondence, and the policymaking decisions of its internal structure.
- Policy-making information - which relates to the development of policies for the entity's own work (*e.g.* RIR policies on address resource management) and/or its policies relating to the work of other IG entities (*e.g.*, ISOC policies relating to the IGF or ICANN).
- Standard-setting and technical information - *i.e.* information related to the standard and other technical development work undertaken by the entities reviewed.

In the last three of these categories, the importance of information access is determined not just by the type of information but also by the stage which has been reached in the decision-making processes to which it relates. There are three main stages which are relevant, and where different levels of access may be observed, which are.

- a. information related to potential decision-making processes (agenda-setting discussions, policy fora, *etc.*)
- b. information related to ongoing decision-making processes (working papers *etc.*); and
- c. information relating to completed decision-making processes (decisions).

Information in categories a. and b. is important for those who wish to participate in decision-making processes. Information in category c. is principally of value to those who wish to make use in their own work of decisions which have already been taken.

The majority of the entities reviewed here have very open information access arrangements.

- a. All make general information about themselves and their work openly available on their websites. The quality of websites and ease of navigation varies, largely (it would appear) as a result of available website management resources and the extent to which information is primarily technical. In addition to online information, some entities make special arrangements to initiate newcomers to their activities (for example, IETF's RFC *The Tao of IETF* and orientation sessions for new participants held at the beginning of IETF meetings).
- b. Almost all of the entities reviewed make the results of research and membership surveys available, the extent to which they do so depending on the extent to which they undertake research and surveys more than the extent to which they choose to publish them. An exception to this is, however, the ITU, some of whose research outputs and databases are only available in return for payment.
- c. Most of the entities reviewed are much more open with management information than is the norm with conventional intergovernmental agencies, private sector corporations or non-governmental associations in other fields. The minutes of apex bodies such as boards are routinely available online, as (usually) are working papers, though with obvious exceptions such as papers relating to staff matters. ICANN even publishes management correspondence with

external organisations online. This level of access to board and management papers is highly unusual in other contexts, including intergovernmental agencies, private corporations and non-governmental organisations. ITU-T's practice of restricting most management information to full members (*i.e.* member-states) is much more representative of other international bodies.

- d. Information about policy processes is even more openly available than that concerning management. RIR documentation is particularly open, supporting its very open participation processes (see 2.e). For example, 'APNIC publicly documents all policy discussions and decisions. ... APNIC upholds transparency of decision-making processes by providing freely accessible archives of APNIC Open Policy meetings, Executive Council meetings and mailing list discussions.' Extensive documentation is also available from ICANN constituencies as well as from the corporation as a whole, although the nature of this varies between constituencies (as does its relevance to participation). (ICANN's policy on the disclosure of information can be found at [www.icann.org/en/transparency/didp-en.htm](http://www.icann.org/en/transparency/didp-en.htm).)
- e. The standards entities reviewed here have different approaches to information access which are consistent with their different approaches to participation (see 2.e). IETF (in all cases) and W3C (in most) encourage participation in the standard-setting process from all who are interested in participating, and so make drafts and other documentation within the standards development process openly available online. ITU-T, however, restricts access to draft documentation to Full and Sector Members (and Associate Members where they are registered for a particular Study Group) through its TIES information management system, and only makes standards which have been finally agreed generally available. It does, however, make almost all of its agreed standards available online free of charge (the exceptions are those which are shared with other standard-setting bodies), unlike the ITU's Radiocommunications Sector (ITU-R) which charges for these.

#### **e. Participation in decision-making**

The approach to participation in decision-making in the internet governance entities reviewed is more mixed than that to information access. However, most of the entities reviewed have much more open participation processes than would be found in most other areas of governance and public policy.

As with information access, the opportunity for participation arises in three main areas in these entities:

- i. in the internal management of the entity itself;
- ii. in the development of the entity's policies concerning its own work (*e.g.* how the RIRs approach issues concerning address resource management), its administration, and the relationship between its own policymaking and administration and other areas of internet governance (*e.g.* how RIR approaches and activity relate to those of ICANN);
- iii. and, in some cases, in standard-setting.

These are considered successively in the following paragraphs.

##### **i. Internal management**

Participation in the internal management of entities is most likely to be restricted along lines which are common in other areas of government, private sector and NGO management, *i.e.* to registered individual or organisational members, or, where entities are organised as corporations, to stakeholder communities which bear some resemblance to the communities of shareholders found in private sector businesses. This is especially the case with the election of representatives to apex bodies such as boards.

- A number of the entities reviewed here have membership assemblies at the summit of their organisational structures. In some cases, these have clearly superior authority to the apex bodies

(management boards, etc.) which are appointed by members, whose powers are relatively restricted (for example in the RIRs).

- In other bodies, the relationship between membership assemblies, apex bodies and staff is more complex, and there is no general pattern.
  - In ITU-T, for example, a quadrennial World Telecommunication Standardisation Assembly (WTSA) sets the parameters for the Sector's subsequent work, but the management of this then largely falls upon the (elected) Director and staff, supported by an Advisory Group of members. (Only Full Members (the governments of nation-states) may participate in discussion of internal organisational management; Sector and Associate Members are excluded from these discussions.)
  - W3C's work is effectively managed by its Director and "Team" (*i.e.* professional staff), subordinate to an Advisory Council of all members, and supported by an Advisory Board of members whose role is explicitly non-decision-making.
  - ISOC's board of trustees has stronger powers than those in most of the other internet governance entities reviewed, and its rules and regulations require board members to keep a strict distance between themselves and staff members where policy issues are concerned.
  - ICANN's management structure is highly complex and includes a great deal of scope for participation from many different parts of the organisation. However, some participants feel that this complexity, and the difficulty which results for participants in getting a grip on the whole management structure, mean that the board of directors has more power than it would have in less complex organisations.
- IETF does not have a comparable structure for management, or indeed much in the way of management itself. Its apex structures are concerned with outputs rather than administration, with the latter being outsourced to an external service provider.

## ii. Administration and policy development

Participation in the administration of IG entities, and in the development of policies (relating to an entity's own work and its relationship with internet governance more generally), is more open across the range of entities reviewed than is participation in internal management. This kind of participation can take many different forms, which may serve different participatory purposes within a policy development process. For example:

- Membership or core community surveys are used by some entities - for example, ISOC uses them to identify 'the needs, concerns, and interests of our members and the broader Internet community.'
- Open consultations are used by some entities - for example, by the IGF - to solicit community views on specific areas of work or on the future general direction of the entity concerned.
- Public meetings are held by most of the entities reviewed - notably by ICANN, the RIRs and the standard-setting bodies - which can be attended by anyone who wishes to take part, providing an opportunity for input into policy-making processes, or at least to the range of views before the entity's decision-making bodies. ISOC's regional INET conferences and the IGF, although not formal policy-making bodies themselves, also allow participants to contribute to the thinking behind policy decisions which will be made elsewhere. Remote participation (of variable quality) is usually available within these meetings.
- Online mailing lists are, alongside public meetings, the main channel used by most of the entities reviewed for input from members and the wider community/public. Although some of these are open to members only (*e.g.* some in W3C), most policy mailing lists are open to all. They are used both for general input and as the fora for ongoing policy development work. The RIRs' open mailing lists are particularly important in their policy work, and are open to all interested parties.
- Blogs and other user-initiated internet services are used by some of the entities reviewed as additional tools for external input. This is particularly so with ICANN, many of whose constituent bodies have blogs alongside that managed by the Corporation as a whole. Usage levels for these tools vary substantially, and some (such as the IGF's) appear to have low usage.

ICANN has recently appointed a Public Participation Committee of its Board of Directors to foster public participation in its work, and has a General Manager specifically allocated to this role.

Examples of the policy development processes which are used by some of the entities reviewed are included in the annex. Although they vary in some respects, the processes of the RIRs are notably open to input from all interested parties (not just their members or address space users), and involve a number of stages. That for APNIC is fairly typical, and is summarised in the annex as follows:

- i. *Anyone may make a proposal to the secretariat using a proposal submission form at least four weeks before an APNIC Open Policy Meeting. The proposal will be allocated to a SIG [Special Interest Group].*
- ii. *The proposal will be discussed online before the Open Policy Meeting.*
- iii. *The proposal will be presented for discussion at the Open Policy Meeting during a session for the SIG [Special Interest Group], a thematic forum for discussion of policy issues] concerned.*
- iv. *If there is consensus at the Open Policy Meeting, the proposal will be reported to the Member Meeting (held following the Open Policy Meeting), for endorsement by Members.*
- v. *After endorsement, the proposal is subject to an 8-week period of online consultation. This is sometimes referred to as a "last call" stage.*
- vi. *If there is consensus after this period of consultation, the proposal is endorsed by the Executive Council.*

It is worth noting that this process is based on several different stages of consensus, with public participation in each stage, although formal decision-making (confirmation of consensus, ratification of decision) is the responsibility of a membership body. The multiple stages of consensus-building involved here resemble practice in the internet standard-setting bodies, and presumably derive from experience in these.

### **iii. Standards development**

The standards development processes in all three relevant entities (IETF, W3C and ITU-T) include both meetings and work on mailing lists, though the majority of work in practice takes place online.

- In the IETF, participation in standards development is open at all stages to all volunteers - although these are expected to participate as individuals rather than as representatives of any institution (e.g. government or business). The vast majority of IETF work is done in "Working Groups", which are formed to address particular identified challenges. These are, in practice, mailing lists. (Although Working Groups may also meet during IETF meetings, any agreements reached at these must subsequently be endorsed online.) "Internet drafts", the first stage in the development of IETF standards (known as RFCs, "Requests for Comments") may be proposed by individuals or by working groups, but, once proposed, become common property, not that of the proponent, and subject to collective development through a working group. When an individual or working group feels that a proposal is sufficiently mature, the relevant IETF Area Director will take it to the Internet Engineering Steering Group for potential adoption as an RFC. The Steering Group nevertheless intervenes frequently if it does not consider a proposal is sufficiently mature or requires improvement.
- In W3C, participation in policy discussions (about areas in which standards may need to be developed) and active standards development processes are both open to all-comers, and participation is welcomed except in those (limited) areas where mailing lists are open to members only. Where there is sufficient interest in a topic, a working group is formed, made up

of representatives of member-organisations (mostly businesses), invited experts (providing an opportunity for participation by those outside the business membership, who may propose themselves for consideration) and staff (from what is known in W3C as "the Team"). This will 'create specifications and guidelines, that undergo cycles of revision and review as they advance to W3C Recommendation status.' The process includes review by 'the Members and public' and a requirement to demonstrate operational effectiveness and interoperability. Final decisions on adoption are taken by the Advisory Committee, *i.e.* the assembly of member-organisations.

- In ITU-T, standards development is undertaken in what are known as Study Groups, which are established by the quadrennial World Telecommunication Standardisation Assembly. Participation in Study Groups is restricted to Full and Sector Members, and to Associates in the case of Study Groups which they have paid to join. There is no scope for general input from other interested parties or from the wider public, and working papers are restricted, through the TIES information management system, to these participants. Proposals are developed by Study Groups, often in smaller working groups, and then proceed to a "last call" stage on the ITU-T website, where they are open for comment leading to approval (if there are no objections) or to further review.

The importance of consensus should be noted in these standards-setting processes. One of the main reasons for maximising inclusion in standards development is to ensure that all those who need to make use of standards are satisfied that those standards meet their requirements and, as importantly, to not cause problems when they interface with other standards in the internet as a whole. The wider a participatory net is spread, the more likely it is that all eventualities will be covered. As with the RIRs, proposals for standards go through a number of defined stages during which consensus is required before they can move forward to the next. Where contests arise between different, but equally valid, standards options, or where there is disagreement about a proposed standard's fitness for purpose, then it is referred back within the consensus-building process until consensus is achieved.

### **3. ISSUES AND CHALLENGES**

The third section of this report draws together some of the issues raised by the mapping exercise above and in the annex; raises some of the challenges posed by the growing complexity and changing scope of internet governance; and explores further the scope for developing guidelines or other instruments of good practice within information and participation. The primary purpose of this section is not to draw conclusions - that would be premature - but to raise questions for discussion between the project sponsors and internet governance entities during the period between the May IGF consultation and the Sharm el-Sheikh meeting of the IGF in November 2009.

#### **Summary of analysis**

The analysis of the formal arrangements for information and participation within internet governance entities reviewed here can be summarised as follows:

1. Most of the internet governance entities reviewed here, and most entities concerned with "narrow" internet governance, *i.e.* governance of the internet, have evolved from experience within the internet technical or professional community. The collaborative nature of early internet experience has left its legacy in the governance characteristics and ethos of these "narrow" internet governance entities, in particular the very limited role which is played by governments and the high value which is generally placed within them on open participation, voluntarism and consensus.
2. This differentiates most "narrow" internet governance entities from experience in most other areas of international governance, in which governments play a predominant role and in which information for and participation by the wider community, including affected stakeholders, is much less well provided. The ITU-T is the only internet governance entity reviewed here which has emerged from

this more conventional governance tradition. Its experience is, however, much more representative of the non-internet entities which are concerned with "broad" internet governance, *i.e.* with the intersections between the internet and other areas of public policy. This includes entities of considerable importance for the internet, such as WIPO.

3. All internet governance entities (like other organisations) seek to represent the interests and resolve the concerns of their "core communities". These core communities may be made up of specialist groups (such as the RIRs within the NRO) or be quite large and diverse (such as ISOC's broad membership of internet professionals); and may be (but are not always) reflected in membership arrangements (the IETF and IGF have no formal membership). Beyond their core communities, many of these entities express a broader commitment to the interests of the internet or the internet community as a whole, which is reflected in wider and more open participation arrangements.

The discussion in Section 2 of this report is concerned with the stated ethos and practice of information and participation in governance within the entities reviewed. There can be significant differences between an organisation's stated ethos and practice, on the one hand, and the real experience of participants and would-be participants. That has not been tested, and needs to be reviewed in the next phase of work within this project (see Section 4).

4. The ethos and practice of many "narrow" internet governance bodies share a number of common characteristics. Although there are significant variations between entities, these have been summarised above as follows:
  - i. All information which is relevant to the entity and its work should, in all normal circumstances, be publicly available online.
  - ii. Internet policy and standards development should be open, transparent and inclusive.
  - iii. Participation in the internet's development should be open to all who have an interest in the internet and who wish to participate, irrespective of (stakeholder or other) status.
  - iv. Anyone should be able to initiate ideas for policy or standards development.
  - v. Once ideas have been initiated, they belong to the community/entity rather than to their originators.
  - vi. Their further development should be collaborative, and should take place online and (if necessary or if required by the entity's own rules) in meetings which are open to all-comers.
  - vii. Adoption of new policies and standards should be based on consensus rather than majority decisions.
5. These characteristics can be found, to a greater or lesser degree, in all of the "narrow" internet governance bodies reviewed above, irrespective of whether their membership arrangements are very open (IETF, ISOC, IGF) or more restricted (NRO, W3C). Most are not, however, shared by ITU-T, which emerges from a different governance tradition - although there is some shared experience in some areas (notably vi - collaboration and online working - and vii - a preference for consensus).

## Challenges

The summary of common characteristics in point 5 above offers one starting point for considering the desirability of and potential for developing guidelines or a code of practice for information and participation in internet governance. There are, however, a number of tensions inherent in existing information and participation practice, and a number of challenges to its application as the internet continues to evolve. Many of these tensions and challenges arise from or are exacerbated by the rapid changes which have taken place in the internet during its relatively brief history, in particular the unprecedented growth in its user base, which was not anticipated by internet pioneers, and the resulting high importance which the internet has acquired in relation to other areas of public policy.

The following paragraphs summarise some of the tensions and challenges whose implications need to be assessed when thinking about the applicability of possible guidelines or codes of practice.

### 1) Ethos, practice and experience

As noted above, there can be significant differences between an organisation's stated ethos and practice, on the one hand, and the real experience of participants and would-be participants, on the other. The review in Section 2 above is concerned with stated ethos and practice and has not assessed the experience of participants and would-be participants. In some cases, in spite of processes which are more open than those found in other areas of governance, dissatisfaction is expressed by some participants about the potential for them to exert real influence. It would be useful to look further at the relationship between stated ethos and practice, on the one hand, and real experience on the other (without making presuppositions either way).

## *2) Professional and user communities*

There is also, in many organisations beyond as well as within the internet, an inherent tension between professional and user communities. This can be seen as lying between the high levels of understanding and professional expertise of technologists and others with specialist knowledge; and the aspirations, concerns and expectations of governments, businesses and individual consumers whose ability to judge technical potential and limitations is more limited. Equally, it can be seen as lying between a narrower technical focus within the relevant professional community - based on "founding principles", for example, or on pure technical efficiency - and a broader interest of governments, businesses and citizens in the impact which apparently technical decisions have on lives and experiences beyond the professional field concerned. In practice, both groups may wish to see the 'best outcome' achieved from a decision-making process, but they may define differently what that outcome must include.

The distinction here between professional and user communities may coincide with that between an entity's "core community" and the wider community of stakeholders affected by its work, but does not necessarily do so. For example, even some within an RIR's core community of address space users are likely to lack the expertise in address space management, or the operational experience, which are fundamental to the quality of decisions that need to be taken by the RIRs. Involvement in the IETF's standards development process is open to all-comers, but effective participation in it depends on the ability to make sound technical judgements (and the peer group acceptance that results from this).

## *3) Technical and policy issues*

At the heart of challenge 2 lies the relationship between technical and policy dimensions of a decision-making process, and the extent to which these are taken into account by the process itself and by decision-makers.

The importance of this relationship increases with the importance of the internet. In the internet's early days, when its use was confined to small groups of (particularly computer) scientists and academics, decisions about its technical architecture and standards had little impact beyond this narrow group of users. Those who took those decisions did so with the aim of maximising the functional effectiveness of the network as a network, and did not need to consider possible implications for others in wider society because these implications were, at most, insignificant. It can be argued that the internet's inherent "generativity" - its 'independent ability to create, generate or produce content without any input from the originators of the system' (wikipedia) derives from this early inward focus. However, some of the decisions taken at that time have subsequently had important extra-network and policy repercussions - to take an obvious example, the allocation of the management of national domain names to a variety of first-comers.

As the internet has become more and more important in society, technical decisions about its development have become increasingly likely to have external implications and repercussions. Examples of these include the relationship between technical dimensions of the internet and the technical and non-technical security of that network; the impact of different architecture and standards on infrastructure deployment (and so access) or on greenhouse gas emissions; the relationship between internet use and international agreements on intellectual property; and the possible need for "rationing" of IPv4 address space.

Many internet professionals believe that the internet's internal policy and standard setting processes should remain unconcerned with these external repercussions, but be taken on grounds solely of their impact on the internet itself, its functionality and technical efficiency (rather as some economists regard the market). However, many would-be participants whose concerns are more with the internet's impact than with its engineering functionality - especially those from governments, businesses and civil society - believe that technical decisions cannot be divorced from non-technical considerations and impacts and that these latter need somehow to be included in the policy and standards development process, as happens now in many other technical governance areas. This creates a tension for inclusiveness, which long-established internet-focused decision-making processes may find it hard to handle.

#### 4) *Transparency and inclusiveness*

An important distinction should also be drawn between "openness" or "transparency" and "inclusiveness", for these are not necessarily co-existent. Organisations can seem highly transparent, making all of their management, policymaking and other documentation available to all, without thereby becoming accessible to those who are affected by their policies and decisions. The relationship between transparency and inclusiveness depends on a number of factors, which include:

- the salience of relevant issues and decisions taken by an organisation (*i.e.* their relevance and importance to would-be participants);
- the arrangements for participation which enable would-be participants to make use of information or have real influence);
- the complexity of organisational structure (it is much more difficult for would-be participants to understand and navigate their way through the complexities of ICANN, for example, than it is to understand and take part in ISOC or the IGF);
- the extent to which new participants - particularly those who lack the expertise and experience of established participants, who have different objectives or ideologies from them, or who do not fit easily into established patterns of collaborative camaraderie - are encouraged, accepted or rejected by established peer groups;
- and the quality of the information resources made available through "transparency" - the volume of material, its technicality, ease of navigation, explanation of process, availability of synopses aimed at less expert (and less full-time) participants, *etc.*

"Transparency", in short, simply makes materials available for inspection or meetings open for observation. "Inclusiveness" involves reaching out to those who are not part of established peer groups - to the wider "core community" or the wider community beyond that core community - and explicitly encouraging their understanding and engagement.

#### 5) *Information access*

It may be worth illustrating this relationship between transparency and inclusiveness further in the case of information resources.

Most internet governance entities make available a very large amount of information about their activities, which can be accessed online by anyone who is interested in doing so. They are much more transparent than other international governance bodies, thereby, in exposing their decision-making processes - and the evidence on which decisions are based - both to their own members / "core communities" and to wider public scrutiny.

Transparency, however, is not just measured by volume. If too much material is made available, unsorted and in specialist language, this can perversely make decision-making more opaque rather than more transparent. It becomes too hard for those outside the "core community", or even those outside a relatively small group of specialists within the "core community", to absorb the available material, assess its implications and participate effectively in policy discussions. Where this happens, therefore, while policy discussions within an organisation may remain vibrant and contentious, they are likely to be

concentrated within specialist communities. Vibrancy, like transparency, should not be mistaken for inclusiveness.

These issues were considered in the 2002 G8 DOT Force report *Louder Voices*, not least in relation to ICANN. Interviewees for that report, particularly those from smaller and developing countries, identified the lack of useful material, rather than the lack of access to information, as their biggest information problem. With limited time available to devote to issues in debate, what they said they needed most were navigational tools and issue synopses that would enable them to understand the processes involved in decision-making and issues in debate sufficiently for them to articulate their (countries') concerns in ways that would seem relevant to and could influence decision-making overall. Access to "all the information there is" did not help them, because they had too little time to access it. It was accurate, up-to-date summary information that enabled inclusiveness for them, not information *per se*.

#### 6) *Participation*

Very similar points were made about participation in international ICT governance in interviews for the *Louder Voices* report, and can be made about participation here. What enables participation for those with limited resources is the availability of points of participation which are accessible and straightforward for them to use, which do not disparage contributions from those with less expertise (but enable them to learn as well as to contribute), and which welcome contributions which come from outside the body of core participants and raise points which lie outside the main concerns and experience of those participants (for example, which raise implications for implementation and access in developing countries). In practice, this is related to ways of achieving the balance between professional expertise and wider community/user experience and priorities which is described in challenge 2.

As with information, therefore, participation is not just served by maximising opportunities for "anyone to take part", but by ensuring that those opportunities are configured in ways that encourage diversity of participation. This, again, is not just a matter of technical opportunities but of qualitative factors - such as the availability of remote participation at decision-making meetings - but of the ethos of decision-making fora, of the attitudes which established participants take to newcomers, and of the willingness to engage with different dimensions in debate. As the internet becomes (more) universal, inclusiveness requires shifts in thinking about its functional and policy dynamics.

One further point is worth making here. Many internet governance entities, unsurprisingly, use online tools extensively, even predominantly (*e.g.* IETF), within their decision-making processes. In most cases, this seems highly effective and enables much greater participation than would otherwise be the case. However, online tools only enhance inclusiveness where they are widely (and equitably) used by would-be participants. In some cases, for example the IGF, they seem to be little used. (Equally, online tools do not enhance inclusiveness if they are overwhelmingly used or dominated by small groups of highly active participants.)

#### 7) *Internet and wider public policy issues and organisations (the "narrow" and the "broad")*

The seventh challenge listed here extends the point about issues in challenge 3 to the overall institutional structure of internet governance. Just as what were once seen as purely technical issues now have implications which reach far beyond technical efficiency, so internet governance as a whole now reaches far beyond the "narrow" technical decision-making processes that predominated in the internet's early years - into "broad" areas of public policy which are the historic responsibility of governance entities which have not evolved within the internet, which have very different decision-making processes, norms and structures, and for which the internet is only one among a number of factors affecting their public policy approach.

This tension is at the heart of much debate about the nature of internet governance. In the past, and still today, some have argued that the internet should be, in effect, exempt from conventional governance. From a broad governance perspective, however, it seems anomalous (and potentially inequitable) for behaviour which is illegal or unacceptable offline to be legal or acceptable online. This challenge is exacerbated by the transnational character of the internet (which allows citizens, businesses and others

to bypass national laws and norms) and by its generativity (which facilitates innovations which are beyond the terms of reference of conventional governance, including both innovations which might be considered positively creative (*e.g.* blogging, online transactions) and those which might be considered malign (*e.g.* spam, malware)).

The result is that, unlike "narrow" internet governance, "broad" governance of the internet lies at intersections between the internet itself and established conventional governance agencies - for example, the World Trade Organisation and the World Intellectual Property Organisation. The internet is now part, but only part, of the underlying framework within which, for example, trade and intellectual property now require governance; and, in some respects, it has undermined or subverted established paradigms and rules. The challenge this poses for internet and non-internet governance bodies lies in the relationship between the internet and its use, between new models of behaviour and established models of governance. It is only likely to be resolved through creative interaction between entities which are concerned with the internet's functionality and those which are concerned with wider governance issues. Yet the internet and conventional governance models are so different that this has often proved difficult to achieve.

What challenges does this raise for information and participation? Where issues cross the boundaries between internet and conventional governance, there are likely to be asymmetries in the arrangements for engagement. When these issues are approached from the internet side, more information is likely to be available and more participation enabled than when they are approached from the broader governance perspective. These asymmetries need to be addressed if the overall debate is to benefit fully from the participation of different stakeholders with different views; otherwise, participants are likely to focus attention on the governance entities that most suit their interests rather than on participating in a conjoint debate or policy development process. The Aarhus principles seem attractive in this context because they represent the furthest extent of inclusiveness yet established in a conventional governance arena.

#### 8) *The role of consensus*

The final challenge listed here concerns the role of consensus in decision-making. Most of the internet governance entities reviewed in this report emphasise consensus in their decision-making processes, *i.e.* the achievement, through a series of iterations, of a position in which most participants in decision-making positively support a proposal while none disagrees sufficiently to veto it. This is substantively different from the principle of majority voting which still prevails in many other areas of international governance, particularly those where technical operability is not the primary concern. To some extent, it therefore also represents a difference between entities involved in "narrow" and "broad" internet governance.

As noted earlier, consensus is easier to achieve in technical areas, where differences of view are more scientifically testable, than it is in policy areas, which are more subject to differences of perspective and ideology. As noted earlier, ICANN summarises this as follows:

*Global consensus is difficult to define; even harder to achieve. Consensus can be achieved in the technical community from which ICANN was created, because you can test opinions and measure results. Consensus on policy questions is elusive, because you can't rely on objective data to choose between values.*

In addition, while it is often possible to defer decisions in technical areas until consensus is achieved, delay can be highly prejudicial in administrative or public policy contexts, where it can be more important that decisions are taken urgently than that they are the most technically effective that could be made.

The final challenge therefore concerns the extent to which the internet's principles of consensus can be extended into the interfaces between "narrow", largely technical, and "broad", largely policy, governance issues and entities, and whether it is possible synergistically to combine the two styles of decision-making where decisions need to be endorsed in both broad and narrow contexts.

## **Principles?**

The questions that arise from these challenges for a project concerned with the possibility of developing guidelines for information and participation can be summarised as follows:

1. Is it desirable to develop guidelines for information and participation which could be generally adopted in internet governance?
2. Would guidelines be welcomed and adopted by sufficient IG bodies to make them meaningful in practice?
3. Is it realistic to expect guidelines which are viable within entities concerned with governance of the internet (which have emerged from internet experience) to find traction also in entities that have wider governance responsibilities and have emerged from different governance traditions?
4. On what should any guidelines be based, therefore? Should they be based on existing internet practice (as reviewed in Section 2 of this report) or a combination of this experience with that in other public policy traditions?
5. How far should any guidelines be built upon historic experience, and how far on forward-looking perceptions about the changing and future needs of the internet and its worldwide professional and user communities?
6. What would be the best ways of consulting the internet professional and user communities, and other public policy entities impacted by the internet, about these issues and any proposed guidelines?

These questions could form a useful background to further discussion, within this project, of the desirability and development of guidelines or a code of practice. In particular, it is suggested that they could form part of the framework for exploratory discussion involving project partners with personnel from the main entities reviewed in Section 2.

It is not the purpose of this report to suggest actual principles which might be considered for guidelines: these should emerge from further discussion. However, it may be worth indicating the areas on which this discussion might focus, by drawing attention to two summaries included in the project work to date.

The first of these emerges from the work reported here: the brief summary of the ethos and practice in "narrow" internet governance bodies which appears in Section 2. This suggested that the following seven points might summarise the ethos on engagement at the "narrow" or more technical end of internet governance:

- i. *All information which is relevant to the entity and its work should, in all normal circumstances, be publicly available online.*
- ii. *Internet policy and standards development should be open, transparent and inclusive.*
- iii. *Participation in the internet's development should be open to all who have an interest in the internet and who wish to participate, irrespective of (stakeholder or other) status.*
- iv. *Anyone should be able to initiate ideas for policy or standards development.*
- v. *Once ideas have been initiated, they belong to the community/entity rather than to their originators.*
- vi. *Their further development should be collaborative, and should take place online and (if necessary or if required by the entity's own rules) in meetings which are open to all-comers.*
- vii. *Adoption of new policies and standards should be based on consensus rather than majority decisions.*

it would be interesting, in particular, to explore:

- a. the extent to which these principles coincide with the experience of "core communities" and other participants and would-be participants;
- b. the different experiences (and practical variations) found in different IG entities;
- c. the main points of coincidence and of difference between these principles and practice in other, more conventional, public policy organisations;
- a. and (more specifically re. point c.) the role of consensus in internet governance and wider public policy decision-making bodies.

The second suggested starting point for discussion is the summary of information and participation principles in the Aarhus Convention which was included in the earlier (Hyderabad) report of this project. The Aarhus Convention - the UNECE convention which establishes information and participation rights in relation to environmental decision-making - is particularly interesting in this context because it is the most extensive articulation of these rights that has been included in any intergovernmental agreement. It is therefore a good point from which to start looking at the relationship between "narrow" internet and "broad" public policy experience. This summary was as follows:

- *that citizens and others should have rights of access to information, public participation in decision-making, and access to justice in respect of environmental issues (article 1);*
- *that the governments of states party to the Convention should legislate and regulate to establish and maintain a clear, transparent and consistent framework to implement the provisions of the Convention, including appropriate means of enforcement, and should assist and provide guidance to the public in making use of these provisions (article 3);*
- *that they should also promote environmental education and environmental awareness among the public, including Convention entitlements (article 3);*
- *that they should provide for appropriate recognition of and support to associations, organisations or groups promoting environmental protection (i.e. to relevant civil society organisations) (article 3);*
- *that they should ensure that adequate information is collected by public authorities about proposed and existing activities which may significantly affect the environment, and should publish a national report on the state of the environment at regular intervals (article 5);*
- *that public authorities should make information covered by the Convention freely available to the public, on request and as soon as practicable possible, unless disclosure is deemed appropriate for certain specified reasons (which must be stated publicly) (article 4);*
- *that the public should be informed, early in an environmental decision-making procedure and in an adequate, timely and effective manner about any specific environmental matter than affects them, afforded the necessary information about it to understand and analyse its impact, and provided with means to express their views and otherwise participate in the decision-making process (article 6);*
- *that the public should have the right to participate during the preparation of plans and programmes relating to the environment (i.e. to general environmental policymaking) and during the preparation ... of executive regulations and other generally applicable legally binding rules that may have a significant effect on the environment (articles 7 and 8);*
- *that there should be rights of appeal for parties who feel that their rights to information and participation have been infringed (article 9);*
- *and that these rights should be exercisable by both individuals and groups/organisations (including civil society organisations), whether located within or without the national territory.*

Although the way in which these principles are expressed differs from the way in which they might be expressed in internet governance bodies, and although implementation of the processes involved is largely conceived within national institutional structures, there are nevertheless significant similarities with internet governments to merit exploration.

One further set of possible principles for internet governance was included, for illustrative purposes, in the paper from this project which was presented to the Hyderabad meeting of the IGF in 2008, and is worth noting here. It read as follows:

1. *All those who consider themselves to be concerned about internet governance issues - whether in general or specific - should be able to express their views within policy processes.*
2. *Information which is used in internet governance should be made publicly available and readily accessible.*
3. *Internet governance agencies should actively facilitate access to information and foster knowledge within the wider community about the issues with which they are concerned and the decisions which are being made.*
4. *Internet governance processes should enable and encourage those who are concerned about internet issues to contribute to policy debate, with the expectation that their views will be properly considered.*
5. *Opportunities to participate in internet governance processes should be widely publicised.*
6. *Participation in internet governance processes should be monitored and evaluated, with a view to improving inclusiveness, the quality and timeliness of decision-making and the cohesiveness of internet development..*
7. *These principles are intended and should be used to improve the quality of internet governance and should not be used to delay timely decisions from being taken.*
8. *These are default principles. Any exceptions to them which are required should be subject to open discussion and public explanation.*

#### **4. NEXT STEPS**

This report concludes with some suggestions as to next steps which might be taken within this project. At present, the project aims to present some proposals - which may include draft principles for guidelines of information and participation practice - to the November 2009 meeting of the IGF in Sharm el-Sheikh. The following suggestions seek to facilitate this objective. Comments from readers would be welcomed on the desirability and practicality of these suggestions.

1. *Discussion on principles and possible guidelines with internet governance entities*

The first suggestion would seek to build on the work done last year and in this report by seeking to identify a provisional set of draft principles or guidelines that might be discussed at a workshop during the Sharm el-Sheikh IGF (workshop space has been requested).

This would involve discussion between the project (Council of Europe / UNECE / APC) and representatives of some or all of the internet governance entities reviewed for this report. It could be undertaken either bilaterally or through a small group of interlocutors meeting online and, perhaps, during the September IGF multistakeholder meeting in Geneva.

2. *Review of participant experience*

The second suggestion would seek to build on the review of stated ethos and practices in this report by exploring participant experience.

This could involve:

- a. review of assessments of experience which have been undertaken so far by or on behalf of the internet governance entities reviewed so far; and
- b. (perhaps) initiating some new research which would be undertaken jointly by the project and those internet governance entities which were interested in doing so.

### *3. Mapping of exemplar national internet governance environments*

The third suggestion would seek to reach beyond the work of global (and world-regional) internet governance entities towards mapping internet governance and information and participation arrangements at national level. The purpose of this exercise would be to understand better the relationship between global/international governance and the national policy development environment, and assess the appropriateness of any principles or guidelines at a national level (which is the level at which many interested parties may prefer to engage).

Relevant work might include:

- a. the development of a template or framework for mapping national governance and arrangements for engagement; and
- b. exemplar reviews of three or four, geographically and structurally diverse, national IG environments (or, perhaps, two national and one regional environment such as that in East Africa which has a regional IGF).

### *4. Clarification of stakeholder group identities*

The fourth suggestion would seek to clarify the identities of different stakeholder groups and their requirements for information and participation. The word "stakeholder" should be understood here to refer not to the broad categories used to describe internet governance's assumed "multistakeholder" character (governments, the private sector, civil society, the internet professional community), but with much greater precision and granularity. It would seek, in other words, to disaggregate these broad categories and develop a more sophisticated and detailed taxonomy that would help to develop understanding of different stakeholders' capabilities and needs.

One way to do this would be through a selective questionnaire addressed to relevant stakeholder samples. These might include, for example:

a sample of ISOC members;

- a sample of ICANN meeting participants;
- member-organisations of APC (representing civil society);
- government personnel from the exemplar national environments in 3.b above;
- and selected business personnel from these same national environments.

In addition to these four suggestions for next steps ahead of the Sharm el-Sheikh meeting, it is suggested that the project should also consider initiating work in two other areas, which would have a longer timeframe. These are as follows:

### *5. General mapping of the wider internet governance field*

Internet governance is widely (though not universally) described as being highly distributed. There are certainly many organisations that play some role in it, whether "broad" or "narrow", whether global, regional or national. Not all of these, by any means, are involved in the work of the entities reviewed earlier (even in ISOC or the IGF).

There have been past attempts at mapping this diverse universe, whether on a conceptual basis or through classification. It is, however, a fast-changing universe, and a full scale mapping exercise would take significant resources. The project might consider whether it could initiate such a review, perhaps in association with another research centre. In the short term, it could consider the requirements and taxonomy of such a mapping exercise (and where it would have most value to the internet community) at a conceptual level.

#### 6. *Clearing house and information resources*

Previous studies of inclusiveness in the engagement arrangements of international ICT governance entities (notably *Louder Voices*, for the G8 Digital Opportunities Task Force, 2002) have noted the difficulties which less-resourced stakeholders have in participating effectively in such entities (the *Louder Voices* study looked, *inter alia*, at both the ITU and ICANN). These difficulties were faced by stakeholders who were part of "core communities" as well as those whose interest was more general; and included governments and businesses as well as civil society organisations and individuals.

Transparency alone does not provide a remedy to this problem, which can be exacerbated by information overload and by the complexity of some governance entities (such as ICANN), where even dedicated researchers find it hard to remain in touch with everything they need to know. The key information requirement for would-be participants in this context is not maximum access to all available information but access to summary information which a) provides a clear picture of the issues involved and the factors which may make it significant for them and their constituencies; and b) is accurate, reliable and up-to-date. Clear maps of decision-making processes and organisational structure, particularly where these are complex, are also important.

Different options have been proposed for addressing these information challenges, including the development of a clearing-house for information, the systematic publication of objective briefing papers on issues currently under discussion (in the manner of ISOC *Member Briefings*), accessible organisation manuals (such as *The Tao of IETF*), and up-to-dates summaries of the outcomes of significant internet decision-making processes and meetings (along the lines of the summaries of UN family meetings in the UN-NGLS publication *The Go-Between*). The project could explore the viability and potential impact of these different ways of addressing the information challenge, perhaps in conjunction with findings from suggestions 3 and 4 above.

## ANNEX

The tables in this annex provide summaries of some of the more important governance, information and participation arrangements of the internet governance entities reviewed for this report. These appear in alphabetical order of abbreviated name, with the RIRs separately included at the end of the annex.

|       |       |   |
|-------|-------|---|
| Name: | ICANN | Internet Corporation for Assigned Names and Numbers |
|-------|-------|---|

**Purpose:**

Coordination of the domain name system ("... to coordinate, at the overall level, the global Internet's system of unique identifiers, and in particular to ensure the stable and secure operation of the Internet's unique identifiers.")

**Status:**

A non-profit corporation, registered under the California Nonprofit Public Benefit Corporation Law

**Mandate:**

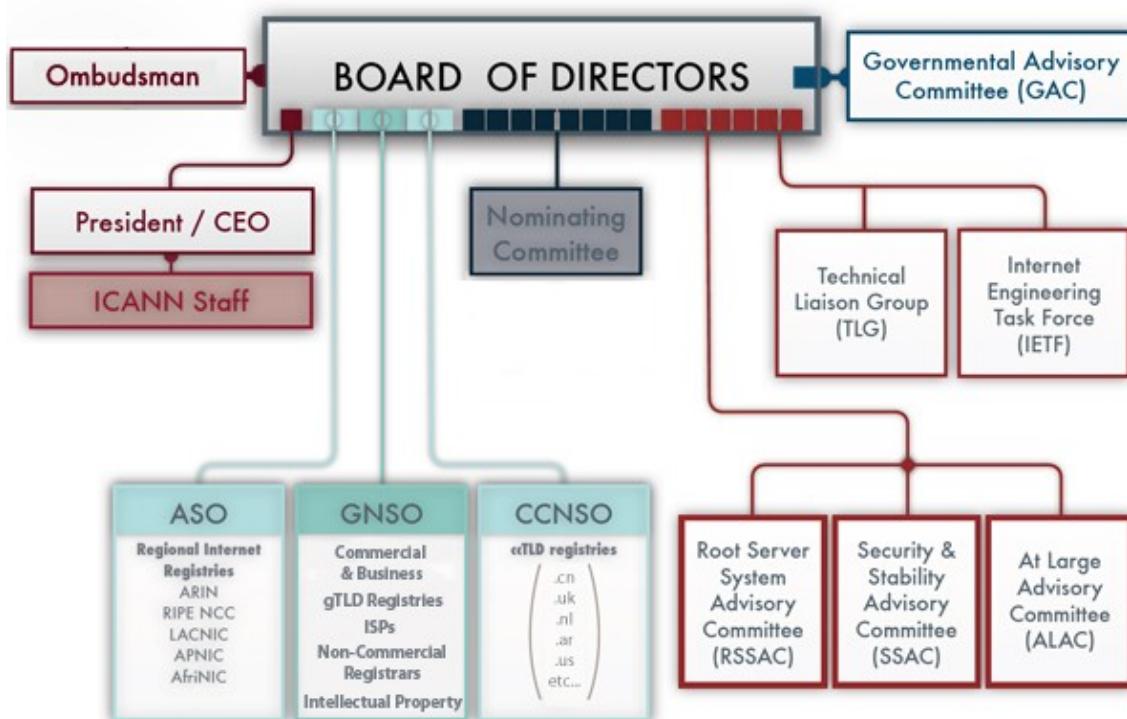
Memorandum of Understanding/Joint Project Agreement with U.S. Department of Commerce. Articles of incorporation.

**Core community:**

All entities concerned with coordination and management of the domain name system.

**Management and organisational structure:**

Corporation with board of directors representing Supporting Organisations; advisory committees, including Governmental Advisory Committee. Illustration from ICANN website below.

**Stated ethos for policy-making:**

*"ICANN operates on a multi-stakeholder model that brings all interested parties together to discuss policy issues that fall within ICANN's areas of responsibility. It follows a bottom-up model of policy development and relies on consensus from its stakeholders."*

**Stated ethos for public information and participation:**

*"For this model [above stated ethos] to work effectively, ICANN needs to encourage participation, instill trust, make information accessible, and have sound dispute and review mechanisms. ICANN believes that transparency and accountability are the foundations that support these elements in its operating model."*

**Membership:**

ICANN's structure is that of a corporation, with supporting organisations and advisory committees that provide representation for constituencies, membership/participation in which is indicated below.

**Principal decision-making fora and participation**

| Decision-making forum | Role | Participation |
|-----------------------|------|---------------|
|-----------------------|------|---------------|

|  |   |   |
|--|---|---|
| ICANN Meetings                                     |   | Open to all.  |
| Board of Directors                                 | To manage the work of the corporation.  | Selected by Supporting Organisations and by the Nominating Committee (see below)  |
| Nominating Committee                               | To select some Board members and members of other bodies within the ICANN structure - specifically to select " <i>those who will place the broad public interest ahead of any particular interests, and who are nevertheless knowledgeable about ICANN, its communities and responsibilities.</i> " | Selected by constituent entities within the ICANN structure (below)   |
| Address Supporting Organisation (ASO)              | <i>"... to review and develop recommendations on Internet Protocol (IP) address policy and to advise the ICANN Board."</i>  | RIRs  |
| Generic Names Supporting Organisation (GNSO)       | To review policy issues relating to generic top level domains.  | Membership includes representatives of ICANN registries and accredited registrars, organised into five constituencies: commercial and business, gTLD registries, ISPs, non-commercial registrars, intellectual property. Nominating Committee involvement in selection. |
| Country Code Names Supporting Organisation (ccNSO) | To review policy issues relating to country code domains.   | ccTLD registries. Nominating Committee involvement in selection.  |
| Root Server Advisory Committee                     | <i>"... to advise the Board about the operation of the root name servers of the domain name system."</i>  | Organisations responsible for operating root servers.   |
| Security & Stability Advisory Committee            | To advise the ICANN community and Board on <i>"matters relating to the security and integrity of the Internet's naming and address allocation systems."</i>   |   |
| Governmental Advisory Committee                    | To represent the views of participating governments.  | Governments (only some governments participate)   |
| At Large Advisory Committee                        | To represent individual internet users.   | Selected by At Large Structures, <i>i.e.</i> membership organisations of individual users, organised on a local or issue basis. There are about 100 At Large Structures. Nominating Committee involvement in selection.   |

#### Information access

ICANN created a Board-level committee for public participation in November 2008, and has a general manager responsible for public participation.

| Type of information        | Forms of information provision              | Access   |
|----------------------------|---|--|
| General public information | Website, publications, issue briefings etc. | Freely available online.   |
| Participatory mechanisms   | Meetings, blogs, consultations              | Wide range of resources available in different formats, with open participation. |
| Board papers               | Board papers                                | Minutes and resolutions available online.  |
| Management papers          | Internal management documents;              | Office correspondence available online; external                                 |

|  |                             |  |
|--|-----------------------------|--|
|  | external representation     | speeches and presentations; budget and financial documents.  |
| SO and other constituent organisation papers | Working papers, blogs etc.  | Extensive documentation available, varying between different parts of the structure. Mailing lists can be open to all, e.g. for ASO. |
| ALAC   | Working papers, blogs, etc. | Open to all.   |
| GAC  | Working papers and minutes  | Minutes available online.  |

**Name: IETF      Internet Engineering Task Force**

**Purpose:**

To contribute to the engineering and evolution of Internet technologies; and specifically, to develop new Internet standard specifications.

*"The mission of the IETF is to produce high quality, relevant technical and engineering documents that influence the way people design, use, and manage the Internet in such a way as to make the Internet work better. These documents include protocol standards, best current practices, and informational documents of various kinds." (RFC 3935).*

**Origin and status:**

An open international community made up of individuals who choose to participate in IETF activities.

**Mandate:**

Self-governing loose association. Established processes set out in internal documents previously agreed within the Task Force (BCP and RFC documents).

**Core community:**

An "... open international community of network designers, operators, vendors, and researchers concerned with the evolution of the Internet architecture and the smooth operation of the Internet."

**Organisational structure:**

The IETF is not a formal body, but a framework for participation in its work by those who choose to participate in specific activities at specific times.

Its institutional "home" is provided by the Internet Society. Small secretariat outsourced to Association Management Solutions, a company based in the USA.

**Stated ethos for decision-making:**

*"Rough consensus and running code - We make standards based on the combined engineering judgement of our participants and our real-world experience in implementing and deploying our specifications." (RFC 3935).*

*"In outline, the process of creating an Internet Standard is straightforward: a specification undergoes a period of development and several iterations of review by the Internet community and revision based upon experience, is adopted as a Standard by the appropriate body (see below), and is published. In practice, the process is more complicated, due to (1) the difficulty of creating specifications of high technical quality; (2) the need to consider the interests of all of the affected parties; (3) the importance of establishing widespread community consensus; and (4) the difficulty of evaluating the utility of a particular specification for the Internet community." (RFC 2026)*

**Stated ethos for information and participation:**

*"Open process - any interested person can participate in the work, know what is being decided, and make his or her voice heard on the issue. Part of this principle is our commitment to making our documents, our WG mailing lists, our attendance lists, and our meeting minutes publicly available on the Internet." (RFC 3935).*

#### **Membership:**

| Type of membership                      | Eligibility   | Notes  |
|---|---|--|
| <i>"There is no formal membership."</i> | <i>"Generally, attendance at IETF meetings and subscription to IETF mailing lists is open to all volunteers."</i> | <i>"Participants are expected to contribute as individuals, rather than as representatives of companies or organisations."</i> There are no contribution fees. |

#### **Principal decision-making fora and participation**

The structure of the IETF is informal and non-hierarchical. It is therefore not readily susceptible to presentation in the same tabular form as other internet governance bodies in this annex. The following table should be understood on that basis; in particular, it should be understood that the table is not hierarchical and that the vast majority of IETF work is undertaken in and by working groups.

| Forum                               | Role  | Participation  |
|-------------------------------------|---|--|
| IETF meetings (3 p.a.)              | To facilitate interworking between areas and working groups and provide a forum for ongoing activity.                                   | Open to all volunteers. IETF meetings provide a framework which may facilitate the work of working groups but work done there does not have higher status than work done online. <i>"Any decision made at a face to face meeting of a working group must also gain consensus on the working group mailing list."</i> Many active IETF participants do not participate in IETF meetings, or participate in them remotely. |
| Internet Engineering Steering Group | To coordinate across the eight areas of IETF activity, and determine where there is consensus as required.                              | Area Directors   |
| Area Directors                      | To coordinate among working groups across an area of IETF activity, and facilitate consensus process within working groups if required. | Selected by Nominations Committee  |
| Working Groups                      | To develop internet standards documents which are known as RFCs (Requests for Comment).   | Open to all volunteers. Working groups proceed online and in IETF meetings.  |

#### **Standard-setting process:**

1. Any Working Group or individual may make a proposal for the development of a standard in the form of an "Internet draft", preferably following guidelines that will make it easier in time for the Draft to become an RFC (Internet standard).
2. The Internet Draft is made available for comment, review and revision within the IETF, for a minimum of two weeks.
3. An Internet Draft which is considered suitably mature may be put forward for the IETF standards track by a Working Group or individual. Once a Draft enters the standards track, it becomes the property of the IETF and may be amended by the IETF community in general, rather than remaining the product of its originator.
4. The IESG will initiate a Last Call process of at least two weeks within the IETF community before determining whether the Draft has achieved sufficient maturity to become a Proposed Standard RFC. The IESG expects to see

evidence testing of the viability of a specification when making this assessment. If the IESG does not consider a Draft sufficiently mature, it will refer it back for further community review.

5. A standard may proceed onward through the IETF standards track, from a Proposed Standard (for at least six months), to a Draft Standard (for at least four months) to an Internet Standard. *"These minimum periods are intended to ensure adequate opportunity for community review without severely impacting timelines."* Revisions may result from community review at each stage, and these will be assessed by the IESG before any change of status is approved.
6. Many active standards remain at the Proposed Standard level and do not in practice advance through the standards track.

**Information access:**

| Type of information                 | Forms of information provision        | Access                  |
|-------------------------------------|---------------------------------------|-------------------------|
| General information about IETF      | Online information, the IETF Journal, | Freely available online |
| Standard-setting: working documents | Working documents                     | Freely available online |
| Standards outputs                   | RFCs and other standards documents.   | Freely available onli   |

|       |     |                           |
|-------|-----|---------------------------|
| Name: | IGF | Internet Governance Forum |
|-------|-----|---------------------------|

**Purpose:**

Forum for discussion of internet governance issues.

**Origin and status:**

Established by the UN Secretary-General in 2006 on recommendation of the World Summit on the Information Society.

**Mandate and constraints:**

Mandate set out in WSIS Tunis Agenda. Required to enable multistakeholder participation. No decision-making powers; limited powers to make recommendations (not used).

**Structure:**

Annual meetings, including plenary and workshop sessions. Scope for "dynamic coalitions" to work between meetings.

Small secretariat based in Geneva.

**Stated ethos for information and participation:**

*"The Internet Governance Forum, in its working and function, will be multilateral, multi-stakeholder, democratic and transparent."* (Tunis Action Plan)

**Membership:**

| Type of membership                        | Eligibility   | Notes   |
|---|---|---|
| There is no formal membership of the IGF. | Anyone may participate in IGF meetings and consultations. | The IGF identifies three main stakeholder communities - governments, the private sector and civil society. The internet professional community is sometimes considered a distinct fourth stakeholder community. |

### Institutional / management structure:

| Board or equivalent                                | Role  | Selection process   |
|--|---|---|
| Multistakeholder Advisory Group (MAG) (50 members) | To assist the UN Secretary-General (and in effect therefore the WSIS Secretariat) in convening the IGF. | Selected by the UN Secretary-General following consultations with stakeholder communities (and, in practice, recommendations from stakeholder groups). Aim to secure balance between stakeholder communities, geography, etc. |

### Principal fora and participation

| Decision-making forum  | Role  | Participation   |
|--|---|---|
| IGF meetings, including workshops and meetings of "dynamic coalitions" | Discussion of major internet and internet governance issues, with no decision-making role. May make recommendations under certain circumstances according to mandate, but has not done so to date. Dynamic coalitions may make recommendations. | Open to all (meetings once p.a. in different countries). Some scope for remote participation.   |
| IGF consultations  | Consultation with all stakeholders to review past IGF experience and provide input to MAG and Secretariat on implementation of forthcoming IGF(s).  | Open to all (meetings three times p.a. in Geneva). Some scope for remote participation. Prior input is sought on an open basis from any would-be contributor: this input is published online and summarised in a synthesis paper before each meeting. |
| MAG meetings   | Development of proposals and decisions regarding conduct of IGF meetings (conference organising committee).   | MAG members and advisors to the Secretariat. Each MAG meeting is preceded by a consultation or other public open meeting (above).   |

### Other input mechanisms

| Mechanism  | Role  | Participation   |
|--|---|---|
| IGF Discussion Forum (online)                              | "to provide a flexible, intuitive and user-friendly space in order to facilitate better online collaboration" | Open to all . (Actual participation levels very low.) |
| Other internet interactive media (Facebook, Twitter, etc.) |   | Open to all. (Actual participation levels low.)       |

### Information access

| Type of information                      | Forms of information provision  | Access |
|--|---|--------|
| General public information               | Website; also material on internet interactive media (YouTube, Flickr, etc.)  | Open   |
| IGF meeting agendas etc.                 | Website.  | Open   |
| IGF and consultation meeting proceedings | Webcast and simultaneous transcript. Subsequent publication of transcript. Publication online of all prior inputs to consultation meetings and of synthesis papers. | Open   |

|              |   |                                   |
|--------------|---|-----------------------------------|
| MAG meetings | Minutes (summary form) published online. Content of MAG online discussions (anonymised) published online. | Open access to meeting summaries. |
|--------------|---|-----------------------------------|

**Current developments:**

The entire IGF process is to be reviewed during 2009-2010, ahead of a decision about whether it should continue beyond its original five-year term, and if so in what form. Process in hands of UN Secretary-General, with advice from IGF Chair and Secretariat.

|              |             |                             |
|--------------|-------------|-----------------------------|
| <b>Name:</b> | <b>ISOC</b> | <b>The Internet Society</b> |
|--------------|-------------|-----------------------------|

**Purpose:**

To act as an association of internet professionals, a forum for cooperation and an advocate of the internet; "*to provide leadership in Internet related standards, education, and policy around the world.*"

*"The mission of the Internet Society is to promote the open development, evolution, and use of the Internet for the benefit of all people throughout the world." In pursuit of this mission, ISOC:*

- *Facilitates open development of standards, protocols, administration, and the technical infrastructure of the Internet*
- *Supports education in developing countries specifically, and wherever the need exists*
- *Promotes professional development and builds community to foster participation and leadership in areas important to the evolution of the Internet*
- *Provides reliable information about the Internet*
- *Provides forums for discussion of issues that affect Internet evolution, development and use in technical, commercial, societal, and other contexts*
- *Fosters an environment for international cooperation, community, and a culture that enables self-governance to work*
- *Serves as a focal point for cooperative efforts to promote the Internet as a positive tool to benefit all people throughout the world*
- *Provides management and coordination for on-strategy initiatives and outreach efforts in humanitarian, educational, societal, and other contexts."* [Mission statement]

ISOC also provides an institutional home for the Internet Architecture Board (IAB), for IETF, for the Internet Engineering Steering Group and for the Internet Research Task Force.

**Status:**

Non-profit international membership association, organised both globally and through national "chapters".

**Mandate:**

Mission statement (above); statement of "principles and goals"; strategic operating plan (2005).

**Core community:**

Organisations and individuals with a professional interest in the internet.

**Management:**

Global association, with organisational and individual membership, board of trustees, secretariat, national chapters.

**Stated ethos for policy/decision-making:**

*"ISOC's main purpose is to maintain and extend the development and availability of the Internet and its associated technologies and applications. This is both an end in itself and a means of enabling organisations, professions, and individuals worldwide to more effectively collaborate, cooperate, and innovate in their respective fields and interests."*

ISOC is not a policy-making body for the internet. Its principles, processes, structures etc. nevertheless exert "soft governance" influence on the internet. It also develops public policies on behalf of and representing its membership, which it articulates in debates about the internet.

*"In pursuing our public policy objectives, we operate collaboratively and inclusively, working with governments, national and international organizations, Civil Society, the private sector and other parties to reach decisions about the Internet that conform to our core values."*

*"The board of trustees of ISOC is charged with setting the policies and direction of ISOC. In order to do so effectively, the Board meets several times a year and frequently has less formal discussions by e-mail throughout the year. This is the manner in which policies and strategies are set by the board."*

#### **Stated ethos for information and participation:**

*"ISOC is supported by an active, global network of members who help promote and pursue the ISOC mission in all parts of the Internet community and all parts of the world. Members benefit from access to educational opportunities and informational resources and they participate actively in ISOC discussions and activities. Members are vital to ISOC's existence, providing energy, support, ideas, inspiration, and funding".*

#### **Membership:**

| Type of membership      | Eligibility   | Notes   |
|-------------------------|---|---|
| Organisation membership | <p>Open to "corporations; nonprofit, trade, and professional organisations; foundations; educational institutions; government agencies; and other national and international organisations that share ISOC's commitment to an open and accessible Internet."</p> <p>Six tiers of organisational membership, structured largely by fee rate.</p> | There are approximately 80 organisational members, the majority of which are large businesses. Organisation members are represented internally through an Internet Society Advisory Council (ISOC-AC). Higher tiers of organisation membership include entitlement to vote for organisational board member. |
| Individual membership   | <p>Open to all individuals "who share the goal of supporting ISOC's Mission and Principles and agree to ISOC's Code of Conduct".</p>  | There are approximately 28,000 individual members. Basic membership is free. Sustaining members (\$75 fee) can take part in electing one board member through chapters.   |

#### **Principal decision-making fora and participation:**

| Board or equivalent | Role   | Participation   |
|---------------------|--|---|
| Board of trustees   | <i>"The Board of Trustees of the Internet Society is its governing body and is responsible for all affairs of the organisation worldwide."</i> | Elected by ISOC members in organisational groupings - by organisational members, by chapters, and by the Internet Architecture Board. |
| Executive Committee |  |   |

#### **Information access**

| Type of information                            | Forms of information provision | Access                   |
|--|--------------------------------|--------------------------|
| General information about the Internet Society | Website, publications,etc.     | Freely available online. |

|                                |   |   |
|--------------------------------|---|---|
| Governance papers              | Board of Trustees working papers, minutes, etc.   | Minutes available online.   |
| Consultations                  | Member consultations  | Undertaken on major policy issues from time to time, including future direction of the Society. |
| Internet information resources | Member briefings, reports and other publications.   | Freely available online.  |
| Policy documents               | IETF Recommendations etc.; documents of other internet organisations for which ISOC provides an institutional home - Internet Architecture Board, Internet Research Task Force. | Freely available online, through links to websites of the relevant entities.                    |
| INET conferences               | Regional conferences focusing on significant issues within internet development.  | Open to all.  |

|              |              |   |
|--------------|--------------|---|
| <b>Name:</b> | <b>ITU-T</b> | <b>International Telecommunication Union - Telecommunication Standardisation Bureau</b> |
|--------------|--------------|---|

**Purpose:**

To establish standards for telecommunications networks, technologies and equipment (and thereby for the internet's underlying infrastructure).

**Status:**

The ITU is an intergovernmental organisation which works within the framework of the United Nations. ITU-T is one of three ITU Sectors which deal with different aspects of telecommunications (the others being ITU-R, which deals with radio spectrum issues, and ITU-D, which deals with the development of telecommunications (and with telecommunications in development).

**Core community:**

Government agencies and businesses concerned with telecommunications network and equipment standards.

**Mandate:**

Overall mandate is set out in the ITU Constitution and Convention. Mandate for ITU-T work programme is determined by World Telecommunication Standardisation Assembly (WTSA), which is held every four years.

**Management structure:**

Intergovernmental organisation with intergovernmental conferences (ITU Plenipotentiary Conference and WTSAs), secretariat with director (elected at ITU Plenipotentiary Conference), advisory group reviewing implementation of WTSAs objectives between meetings of WTSAs.

**Constraints on information and participation arrangements:**

The ITU is a United Nations organisation and so bound by UN conventions on membership and participation in decision-making, which give decision-making authority and exclusive voting rights to governments.

**Stated ethos for information and participation:**

*"We are unique among standards bodies in that as well as the private sector members that drive much of our work, governments from around the world also participate"*

**Stated ethos for decision-making:**

*"ITU Recommendations [standards] are agreed by consensus, generally amongst the participants of the group which developed the standards, and yet once adopted they have the approval of 191 governments. This gives ITU standards unrivalled credibility..."*

**Membership:**

| Type of membership   | Eligibility   | Notes  |
|----------------------|---|--|
| Full membership      | Restricted to Member-States of the United Nations (and so to their governments, although governments may include non-official representatives in delegations).  | Participation covers the ITU's core decision-making entities and all three Sectors. There are currently 191 Member-States.   |
| Sector membership    | Open to organisations which are not governments, but which are "recognised entities" dealing with telecommunications within Member-States and to regional and international telecoms, standards, financial and development organisations. | Sector membership is confined to one Sector (though organisations may join more than one Sector). Sector members pay significant fees (reciprocal free sector membership is available to some international organisations). There are more than 275 ITU-T Sector members , almost all of which are businesses. Sector membership is subject to approval by national governments in the case of national entities and to approval by ITU Council in the case of international entities. |
| Associate membership | Open to the same organisations as sector membership, but with fewer entitlements.   | Associate membership is confined to one study group (see decision-making fora, below). Associate members pay lower fees than Sector members, commensurate with their lesser entitlements. Almost all associates are businesses. Associate membership is subject to approval by national governments in the case of national entities and to approval by ITU Council in the case of international entities.   |

**Principal decision-making fora and participation**

| Decision-making forum   | Role   | Participation  |
|---|--|--|
| <b>ITU governing bodies</b>                                   |  |  |
| ITU - Plenipotentiary Conference (Plenipot.)                  | To establish the direction and work programme of ITU, and to elect its Council and senior officials. | Member-States. Sector Members which are recognised operating entities, scientific or industrial organisations or financial and development organisations may attend as observers but some sector members outside these categorries are excluded. |
| ITU - Council   | To oversee the work programme of the ITU between meetings of Plenipot.                               | Elected Member-States (25% of all Member-States).  |
| <b>ITU-T decision-making bodies</b>                           |  |  |
| ITU-T World Telecommunication Standardisation Assembly (WTSA) | To establish the direction and work programme of ITU-T.  | Member-States have voting rights. Sector Members may otherwise participate fully in Assembly activities, including written and oral contributions, except where matters are  |

|  |   |  |
|--|---|--|
|  |   | concerned with the structure and functioning of the ITU/ITU-T. Other telecoms organisations may attend as observers.   |
| ITU-T Telecommunication Standardisation Advisory Group | To oversee the work programme of ITU-T between meetings of WTSAs.   | Member-States and Sector Members participate in TSAG.  |
| <b>ITU-T technical bodies</b>                          |   |  |
| ITU-T Study Groups                                     | To develop ITU Recommendations (standards) and undertake some other tasks such as publication of handbooks.   | Member-States and Sector Members can participate fully in all ITU-T Study Groups throughout the consensus-building process for Recommendations, including proposal of items for inclusion on agenda, written and oral contributions. Associates can participate in the specific Study Groups associated with their membership. |
| ITU-T Focus Groups                                     | To assess emerging industry needs which are not covered by Study Groups (e.g. climate change) and necessary specification tasks resulting from these. | Participation in Focus Groups may be more flexible than that for Study Groups. Focus Groups may be formed as the result of work by less formal Fora and Consortia.   |

#### **Standard-setting process (majority of standards)**

1. Any Study Group member (Member-State, Sector Member or Associate) proposes an item for discussion by a specific, relevant Study Group.
2. If agreed, the Study Group establishes a Working Party on the issue, which prepares a draft Recommendation for review by the Study Group.
3. If the Study Group gives Consent, the draft is submitted to the "Alternative Approval Process", a fast-track mechanism for standards approval introduced in 2001. Under this process, the draft is posted on the ITU-T website for a four-week period for comment. This is known as the Last Call period.
4. If the draft receives no adverse comments, it is considered to be approved. If there are adverse comments, it is returned for revision and subsequent reposting for comments, this time for a three-week review period (Additional Review). If there are still adverse comments after this Additional Review, the draft and comments are sent for review at the next Study Group meeting.

The traditional approval process, which is much more intensive and time-consuming, is now largely reserved for standards processes with regulatory implications.

#### **Information access**

Note: Many ITU-T working documents are available through TIES (Telecommunication Information Exchange Service) accounts. TIES accounts are available only to personnel of Member-States, Sector Members and Associates on approval of national administrations. TIES accounts of Sector Members are restricted to relevant Sectors, and of Associates to relevant Study Groups. Access to working papers is identified in ITU publications as a principal benefit of Sector and Associate membership.

| Type of information              | Forms of information provision  | Access  |
|----------------------------------|---|---|
| General public information       | Information about the ITU and ITU-T in general; ITU research and analytical publications. | Website access free. Paper publications on payment basis: some available free on website, others requiring payment or subscription. |
| WTSAs and Council working papers | Agendas, contributions, working papers, minutes.  | Members and Sector Members have access to WTSAs working papers through their TIES accounts.   |

|                                      |  |   |
|--------------------------------------|--|---|
| Standards development working papers | Agendas, contributions, working papers, minutes.     | Members and Sector Members, and associates for those study groups of which they are associates, have exclusive access to working documents through their TIES accounts.                         |
| Standards outputs                    | Standards documents (known as ITU-T Recommendations) | Available free on website, but payment required for paper copies. Some standards shared with other organisations on paid-for basis. (ITU-R standards, by contrast, normally on paid-for basis.) |

#### Note on current developments concerning information and participation in ITU work related to WSIS

Following WSIS, the ITU initiated a working group review of arrangements for "the participation of relevant stakeholders" in those activities of the ITU which are related to WSIS. This does not relate directly to the work or structure of ITU-T.

Terms of reference for the working group include the following:

1. *to establish a set of criteria for defining which stakeholders are relevant to participate in ITU activities related to WSIS, taking into consideration the added value of their participation;*
2. *to analyse the definitions of Sector Member and Associate and the related provisions of the legal instruments of ITU, and how they could be applied in order to enhance the membership of ITU, and, if required, to identify possible amendments to these provisions;*
3. *to review the existing mechanisms (e.g. partnerships, symposia, seminars, workshops, focus groups, policy forums, experts) in regards to participation by non-ITU members, and to consider how to use them more effectively, to improve them and to identify possible new ones;*
4. *to identify specific efforts that may be needed to mobilize and ensure the meaningful and effective participation of all relevant stakeholders from developing countries and stakeholders in the development field, including by providing assistance;*
6. *to identify and establish the spheres of competence that the Member States reserve for themselves with regard to WSIS stakeholders and the possible denunciation of their participation in ITU.*

Membership of the working group is restricted to member-states, but it has undertaken a consultation exercise with interested parties. Secretariat reports for the working group covering existing practice in the ITU and other UN/international agencies are publicly available, but the report of the stakeholder consultation exercise and working group papers are restricted to TIES members.

|           |                              |
|-----------|------------------------------|
| Name: NRO | Number Resource Organisation |
|-----------|------------------------------|

**Purpose:**

Coordination and representation of common activities of the RIRs.

**Status:**

Association of the Regional Internet Registries (RIRs).

**Mandate:**

Memorandum of Understanding between RIRs. MoU between ICANN and NRO, enabling NRO to act as ASO within the ICANN framework (see above).

**Core community:**

Regional Internet Registries (RIRs)

**Management structure:**

Executive Council of RIR representatives.

**Membership:**

| Type of membership   | Eligibility                         | Notes |
|----------------------|-------------------------------------|-------|
| Member organisations | Regional Internet Registries (RIRs) |       |

**Principal decision-making fora and participation**

| Decision-making forum | Role   | Participation                              |
|-----------------------|--|--|
| Executive Council     | To manage the NRO and coordinate work amongst RIRs | Representatives of RIRs (rotating offices) |

**Information**

| Type of information                           | Forms of information provision   | Access                  |
|---|--|-------------------------|
| General public information                    | Website, common policy and position statements, comparative IP addressing policy overviews | Freely available online |
| Governing bodies - agendas and working papers | Executive Council minutes  | Available online        |

**Name: W3C World Wide Web Consortium**

**Purpose:**

To develop standards for interoperable technologies - "*interoperable technologies (specifications, guidelines, software, and tools)*" - for the World Wide Web.

**Status:**

International industry consortium, headed by a management team. Administered by the [MIT Computer Science and Artificial Intelligence Laboratory \(CSAIL\)](#) in the USA, the [European Research Consortium for Informatics and Mathematics \(ERCIM\)](#) in France and [Keio University](#) in Japan.

**Mandate:**

Consortium of member organisations.

**Core community:**

Businesses and other organisations professionally and commercially concerned with the development of standards for Web technologies and services.

**Management structure:**

Advisory Council composed of Members, senior management, "Team" (research and engineering personnel), Offices (other staff).

**Stated ethos for policy/decision-making:**

*"Consensus is a core value of W3C. ... [Consensus means that] A substantial number of individuals in the set support the decision and nobody in the set registers a Formal Objection. ... Where unanimity is not possible, a group should strive to make consensus decisions where there is significant support and few abstentions. .... Groups should favour proposals that create the weakest objections. This is preferred over proposals that are supported by a large majority but that cause strong objections from a few people. ... A group should only conduct a vote ... after the Chair has determined that all available means of reaching consensus through technical discussion and compromise have failed...."*

#### **Stated ethos for public information and participation:**

*Because of the growing importance of the Web to so many people in so many aspects of their lives, it is critical that W3C engage the broader public as part of the development of the core Web standards and that W3C be accountable to this public audience. W3C enables public participation and promotes public accountability in a number of ways."*

#### **Membership:**

| Type of membership | Eligibility   | Notes  |
|--------------------|---|--|
| Membership         | Membership is geared to organisations, primarily businesses, and is priced accordingly. Individuals may join, but on the same terms as businesses and other organisations. <i>"Our processes are designed for organisational participation and we do not have the support structure to handle large numbers of individual members."</i> | <i>"W3C Members include vendors of technology products and services, content providers, corporate users, research laboratories, standards bodies, and governments."</i> There were 391 members on 24 April 2009. |

#### **Principal decision-making fora and participation:**

| Board or equivalent                | Role  | Participation   |
|------------------------------------|---|---|
| Advisory Committee                 | To oversee the development and work of the organisation and provide a representative forum for the membership.  | Each W3C Member organization has one Advisory Committee Representative. It is, therefore, in effect an assembly of members.   |
| "The Team"                         | To lead the technical activities of W3C and manage the work of the consortium.  | Appointed staff.  |
| Advisory Board                     | <i>"... to provide guidance to the Team [research and engineering personnel] on issues of strategy, management, legal matters, process, and conflict resolution."</i> Also to manage the evolution of the Process Document which spells out policymaking system | <i>"The Advisory Board, which is elected by the Advisory Committee [i.e. by the membership], is not a board of directors and has no decision-making authority within W3C; its role is strictly advisory."</i> |
| Technical Architecture Group (TAG) | To oversee work related to technical architecture   |   |
| Working Group mailing lists        | To develop proposals into standards (Recommendations). There are a little over 100 Recommendations.   | Some mailing lists are closed to members; some are public. <i>"We encourage the public to participate in technical discussions on ... Public mailing lists."</i>  |

#### **Standard-setting process:**

1. Interest in a topic is signalled by one or more Members or by the Team, which monitors ongoing work for possible areas of activity. A workshop may be organised to discuss topics.

2. Where there is sufficient interest in a topic, the Director will announce an Activity Proposal, including proposed charters for one or more Working Groups.
3. Where there is sufficient support, a Working Group will be formed, which will include Members, Invited Experts and members of the Team.
4. The Working Group will "*create specifications and guidelines, that undergo cycles of revision and review as they advance to W3C Recommendation status.*" The process includes review by "*the Members and public*" and a requirement to demonstrate operational effectiveness and interoperability.
5. The Advisory Committee [*i.e.* the Membership] reviews the Working Group technical report and, if there is support, issues a Recommendation.

**Information:**

| Type of information                        | Forms of information provision   | Access   |
|--|--|--|
| General information                        | Information about organisation in general and its activities   | Freely available online  |
| Governance working documents               | Advisory Board and TAG working documents   | TAG working and output documents available online.   |
| Governance decisions                       | Advisory Board outputs.  |  |
| Policy discussions                         | Workshops - described as " <i>a chance to brainstorm with people about topics that interest the community but may not yet be on the agenda of a chartered W3C group.</i> " | Open to non-members.   |
| Policymaking (standards) working documents | Mailing lists and other documentation within the standard development process.   | Working drafts which are open for review are freely available online. Some mailing lists are closed to members; some are public. " <i>We encourage the public to participate in technical discussions on ... Public mailing lists.</i> " |
| Policymaking outputs                       | Recommendations (standards documents)  | Freely available online  |

|       |      |                              |
|-------|------|------------------------------|
| Name: | RIRs | Regional Internet Registries |
|-------|------|------------------------------|

|       |         |   |
|-------|---------|---|
| Name: | AfriNIC | African Network Information Centre (RIR for Africa) |
|-------|---------|---|

**Purpose:**

To oversee the allocation and registration of internet numbers in Africa.

**Status:**

Non-governmental, non-profit membership-based association.

**Mandate:**

Structure of relationships with IANA, ICANN and other RIRs. AfriNIC by-laws establish its specific rules.

**Core community:**

Internet entities and professionals concerned with the management and provision of internet services in Africa.

**Management structure:**

Membership association with general assembly of members, board of directors and secretariat

**Stated ethos for policy/decision-making:**

*"The AfriNIC organizational structure is set to encourage a bottom-up self governance management model where policies and other organisational functions are determined by the community in general and members who elect representatives that seat on the Board of Directors."*

**Stated ethos for information and participation:**

*"The discussions are conducted via both public meetings and e-mail discussion lists. There are no requirements or pre-requisites for any person or entity to participate."*

**Membership:**

| Type of membership                                   | Eligibility   | Notes  |
|--|---|--|
| Membership   | <i>"Membership shall be open to any Person who is geographically based within, or providing services in, the African region and who is engaged in the use of, or business of providing, open system protocol network services" and to any other Person who is approved by the Board (Full and Associate Members).</i> |  |
| Participation in mailing list and policy discussions | <i>"The mailing list is open to anyone from the community at all times and anyone can join the list for discussions."</i>   | Participation through registered subscription to mailing list. |

**Principal decision-making fora and participation:**

| Board or equivalent | Role  | Participation   |
|---------------------|---|---|
| General Meeting     | To determine the direction of the association. Held annually.           | Members.  |
| Board of Directors  | To oversee management of the association on behalf of members.          | Elected by members in six regional constituencies.                                      |
| Moderator Group     | To assist individuals to prepare proposals.                             | Elected at Open Policy Meetings.  |
| On-line discussion  | To consider proposals which have been submitted.                        | "Anyone from the community" may submit proposals and participate in online discussions. |
| Open Policy Meeting | To consider proposals which have been discussed online. Held twice p.a. | Anyone may participate in Open Policy Meetings.   |

**Policy-making process**

Anyone may make a proposal through online participation services (list), either on own initiative or with support of the Moderator Group.

The proposal is discussed on the mailing list for 30 days (minimum), and amended according to discussions on list.

The proposal is then discussed at one of a regular series of AfriNIC Open Policy Meetings, where it receives further discussion and a decision to endorse or reject. This meeting is open to all and any decision is taken by consensus, which is defined as "general agreement in the group" as determined by the Moderator Group.

If there is no consensus, the proposal reverts to discussion on-list and may subsequently return to the next Open Public Meeting.

If there is consensus, the proposal is opened for 15 days of "last call" discussion on-list, after which the Moderator Group will send a report to the Board, including a summary of discussions and the Moderator Group's recommendation.

Proposals are submitted for endorsement at the next scheduled Board meeting, and implemented following Board approval.

## Information

| Type of information            | Forms of information provision                                   | Access                  |
|--------------------------------|--|-------------------------|
| General information            | Information about organisation in general, bylaws, policies etc. | Freely available online |
| Governance working documents   | Agendas, reports, etc.   | Freely available online |
| Governance decisions           | Minutes, etc.  | Freely available online |
| Policymaking working documents | Proposals, commentary, etc.                                      | Freely available online |
| Policymaking outputs           | Policy decisions, minutes of open policy meetings                | Freely available online |

|       |       |  |
|-------|-------|--|
| Name: | APNIC | Asia Pacific Network Information Centre (RIR for Asia Pacific) |
|-------|-------|--|

### Purpose:

To oversee the allocation and registration of internet numbers (IP addresses and related numeric resources) in the Asia-Pacific region.

### Origin and status:

Non-profit membership-based association.

### Mandate:

Structure of relationships with IANA, ICANN and other RIRs. Internal documents of association.

### Core community:

Internet entities and professionals concerned with the management and provision of internet services in the Asia-Pacific region.

### Management structure:

Non-profit membership association with general meetings, executive council and secretariat.

### Stated ethos for policy/decision-making:

"APNIC's policies are developed by the membership and broader Internet community. ... APNIC's policy development process is

- open: anyone can propose policies, everyone can discuss policy proposals;

- transparent: APNIC publicly documents all policy discussions and decisions;
- bottom-up: the community drives policy development."

**Stated ethos for information and participation:**

"APNIC publicly documents all policy discussions and decisions." "APNIC upholds transparency of decision-making processes by providing freely accessible archives of APNIC Open Policy meetings, Executive Council meetings and mailing list discussions."

**Membership:**

| Type of membership                          | Eligibility  | Notes  |
|---|--|--|
| Membership                                  | Membership is open to all. There are seven categories of membership. | There are six different tiers and fee levels, related to amount of address space obtained, plus associate membership for members not receiving address space. A new fee structure, replacing tiers with a continuous formula, will be introduced for 2010. |
| Participation in decision-making mechanisms | Website and open meetings.   | Open to all.   |

**Principal decision-making fora and participation**

| Board or equivalent     | Role  | Participation  |
|-------------------------|---|--|
| APNIC Member Meetings   | To determine the direction of the association, to elect members of the Executive Council, and to approve proposals which have been considered in Open Policy Meetings. Held twice p.a., following Open Policy Meetings. | Primarily members, but open to all.  |
| Executive Council       | To oversee management of the association on behalf of members, and give final approval to policy proposals.   | Elected by members.  |
| Special Interest Groups | <i>"SIGs provide an open public forum to discuss topics of interest to APNIC and the Internet community in the Asia Pacific region."</i>  | Anyone may participate in SIGs (online discussion and face-to-face meetings) |
| Open Policy Meetings    | To consider proposals which have been discussed online.   | Anyone may participate in Open Policy Meetings.                              |

**Policy-making process**

1. Anyone may make a proposal to the secretariat using a proposal submission form at least four weeks before an APNIC Open Policy Meeting. The proposal will be allocated to a SIG.
2. The proposal will be discussed online before the Open Policy Meeting.
3. The proposal will be presented for discussion at the Open Policy Meeting during a session for the SIG concerned.
4. If there is consensus at the Open Policy Meeting, the proposal will be reported to the Member Meeting (held following the Open Policy Meeting), for endorsement by Members.
5. After endorsement, the proposal is subject to an 8-week period of online consultation.
6. If there is consensus after this period of consultation, the proposal is endorsed by the Executive Council.

**Information:**

| Type of information            | Forms of information provision   | Access   |
|--------------------------------|--|--|
| General information            | Information about organisation in general, Annual Report, newsletter etc.              | Freely available online  |
| Governance working documents   | Agendas, reports, etc.   | Freely available online  |
| Governance decisions           | Minutes, etc.  | Freely available online  |
| Policymaking working documents | Proposals, commentary, etc.  | Freely available online  |
| Policymaking outputs           | Policy decisions, minutes of open policy meeting, mailing and policy meeting archives. | Freely available online (including video, audio and text meeting archives) |

|              |             |   |
|--------------|-------------|---|
| <b>Name:</b> | <b>ARIN</b> | <b>American Registry for Internet Numbers (RIR for North America)</b> |
|--------------|-------------|---|

**Purpose:**

To oversee the allocation and registration of internet numbers in Canada, the United States, some Caribbean and Atlantic islands.

**Status:**

Non-profit corporation registered in Virginia, USA.

**Mandate:**

Articles of incorporation. Bylaws and consensus-derived policy agreements. Cooperation arrangements with other RIRs and other internet entities.

**Core community:**

Internet entities and professionals concerned with the management and provision of internet services in ARIN's service region.

**Management structure:**

Membership decision-making arrangements, board of trustees, advisory council and staff.

**Stated ethos for policy/decision-making:**

*"Policy development is an open and transparent process."* There are three policy development principles: that it should be:

- *Open. All policies are developed in an open forum in which anyone can participate. There are no qualifications for participation.*
- *Transparent: All aspects of the Policy Development Process are documented and publicly available via the ARIN website.*
- *Bottom Up: All policies ... are developed by the ARIN community from the bottom up."*

**Stated ethos for information and participation:**

*"ARIN relies on a community-driven, open, and transparent policy development process to regulate how it manages the distribution of Internet number resources."*

*"All aspects of the Policy Development Process are documented and publicly available via the ARIN website."*

**Membership:**

| Type of membership   | Eligibility   | Notes  |
|----------------------|---|--|
| General membership   | Any organisation that receives a direct allocation of IP address space from ARIN automatically becomes a member. Anyone else may become a member on payment of a nominal annual membership fee. | Members nominate designated member representatives who may vote on their behalf in meetings.                               |
| Policy participation | <i>"Membership is not required to participate in ARIN's policy development process."</i>  | Participation through open subscription to a mailing list and/or twice-yearly public policy meetings, in person or online. |

**Principal decision-making fora and participation**

| Board or equivalent    | Role   | Participation  |
|------------------------|--|--|
| Member's Meeting       | To determine the direction of the association.   | <i>"Members may send two representatives free of charge. Additional representatives from member organisations and non-members may attend for a small fee."</i> |
| Board of Trustees      | To oversee management of the association on behalf of members.                                       | Online election by ARIN members (designated member representatives).   |
| Advisory Council       | To manage/lead the policy process (see below) and advise the Board of Trustees on technical matters. | Online election by ARIN members (designated member representatives).   |
| On-line discussion     | To consider proposals which have been submitted through the Policy Development Process.              | Open to members and non-members.   |
| Public Policy Meetings |  | <i>"Members may send two representatives free of charge. Additional representatives from member organisations and non-members may attend for a small fee."</i> |

**Policy-making process**

Policies adopted by ARIN must adhere to a policy development philosophy which includes "fair distribution", meets technical requirements and can be administered impartially and consistently.

The policy development cycle is described in five phases:

1. Need: Anyone (including non-members) who has identified a need for a policy or a change to existing policy may submit a proposal into the process.
2. Discussion: The ARIN Advisory Council (AC) *"assumes control"* of proposals, evaluates them, *"and develops them into technically sound and useful draft policies."* This includes three phases: a) clarification and understanding; b) development and evaluation; c) publication and review through online discussion (open to all), followed by discussion at the next Public Policy Meeting. Anyone who is dissatisfied with the decisions of the AC may appeal for the purpose of moving proposals forward in the process.
3. Consensus: *"The Advisory Council determines the consensus of the community regarding draft policies. The AC evaluates the type and amount of support and opposition to a policy as expressed by the community on the mailing list and at Public Policy Meetings."* This is followed by a "last call" review on the mailing list lasting a minimum of ten days and a last call review by the Advisory Council. The AC forwards draft policies that have

gained community support to the Board of Trustees for adoption. Anyone who is dissatisfied with the decisions of the AC may appeal for purpose of moving draft policies forward. The Board examines each draft policy in terms of fiduciary risk, liability risk, conformity to law, development in accordance with the ARIN PDP, and adherence to the ARIN Articles of Incorporation and Bylaws.

4. Implementation: During implementation ARIN staff publishes and announces the new policy.

5. Evaluation: Implementation is evaluated by ARIN staff and the community.

### **Information**

| Type of information            | Forms of information provision                                   | Access                  |
|--------------------------------|--|-------------------------|
| General information            | Information about organisation in general, bylaws, policies etc. | Freely available online |
| Governance working documents   | Agendas, reports, etc.   | Freely available online |
| Governance decisions           | Minutes, etc.  | Freely available online |
| Policymaking working documents | Proposals, mailing list discussion, commentary, etc.             | Freely available online |
| Policymaking outputs           | Policy decisions, minutes of open policy meetings                | Freely available online |

**Name:** LACNIC **Latin American and Caribbean Internet Addresses Registry**

**Purpose:**

To oversee the allocation and registration of internet numbers in Latin America and the Caribbean.

**Status:**

International non-profit organisation.

**Mandate:**

Structure of relationships with IANA, ICANN and other RIRs. Internal bylaws.

**Core community:**

Internet entities and professionals concerned with the management and provision of internet services in the Latin American and Caribbean region..

**Management structure:**

General assembly of members, board of directors, secretariat.

**Stated ethos for policy/decision-making:**

*"LACNIC's Policy Development Process is open, participative and accessible to all interested parties; it allows any person or organization the opportunity to participate on a level playing field. Through the free participation of the different stakeholders LACNIC aspires to ensure that policies respond to regional interests, safeguarding the interests of the community as a whole."*

**Stated ethos for information and participation:**

By consensus. "We consider that discussion lists are the best way to represent and promote the interests of our region."

#### **Membership:**

| Type of membership        | Eligibility  | Notes  |
|---------------------------|--|--|
| Membership                | <i>"Organizations that receive IP addresses directly from LACNIC automatically become members. ... Membership is [also] open to any interested person or organization; this means that those organizations that do not receive IP addresses directly from LACNIC can also apply for membership."</i> | There are different categories of membership according to size of address. Members that do not receive address space pay fees. |
| Mailing list subscription | Open to all  |  |

#### **Principal decision-making fora and participation:**

| Board or equivalent | Role  | Participation  |
|---------------------|---|--|
| General Assembly    | To determine the direction of the organisation, make changes to by-laws, etc. | <i>"Although this meeting is oriented exclusively towards LACNIC members, these sessions are held behind open doors; this means that anyone participating in LACNIC IX is welcome to attend the assembly. This is in line with the policy of transparency that LACNIC has established for all its activities and functions."</i> |
| Board of Directors  | To oversee management of the organisation on behalf of members.               | Elected by members.  |
| Public Policy List  | To consider proposals which have been submitted.                              | Open to all.   |
| Public Forum        | To consider proposals which have been submitted.                              | <i>"Any member of the regional Internet community may participate."</i>  |

#### **Policy-making process**

1. Anyone who subscribes to the open Public Policy List list may make a proposal.
2. The proposal is first discussed online through the Public Policy List.
3. If there is consensus on-list, it then proceeds to discussion at the Public Forum.
4. If there is consensus at the Forum, it proceeds to a public call for comments stage. If there is no consensus at the Forum it returns to the Public Policy List.
5. If there is consensus in the public call stage, it proceeds to the Board of Directors for ratification.

#### **Information:**

| Type of information          | Forms of information provision                                   | Access                  |
|------------------------------|--|-------------------------|
| General information          | Information about organisation in general, bylaws, policies etc. | Freely available online |
| Governance working documents | Agendas, reports, etc.   | Freely available online |

|                                |   |                         |
|--------------------------------|---|-------------------------|
| Governance decisions           | Minutes, etc.                                     | Freely available online |
| Policymaking working documents | Proposals, commentary, etc.                       | Freely available online |
| Policymaking outputs           | Policy decisions, minutes of open policy meetings | Freely available online |

**Name:** RIPE-NCC Réseaux IP Européens Network Coordination Centre

**Purpose:**

To oversee the allocation and registration of internet numbers in Europe, the Middle East (West Asia) and Central Asia, and perform other technical coordination activities in this region.

**Status:**

*"RIPE (Réseaux IP Européens) is a collaborative forum open to all parties interested in wide area IP networks in Europe and beyond."*

RIPE-NCC is a membership association which acts as the RIR for the region and provides administrative support to RIPE.

**Mandate:**

Charter and other internal documentation. Structure of relationships with IANA, ICANN and other RIRs.

**Core community:**

Internet entities and professionals concerned with the management and provision of internet services in Europe, the Middle East (West Asia) and parts of Central Asia.

**Management structure:**

General Meeting of members, Executive Board, plus operational management.

**Stated ethos for policy/decision-making:**

*"The RIPE community develops and sets policies through a long established, open, bottom-up process of discussion and consensus-based decision making."*

*"The policy making process involves all relevant parties. This means that discussions cannot be rushed, and anyone that could be affected by a decision should have a chance to become aware of discussions, review proposals and provide their input."*

*"All conclusions are reached by consensus."*

**Stated ethos for information and participation:**

*"To promote and support the inclusive and open process:*

- Everyone is welcome and encouraged to take part in the workings of RIPE by attending RIPE Meetings and participating on RIPE Working Group mailing lists;
- Mailing lists are publicly archived;
- The minutes of working group sessions at RIPE Meetings are publicly archived;
- All policies are formally documented and publicly available."

**Membership:**

| Type of membership | Eligibility                                   | Notes   |
|--------------------|---|---|
| RIPE               | No membership arrangements or requirements.   |   |
| RIPE NCC           | <i>"Any organisation or individual with a</i> | Membership is considered important for large, |

|  |  |   |
|--|--|---|
|  | <i>legal address in any country in the RIPE region can become a member."</i> | but not for small, IP address users. It is not required for participation in RIPE meetings or policy processes. Differential fees according to amount of organisational service provided. |
|--|--|---|

**Principal decision-making fora and participation:**

| Board or equivalent                    | Role   | Participation   |
|--|--|---|
| RIPE Meetings (twice p.a.)             | To discuss IP networking issues.   | Open to all, including remote participation.  |
| RIPE NCC General Meetings (twice p.a.) | To determine the direction of the association.                                     | Members and candidate (i.e. provisional) Members.   |
| RIPE NCC Executive Board               | To oversee management of the association on behalf of members.                     | Elected by Members.   |
| RIPE Working Groups and mailing lists. | To consider policy in the RIPE NCC region and proposals which have been submitted. | <i>"The process is open to all. Everyone interested in the well-being of the Internet may propose a policy and take part in the discussions."</i> |

**Policy-making process**

1. Anyone can submit a proposal at any time, through the Chair of the relevant RIPE Working Group. Membership is not required. A template is provided.
2. Discussion phase: the proposal is first discussed for 4 weeks through the relevant online mailing list.
3. Review phase: a draft RIPE Document is published, i.e. a draft document for approval in which the proposal is integrated. This is then subject to a further 4-week online review period.
4. The Working Group chair decides if consensus has been reached at the end of the review phase. If there is no consensus, the proposal can be withdrawn, returned to the Discussion phase, or continue within Review.
5. If there is consensus, the proposal is moved to a "last call for comments" phase during which final objections may be made. If there are no objections, the RIPE Working Group chairs declare consensus and acceptance of the proposal.

**Information:**

| Type of information            | Forms of information provision                                   | Access   |
|--------------------------------|--|--|
| General information            | Information about organisation in general, bylaws, policies etc. | Freely available online  |
| Governance working documents   | Executive Board discussions.                                     | Executive Board discussions are held on a closed mailing list. Minutes of telephone and other meetings are published online. |
| Governance decisions           | Minutes, etc.  | Freely available online.   |
| Policymaking working documents | Proposals, commentary, etc.                                      | Freely available online  |
| Policymaking outputs           | Policy decisions, minutes of open policy meetings                | Freely available online  |