EuroSSIG 2019 Report by Fellow Andrew Molivurae

Introduction

I was fortunate to have been selected by the Asia Pacific Top Level Domain (APTLD) Association Board to the 2019 EuroSSIG in Meissen, Germany from 14th to 20th July 2019 under the APTLD fellowship program. Even though the travels to Europe from my tiny island nation of Vanuatu took more than 40 hours one way, the week was worth the travel. I had high expectations of the course and did found what I expected and even more from the high level of competency the course was delivered. The venue of the school which is remote in a small town outside from any major city but in a small town rich with history makes it a very convenient venue to spend the week with fellows from all over the world.

Background

The European Summer School on Internet Governance is organized by Medienstadt Leipzig e.V. a German non for profit organization and recognized "At Large Structure" (ALS) under ICANN Bylaws. DENIC (.de) was crucial in launching EuroSSIG in 2007 and is the Golden Sponsor.
Members of the faculty are outstanding international experts from the world leading universities and experienced manages from the Internet community who are active in WSIS, WGIG, IGF and ICANN. Each year fellows are invited to attend the summer school as part of their capacity building in Internet Governance matter in their respective organizations.

Executive Summary

EuroSSIG 2019 was attended by 24 Fellows from around the globe and 21 Faculty members. Out of the whole week's presentation, a few selected topics are summarized in this report. Internet governance is the main topic of this report looking at issues like the history of Internet Governance, State actors, Cybersecurity, current trends of governance and what the future of Internet Governance might look like. Experts from different stakeholder groups around the globe shared their experiences with the fellows giving them a broader understanding of the building blocks of Internet Governance and the Internet Governance Forum.

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1. Acknowledgement

I wish to thank the Asia Pacific Top Level Domain Association for selecting me to participation in this great school. I also would like to thank the hosts of EuroSSIG 2019 for a wonderful hospitality they provided to me and other fellows during our one week at the academy. The faculty members have been a great inspiration to me with the sharing of knowledge and their experiences that makes a huge impact on my conception of Internet Governance. I praise God for this great lifetime opportunity.

2. "The Future of Internet Governance" by Dr. Wolfgang Kleinwatchter

Wolfgang Kleinwächter is a Professor Emeritus from the University of Aarhus where he was teaching a master course on Internet Policy and Regulation from 1997 – 2015. He was a Director on the ICANN Board (2013 – 2015) and a Special Ambassador of the NETMundial Initiative (2014 – 2016).
He is active in the field of transborder data flow and Internet Governance since the 1980s. He was involved in the making of ICANN and has participated – in various capacities – in more than 50 ICANN meetings. He served six years in the NomCom (2009/2010 as its chair) and two years in the GNSO Council (2011 – 2013), elected by the Non-Commercial Stakeholder Group (NCSG) where he is a member of the NCUC. He is also founder and chair of the ICANN Studienkreis, a high level multistakeholder network of experts and chair the Board of Medienstadt Leipzig e.V., a recognized At Large Structure under the ICANN Bylaws.

Dr. Kleinwatchter started his presentation by outlining the history of the internet in the early days of conception and invention. He then highlighted the following topics in his presentation;

Internet Specifics

The Architecture is a network of networks that has no central authority, no hierarchy and no territorial boarders.
There are unlimited Resources that are non-territorial
The key players are Technical bodies, privation corporations, governments, civil society, and user organizations. Regulation is a mixture of technical self-regulation and political co-regulation on the global, regional and national level

Ecosystem

Microsystems technical standards institutions – IETF, ISOC, ITU. ICANN is an non-state actor while ITU is a state actor, code makers and policy makers who should not be one institution, Macro-systems are governance on the internet – Use of the internet, Digital knocking in all doors (

Multi-stakeholder approach.

In this topic Dr. Kleinwatchter discussed the different process of Internet governance that took place over the last 20 years, (ICANN formation 1998, WISIS 2003 and 2005, London Process 2011, Net Mundial 2014, IANA Transition 2016, UN high level Panel – Digital Cooperation 2019). How sharing decision making is being structured as the internet continues to evolve. Different issues have emerged like cybersecurity and freedom of speech.

New Internet Governance complexity:

Power shift

In 1998 there was a technical problem with a political implication with 4 issues (DNS, IP, Addresses and Root server) and 4 global players (ICANN, IETF, ISOC and ITU)

In 2018 there is a political problem with a technical component with more than 400 issues and more than 40 Global players like G7,G20, BRICS, UN, NTO, ILO, NATO, MSC etc. The issue originally was to stimulate freedom and promote services and Regulation was seen as counter to innovation. Today it is different, Regulation can be a helpful tool to control attacks. Smart Regulation with innovative multi-stakeholder approach to help control bad guys. The Chinese example is interesting to note, while Google is for Regulation while Alibaba is for no Regulation. We need to find something in the middle that can be seen as Smart Regulation involving all stakeholders. We have the strong and the weak together where it is a good starting point for Regulation.

Rainforest

There is are rainforest of emerging issues as follows;

- Cybersecurity (Cyberwar, Cyberterrorism, Cybercrime, UNGGE, LAWS, Interpol, OSCE, Budapest Convention, G7, BRICS) The US-Iran cyber-attack issue is a test of cyber warfare. A new category of weapons.
- Digital Economy (Digital Trade, Data Localisation, Taxation,WTO, UNCTAD, G20)
- Human Rights – Freedom of expression, Privacy, UN Human Rights Council, WISIS
- Technology – IOT, AI. At the end humans should control according to the OECD declaration with the support of the G20

Fragmentation

“Internet Fragmentation is the idea that the Internet may be in danger of splitting into a series of cyberspace segments, thus endangering its connectivity.

During the 2015 World Economic Forum, Internet fragmentation was noted as one of the primary concerns facing the future of the internet, due to trends in technological developments, government policies, and commercial practices. Nonetheless, there was no widespread consensus as to its nature or scope. The launch of the World Economic Forum's multi-year Future of the Internet Initiative (FII) considers Internet fragmentation as one of the primary topics warranting exploration, in the context of the FII's Governance on the Internet project" *(ICANNWiki)*

We currently see these fragmentation activities taking place within these super powers

- *USA*
  - America First, National Cybersecurity, Bilateral Cyberdiplomacy, Private Sector Leadership, Human Rights
- *European Union*
  - New IT Security Directive (ENISA), Content Management, GDPR, Taxation, EU-DARPA
- *China*
  - Cybersovereignty, Wuzhen/WIC, eWTF, Social Scoring System, new law triggers issues with the content on the root servers, crossboarder passwords.
- *India*
  - Datalocalisation, eCommerce
- *Russia*
  - Multilateralism, Cybersecurity Treaty, UN, Alternate Root in fear of being disconnected from the internet.

Internet Governance Policy Making: From the 2010s into the 2020s

- Starting Point
  - WSIS & IGF
- Broadening the Scene
  - London Process (2011++)
  - Net Mundial Declaration of Principles (2014)
- Identifying new Issues
  - Net Mundial Roadmap (2014)
  - Ilves Panel (2013 - 2014)
  - WGEC (2015 - 2018)
  - Bildt Commission (2015 - 2016)
- Framing new Processes
  - Kaljurand Commission on Stability in Cyberspace (2017-2020)
  - ILO Commission on the Future of Work (2017 – 2019)
  - UN High Level Panel on Digital Cooperation (2018-2019)
  - BRICS (2018++)

The UN Panel Proposals

- Declaration of Digital Interdependence (Stakeholders & Sectors)
  - Multilateralism AND Multistakeholderism
  - Multidisciplinary (Security, Economy, Human Rights, Technology)
- The Three Options for a new Mechanism
  - IGF+,
  - IETF/ICANN inspired co-governance mechanism,
  - Clearinghouse
- A UN Digital Charter?
  - 75th UN Anniversary, October 24, 2020?

A new Deal for Internet Governance?
There is no ONE legally binding convention (Law of the Sea, Climate Change) but a global multistakeholder and decentralized „Network of Political Networks", linked together via „political Internet protocols" (P-IP) in a form of a Multistakeholder „Framework of Commitments" (FOC), which enables MANY issue based bi- and multilateral arrangements on top of the IGF and linked to WSIS+20 (2025)?

Dr. Kleinwatchter concluded his presentation by saying that IGF Plus is coming.

3. Hosting the Global IGF by Hartmut Glaser - *Brazilian Internet Steering Committee/CGI.br*

Hartmut Richard Glaser is the Executive Secretary of the Brazilian Internet Steering Committee/CGI.br in Brazil, a "mult-istakeholder"not-for-profit organization.

Mr. Glaser outlined that for Brazil, the internet is an added value not something that can be regulated. The second global IGF meeting was held in Brazil in 2007 with about 1,000 people attending but today the IGF brings in more than 3,000 people. Hosting the event was a challenge for Brazil then. The following things have to be done in a timely manner;

- Formation of a local organizing committee
- Security has to be provided in accordance with UN standards
- Formation of program committee
- 10 months before the meeting, UN started to check things on the ground
- The request for Multi-Stakeholder brought to the government for support. Brazil became a pioneer in Mult—Stakeholder approach.
- There is no budget allocation so the local organizing committee has to come up with a budget of USD1.5M for the event

Hartmut said there is a need to make some changes to the future hosting of the global IGF. He made the following proposals;

- The output of the meeting should have more concrete proposals to respective organizations
- There is a need for a stable financial support
- There is a need for a better structure of operation – improve from the past.

4. ICANN and All That – Nigel Hickson

Nigel Hickson is VP, International Governmental Orginisations (IGO) Engagement; ICANN. He works out of the Geneva office as part of the Government Engagement Team. He is responsible for global engagement with the UN, IGOs and other International organizations. Nigel joined ICANN in 2012 and worked until 2014 as the VP for Europe. He joined ICANN from the UK government; where he had served in a number of capacities for just fewer than 30 years. Latterly he had been responsible for a team dealing with international ICT issues; including Internet Governance. Nigel is keen walker and cyclist.

"The Internet Corporation for Assigned Names and Numbers is a nonprofit organization responsible for coordinating the maintenance and procedures of several databases related to the namespaces of the Internet, ensuring the network's stable and secure operation"

Nigel provided an overview of ICANN as an organization, it is mission, Multi-Stakeholder model, structure, Internet Governance, Fellowship program and its different constituencies or groupings.

The mission of ICANN
"The mission of the Internet Corporation for Assigned Names and Numbers (ICANN) is to ensure the stable and secure operation of the Internet's unique identifier systems. In performing its mission, ICANN will act in a manner that complies with and reflects ICANN's commitments and respects ICANN's core values".

The ICANN Board
The ICANN Board is a group of representatives from the ICANN community. The Board provides the ICANN organization's strategic oversight, ensuring that it acts within its mission and operates effectively, efficiently, and ethically. The Board also oversees and considers community-developed policy recommendations.

Multi-Stakeholder Model
ICANN follows a bottom-up, multi-stakeholder model in which individuals, non-commercial organizations, industry, and governments play important roles in its community-based, consensus-driven, policymaking approach.

ICANN Public Meetings
Three times a year, ICANN holds free and open Public Meetings in different regions around the world. ICANN Public Meetings provide the opportunity for a globally diverse group of individuals and organizations to come together to discuss and develop policies for the Internet's naming systems. ICANN's Public Meetings have been a staple of ICANN's multistakeholder bottom-up consensus-building model since its formation in 1998.

Strategic Plan

- The Strategic Plan for FY16-FY20 is the result of a bottom-up, community process that began in April 2013 online and at the ICANN meeting in Beijing.
- ICANN sought extensive public input on its key challenges and opportunities and on the eight strategic areas highlighted by ICANN's Board.

Strategic Objectives

- Evolve and further globalize ICANN.
- Support a healthy, stable, and resilient unique identifier ecosystem.
- Advance organizational, technological, and operational excellence.
- Promote ICANN's role and multistakeholder approach.
- Develop and implement a global public interest framework bounded by ICANN's mission.

Internet Governance

The scope of Internet governance covers the following areas;

- Governance *of* the Internet – Stuff that ICANN, RIRs, and IETF do that affects the running and development of it;
- Governance *on* the Internet - the issues which are germane to its utility and development; such as
- Privacy and Data Protection;
- Cybersecurity and Cybercrime
- Child protection
- Jurisdiction and Net Neutrality

Fellowship/Next Gen/New Comers Program

The fellowship program is the Global capacity-building program to support ICANN's multistakeholder community. Online application process is open three times per year to participate in an ICANN Public Meeting (one meeting for Alumni only).

The Next Gen program is a Regionally based program to create awareness and promote future discussions with universities and other regional forums. Online application process is open three times per year to attend an ICANN Public Meeting

The New Comers Program is dedicated to those entering the ICANN community. Options are self-study using the Newcomer web page or participation in person or remotely at the Newcomer Sunday meeting at an ICANN Public Meeting.

5. Panel Discussion – Internet Governance Roadmap

Panelists for this discussion was made up of a diverse group of experts representing different stakeholder groups, **Oliver Crepin-Lebland** (EURALO)- Civil Society, **Urs Eppenberger** (SWITCH)- Technical, **Michael Rotert**, Association of the Internet Industry (eco), **Hartmut Glaser**, cgi .br and **Dr. Wolfgang Kleinwatchter** who moderated the session.

Olivier presented on how the internet is of public interest with the mandate of more than 4 billion people and the internet became what it is because of the end users. The

core value of the internet is user centric, what service they want to use and what business they want to engage in.
Internet governance must be made with public interest but the internet has not always run in favor of users. There is no mandate to represent certain groups and advocate for human rights but ICANN is not part of the UN. ICANN is still in discussion to follow strong human rights principles.

Urs highlight the role of Registries to continue to keep the DNS running while keeping interference out. The technical community's role is to find solutions to problems abut should not accept pressure. There is a need to improve the collaboration because currently there is no certification of code on the internet and this needs to be fixed.

Michael is for self-regulation where it makes sense. Filtering by governments does not make sense, the internet should not to be ruled by technicians. A good example is the IANA transition to a Multi-Stakeholder approach. Big companies ask for regulation because they want to protect their monopoly with government regulation. ISPs have become deputies of the government.

Hartmut said the government is needed to form the stakeholder group that promotes good relationship with the justice. It is important to work closely with the government. For instance, there are issues like child pornography and many other bad things happening today on the internet there is no need for urgency. There is a more need for severe punishment in the legal framework. The laws should apply for both online and offline activity. There is a difference between harmful content and illegal content. Harmful content in one country may not be harmful in another, similar to illegal content.

6. Network and States – Cybersecurity dimension of Internet Governance by Milton Mueller, School of Public Policy Georgia Institute of Technology

Milton Mueller is Professor at the Georgia Institute of Technology (Atlanta, USA) in the School of Public Policy. He is an internationally prominent scholar specializing in the political economy of information and communication. The author of seven books and scores of journal articles, his work informs public policy, science and technology studies, law, economics, communications, and international studies.

Milton stated that governments are not just stakeholders but are an alternative governance model that often competes or conflicts with the multi-stakeholder model. A state is a monopoly on the legitimate use of force in a given territory. The globalization of communication has disrupted the sovereign system from state-owned PTT to a multi-stakeholder internet governance model by the rise of an autonomous internet technical community from 1970-1991. Telecommunication liberalization began in 1980 and the evolution of the frame work of global electronic commerce in 1996 which then set the foundation for the cyberspace ecosystem.

Competing internet Governance Models

Global Internet	National Governance
• Transnational perspective • Multi-stakeholder • Led by nonstate actors • Key values: commerce, communication, innovation • Market forces primary	• Territorial perspective • Multilateral • Led by state actors • Key values: security, power • Political forces primary

Flashpoints of conflicts

- ICANN and control of critical Internet resources
  - World Summit on the Information Society
  - U.S. unilateral control of the root
- The role of the ITU in Internet governance
- Sovereignty, free flows and data
  - Data localization and digital protectionism
- Cybersecurity and militarization of cyberspace
  - USA attacks on Huawei, China Telecom
  - Sovereign RUnet law

Are Cyber-Norms the Answer?

- UN Group of Governmental Experts
  - Lack of consensus in 2017 round of negotiations
  - Two new GGEs split into American and Russian-led entities
- Global Commission on Security of Cyberspace
- Microsoft's "Digital Geneva Convention"
- Cyber Peace Institute
  - Microsoft/Hewlett Foundation/Mastercard

7. Cybersecurity and Cybercrime by Dr. Tatiana, Max Planck Institute.

Dr. Tatiana Tropina is a Senior Researcher at Max-Planck Institute for Foreign and International Criminal Law (Freiburg, Germany). Her current areas of research include international standards to fight cybercrime, comparative analysis of cybercrime legislation, self- and co-regulation, public private partnerships in addressing cybersecurity issues, and the multi-stakeholder approach to fighting cybercrime. Her background includes both academic and practical experience. Tatiana has more than 10 years of involvement in cybercrime research, starting in Russia in 2002, where she became the first Russian researcher to defend a PhD thesis on cybercrime (2005). From 2002 to 2009 she was responsible for cybercrime projects at the regional subdivision of the Transnational Crime and Corruption Centre (George Mason University, USA) in Vladivostok, Russia.

In her presentation, Dr. Tropna highlight the misconception with the two terms and the boundaries they represent.

Cybersecurity landscape

In the cybersecurity landscape there are actors and threats. Actors are criminals, terrorists, hacktivists, Nation-state and state supported actors (eg state-backend hackers, “proxies”) usually with a motivation and/or attribution. Threats are digital access, interception, interference with data and systems (DDOS, Ransomeware), interference with critical infrastructure, and advance persistent threats. We now see a migration of traditional crime online, cyberwarfare, information warfare, misinformation, harmful content etc..

Traditional Crime

“War is an ambiguous in the real-world because it is unique; only nation states can summon the resources needed to launch and physical land, sea or air attack on another nation state” *Susan Brenner*
Crime is originally country based or state to state.

Cybersecurity and Cybercrime

Today there is a different dimension of crime, soon all crimes will leave a digital trace. There is need for harmonization in the fight against crime in order to define what crime is and how to investigate. There is a pressing need for mutual cross boarder legal cooperation.

Cyber security and multi-stakeholder approaches

There is such thing as “one-size-fits-all” solution. The ecosystem is complex and needs the combination of to-down and bottom-up approaches. Collaboration between public and private stakeholders in information sharing, anti-botnet operations, illegal take down notice and many others is vital. There is a need for transparency, accountability and human rights protection.

Conventional wisdom meets reality

There is an increasing degree of governmental intervention with big tech organizations becoming powerful players in foreign policy and diplomacy. A tendency to draft regulation with the participation of the private sector but behind closed doors. Then we have the issues of non-state actors getting power of state actors but with the lack of accountability and there is a trend for the privatization of law enforcement.

The future is now with the emerging technology as new trends emerge, things like IoT security, Big Data, AI and cybersecurity, Government “hack-backs”.

8. "GOVERNING THE HYPERGRAPH: Promises and challenges of governance in the Digital Age" by BERTRAND DE LA CHAPELLE, Executive Director, INTERNET & JURISDICTION POLICY NETWORK

Bertrand de La Chapelle is the Director and Co-Founder of the Internet & Jurisdiction Project. He served as a Director on the ICANN Board from 2010 to 2013. From 2006 to 2010, he was France's Thematic Ambassador and Special Envoy for the Information Society, participating in all WSIS follow-up activities and Internet governance processes, including in particular the Internet Governance Forum (IGF), and was a Vice-Chair of ICANN's Governmental Advisory Committee (GAC).

Betrand delivered and interesting presentation looking at the realities and challenges of the Internet governance in the 21st century.
The multi-stakeholder development and application of shared regimes ensuring governance OF and ON the internet. The situation today is about governance on the internet. "*We used to have technical problems with political dimensions … we now have political problems with technical dimensions" Wolfgang Kleinwächte*

Complex Policy Issues

When you look at the internet it is so enormous with major applications have millions and even billions of users interacting simultaneously every single day continuously. The impacts and the economics are huge.
Issues like;

- Virality,
- Non-Linearity (e.g. burn a Koran day)
- Potential global geographic reach
- Privacy
- Cybercrime
- Terrorism
- Hate speech
- Bullying
- "Revenge porn"
- Disinformation
- Etc …. and the list goes on.

Transnational issues is the new normal but laws are territorial (and can have cross-border impacts).

A Challenge for Everyone

Governments	Companies	Civil Society
• National laws DO apply online but enforceability?	• Resist regulation but DO need standards • Conflicts of laws	• Protection of Human Rights

• No international consensus and IGOs are struggling • Pressure of urgency • Uncoordinated actions in prisoner's dilemma • Extraterritoriality AND re-territorialization	• New responsibilities / liability • Setting norms through their ToS – as global as possible • Private exercise of public functions (L, E, J, M) • Different sizes and services	• Fighting abuses

Governments do have laws but the challenge is with enforcement due to no international consensus. With the pressure of urgency, governments can only use the available tools of law within their reach because there is no coordinated action or roadmap.

Companies want standards but do not want regulations because of conflicts of laws from one state to another. Because the nature, services and size of different companies they should be regulated differently.

Civil society has a major role in promoting the protection of human rights on the internet.

The international System

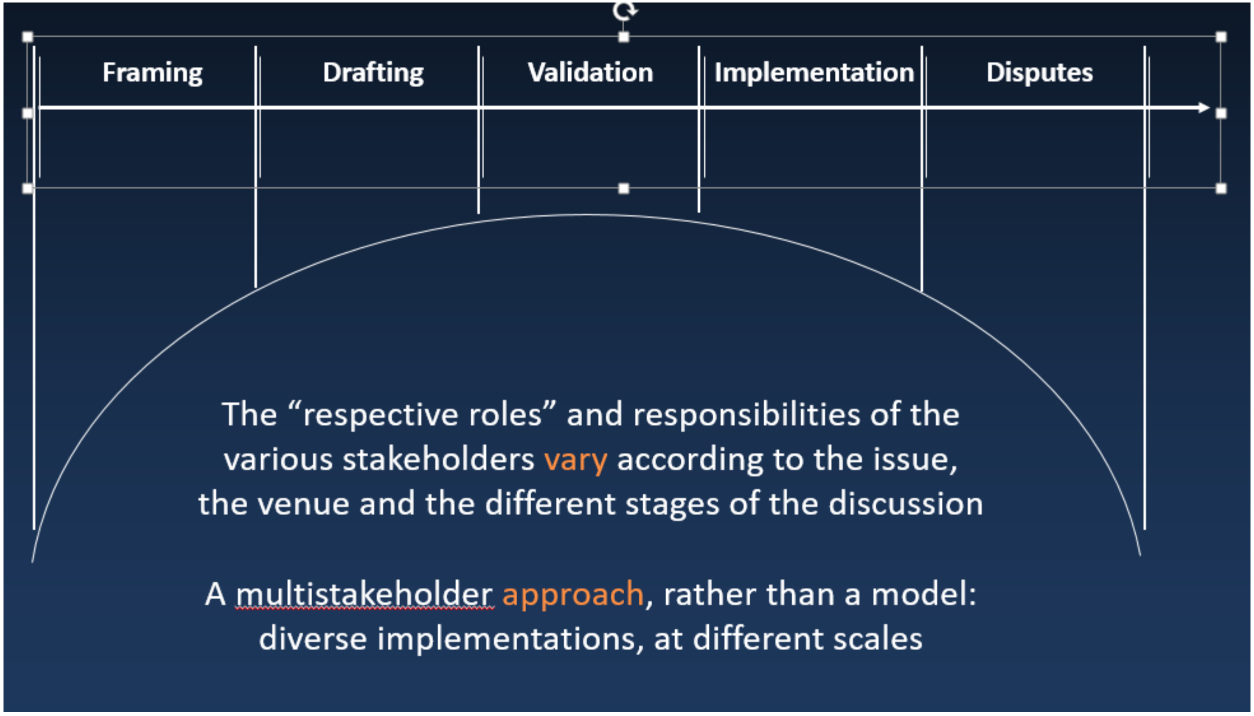
The hierarchical intergovernmental system suited a world with few countries, clear separating frontiers and few cross-border interactions. It is challenged in complex societies, connected through cross-border online services, when cooperation is required to manage common spaces.
World history is the constant effort of mankind towards collective organization in larger and larger groups

There is a civilizational challenge on how will it be possible to enable the coexistence in shared cross-border digital spaces of billions of people with very diverse personal values and legal frameworks.

Key concept: Issue-Based Networks

- Identifying "Issues of Common Concern or Interest"
- Gathering the relevant stakeholders
- In an ongoing dialogue process, in a neutral and safe space
- To frame the discussion and compare solutions,
- To develop voluntary policy standards and cooperation frameworks that ensure procedural guarantees and respect for human rights,
- And implement them in a transparent and accountable manner

Overcoming Mis-trust



The “respective roles” and responsibilities of the various stakeholders vary according to the issue, the venue and the different stages of the discussion

A multistakeholder approach, rather than a model: diverse implementations, at different scales

Overarching MS Challenges

- How to reconcile inclusion and efficiency? And prevent captures?
- How to reach closure on issues where there is no consensus?
- How to best engage governments? Different visions.
- How to compose legitimate small groups, representative of the diversity of perspectives?
- Who validates?
- Scalability?
- How to ensure support for issue-based policy networks (diversified funding is a condition of neutrality)?

A Governance Protocol

Internet governance is the laboratory for global governance in the connected age If we can make it work here, it will probably work on other issues. But it is now your generation’s task to develop the instruments for cooperation in cyberspace

9. Conclusion

A great study from the EuroSSIG 2019 academy that I have been part of. Not every presentation is included in this summary report but the full content can be accessed on the EuroSSIG website. Internet Governance must take an evolving approach as the technology keeps changing. All stakeholders, governments, business and civil society must continue to dialogue so that technologies are developed in such a way that is beneficial to all at the same time can be controlled whenever the need arises.

10. Recommendations

I have a three recommendations for this course and the APTLD fellowship as outlined below;

1. The time frame could be considered as there is so much content to cover in a short time.
2. There should be more time allocated for interactions between faculty members and fellows. In this way real life issues can be discussed for clarity for the fellows who might be facing something within their organization or country and these discussion might provide solutions for such issues.
3. More fellowships should be award for the EuroSSIG from other regions like the Asia Pacific region by the either the APTLD or other partners wherever possible.

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