



International Chamber of Commerce

The world business organization

Department of Policy and Business Practices

ICC Roadmap for Internet governance

Introduction

ICC has been an active participant in the discussions within the UN on Internet Governance, including participation at the ITU Workshop and the UNICT Task Force Global Forum. Throughout these discussions ICC has stressed the important role that existing expert bodies play in addressing issues related to the Internet, whether they be standards, technical coordination or policy-making bodies.

ICC prepared a “Matrix of Issues Related to the Internet and Organizations Dealing With Them”, which is attached as an annex to this document. Business worldwide believes strongly that these expert bodies should be the focal points for further substantive discussions at the international level on issues within their sphere of expertise so as to avoid duplication. We recognize the importance of increasing awareness of and expanding participation in those expert bodies to ensure global and multi-stakeholder representation as appropriate with the mission, structure and competency of each organization and will work actively to do so. This is particularly important with respect to increased substantive participation of developing countries in these processes.

In this regard, we believe that the focus of the ongoing discussions on “Internet Governance” should be on how the issues that have been identified, for example, Domain Names (DNS) and Internet Protocol (IP) address technical coordination, network security, and SPAM, can be addressed in the processes by which decisions related to the Internet are made, recognizing that there may some gaps.



Based on the above, ICC is pleased to provide you with what we believe would be an appropriate roadmap for the UN Secretary General's Working Group on Internet Governance to consider:

ICC recommendations for the focus of actions needed

1. Complete a matrix of issues and the organizations addressing them in order to put the entire discussion into a common context. We are pleased to provide a Matrix that ICC has developed as a starting point for this exercise [see annex II].
2. Identify policy issues that may not be adequately addressed by an existing expert body and propose a process for allocating responsibility for those aspects that are not being adequately addressed.
3. Identify ways for sustainable and meaningful participation from all stakeholders, particularly representatives from the developing world – both governments and non-government stakeholders – in existing expert bodies as they pursue work consistent with their mission and competencies.

This would include:

- a) awareness-raising initiatives;
 - b) capacity building efforts; and
 - c) innovative mechanisms for participation.
4. Identify mechanisms to promote greater coordination among the existing expert bodies to prevent duplication and promote cooperation and collaboration.

Over and above these four elements, we believe that the UN, through the appropriate bodies, could play an important role in raising awareness among governments and other stakeholders on establishing an appropriate enabling environment including such issues as authentication, trade liberalization, security of information systems and networks, and cross-border fraud, utilizing the existing materials developed and provided by expert bodies addressing those issues.

ICC looks forward to continuing to work with the UN and others to promote continued progress toward a global information society for all.



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ANNEX I

The text from the WSIS states:

The WSIS declaration of principles and plan of action

Declaration of Principles

“50 International Internet governance issues should be addressed in a coordinated manner.

We ask the Secretary General of the United Nations to set up a working group on Internet governance, in an open and inclusive process that ensures a mechanism for the full and active participation of governments, the private sector and civil society from both developing and developed countries, involving relevant intergovernmental and international organizations and forums, to investigate and make proposals for action, as appropriate, on the governance of Internet by 2005.

Plan of Action

13 b) We ask the Secretary General of the United Nations to set up a working group on Internet governance, in an open and inclusive process that ensures a mechanism for the full and active participation of governments, the private sector and civil society from both developing and developed countries, involving relevant intergovernmental and international organizations and forums, to investigate and make proposals for action, as appropriate, on the governance of Internet by 2005. The group should, inter alia:

- i) develop a working definition of Internet governance;
- ii) identify the public policy issues that are relevant to Internet governance;
- iii) develop a common understanding of the respective roles and responsibilities of governments, existing intergovernmental and international organizations and other forums as well as the private sector and civil society from both developing and developed countries;
- iv) prepare a report on the results of this activity to be presented for consideration and appropriate action for the second phase of WSIS in Tunis in 2005.”



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ANNEX II

Matrix of issues related to the Internet and organizations dealing with them

16 March 2004

Introductory note:

This matrix is meant to identify issues related to the Internet generally and the government, intergovernmental, international, multistakeholder, private-sector and business actions and initiatives that are currently addressing or discussing them. It has been prepared to assist in the discussions related to a working definition of 'Internet governance', what issues are being addressed and where, and whether there are any issues that are not being addressed.

While this matrix has been developed for the Internet and organizations dealing with it, similar charts could be constructed for other broad information and communications network topics, e.g. the public switched telephone network (PSTN), to reflect issues such as these and the organizations addressing each issue.

Business does not view all of these issues to necessarily be part of 'Internet governance' but rather all of the issues set forth below are related to the Internet.

Issue	National government actions and initiatives ^{1, 2}	Intergovernmental organization actions and initiatives ³	Private sector and business actions and initiatives ⁴
Privacy and cross-border flows of personal data	<p>National privacy regime options:</p> <ol style="list-style-type: none"> 1. General and/or sectoral regulation 2. Omnibus and sectoral legislation 3. Self-regulatory initiatives <p>Education and awareness raising activities</p>	<p>OECD Guidelines for the protection of privacy and transborder flows of personal data</p> <p>OECD Privacy Online: policy and practical guidance</p> <p>OECD Privacy policy statement generator</p> <p>OECD work on Spam</p> <p>UN Guidelines for the regulation of computerized personal data files</p> <p>Council of Europe Convention</p> <p>(Forthcoming) APEC Privacy Guidelines</p>	<p>Education and awareness raising (e.g. ICC Global Spam Fighting Resource, ICC Privacy Toolkit)</p> <p>Self-regulatory codes and enforcement organizations (e.g. ICC Guidelines on Marketing and Advertising on the Internet, Truste, BBBOnline)</p> <p>ICC/BIAC discussion paper on Spam [forthcoming ICC policy statement on Spam]</p> <p>Provision of reporting and 'optout' services. (e.g. national direct marketing associations)</p> <p>Company codes of conduct / binding corporate rules</p> <p>Model contract clauses for cross-border transfers of personal data including the industry alternative model contract clauses for data transfers from the EU</p> <p>GBDe recommendations for protection of personal data</p> <p>Innovation and deployment of technologies that can protect information and mitigate SPAM, etc.</p>

¹ National public policy matters are, in general, the responsibility of governments. However, policy discussions must include the active participation of business and other stakeholders.

² In many cases, general national policies are applicable and no sector specific or ICT-specific policies are required.

³ In many cases, general international guidelines or agreements are applicable and no sector specific or ICT-specific policies are required.

⁴ Private Sector is broadly defined to include non-governmental stakeholders, though the bulk of listed activities are business related. We look forward to working with other stakeholders to expand this section of the matrix to include their activities. Business actions and initiatives are informed by the policies of the nation in which they are achieved. In many cases, these actions and initiatives are in partnership with governments, civil society and international organizations.

Issue	National government actions and initiatives	Intergovernmental organization actions and initiatives	Private sector and business actions and initiatives
Consumer protection	<p>Education and awareness raising programmes</p> <p>National policy regime options:</p> <ol style="list-style-type: none"> 1. Regulation and legislation 2. Self-regulatory initiatives <p>National, regional and local law enforcement cooperation</p>	<p>2000 OECD Guidelines for Consumer Protection in the Context of E-commerce</p> <p>2003 OECD Guidelines for Protecting Consumers from Fraudulent and Deceptive Commercial Practices Across Borders</p> <p>APEC Voluntary Consumer Protection Guidelines for the Online Environment</p> <p>Bilateral and multilateral government law enforcement and cooperation internationally</p>	<p>Education and awareness raising programmes</p> <p>Self-regulatory codes and enforcement organizations (e.g. BBBOnline)</p> <p>Provision of alternative dispute resolution services</p> <p>Development and dissemination of industry best practices (e.g. ICC Tools for E-Business: “Putting it right: Best practices for customer redress in online business”, “Resolving disputes online: Best practices for online dispute resolution in B2C and C2C transactions”; and GBDe policies on consumer confidence and legal (jurisdiction) aspects)</p>

Issue	National government actions and initiatives	Intergovernmental organization actions and initiatives	Private sector and business actions and initiatives
Information systems and network security	<p>Education and awareness raising programmes, development and dissemination of best practices (e.g. FCC industry advisory group Physical and Cybersecurity Best Practices (voluntary))</p> <p>Training and recruiting of technical specialists for law enforcement</p> <p>Dedicated information security incident reporting to law enforcement (e.g. UK National Hi-Tech Crime Unit)</p> <p>Support/encourage incident-reporting and information-sharing centres in the private sector</p> <p>Legislation on computer-related crime</p>	<p>Coordination and information-sharing of national initiatives/centres on systems and network security (e.g. European Network and Information Security Agency)</p> <p>2002 OECD Guidelines on the Security of Information Systems and Networks</p> <p>UN General Assembly Resolution on a Global Culture of Security</p> <p>APEC TEL WG e-Security Task Group</p> <p>OAS' CITEL PCC.I Working Group on Advanced Technologies and Services</p> <p>Technical standards in the ITU-T (see below under Technical Standards)</p> <p>ITU-D programs on e-strategies /applications to enhance security and trust in the use of networks</p>	<p>Incident reporting and information-sharing resources (e.g. National Computer Emergency Response Team for Australia, CERT[®] Coordination Center, US, ICC Commercial Crime Services, UK)</p> <p>Education and awareness raising, development and dissemination of best practices for industry and the general public. (e.g. national reporting and information sharing groups; ICC/BIAC business applications of OECD security guidelines)</p> <p>Technical standards in the IETF, W3C, IEEE, ISO/IEC, etc. (see below under Technical Standards)</p> <p>GBDe recommendations on security</p> <p>Innovation and deployment of information systems and network security technologies</p>
Cryptography	<p>National policies related to cryptography</p>	<p>Wassenaar Arrangement on the export of dual-use goods including encryption products</p> <p>OECD Guidelines on Cryptography</p> <p>Technical standards in the ITU (also see below under Technical Standards)</p>	<p>Technical standards in the IETF, W3C, IEEE, ISO/IEC, etc. (also see below under Technical Standards)</p> <p>Innovation and deployment of cryptographic technologies</p>

Issue	National government actions and initiatives	Intergovernmental organization actions and initiatives	Private sector and business actions and initiatives
Cyber-crimes	National legislation and regulation making certain online acts criminal	Council of Europe Convention on Cyber-crime (Note: non-members can accede to the Convention upon application and approval)	Cooperation with law enforcement ICC commercial crime services (CCS) Fraudnet initiative
Electronic Authentication	Encouragement of use by business and the public of electronic authentication in e-government, (e.g. in tax filing, and government procurement) Legislative measures to ensure legal validity and recognition of electronic signatures	OECD Ministerial Declaration on electronic authentication UNCITRAL Model Law on Electronic Signatures Technical standards in the ITU on public key infrastructure (also see below under Technical Standards)	Development and dissemination of guidance on electronic authentication (e.g. ICC General Usage for International Digital Commerce) GBDe recommendations on authentication Innovation and deployment of electronic authentication technologies
Contractual issues	Legislative measures to ensure legal validity and recognition of electronic contracts	UNCITRAL Model Law on Electronic Commerce UNCITRAL is discussing a convention on electronic contracting	Provision of alternative dispute resolution services. Self-regulatory guidelines on electronic contracting (ICC E-Terms are being developed)
Taxation of e-commerce	National policies regarding the taxation of electronic commerce	Work of the OECD Technical Advisory Groups on Tax in partnership with business	Work of the OECD Technical Advisory Groups on Tax in partnership with governments
Customs duties on electronic transmissions	The assessment of Customs duties on electronic transmissions	WTO moratorium on customs duties on electronic transmissions	Cooperation with customs and other entities considering this issue Business support of the WTO moratorium on customs duties on electronic transmissions

Issue	National government actions and initiatives	Intergovernmental organization actions and initiatives	Private sector and business actions and initiatives
Intellectual Property	Implementation of national policies and enforcement of international agreements	World Intellectual Property Organisation (WIPO) Treaties on Copyright and the Performances and Phonograms, December 1996 WTO Agreement on the Trade Related Aspects of Intellectual Property (TRIPS)	Innovation and deployment of digital rights management technologies ICC Intellectual Property (IP) roadmap Education and awareness raising programmes
Content	National legislation on access to or the dissemination of certain content	OECD Workshop on Online Content	Self-regulatory schemes (e.g. Internet Content Rating Association, filtering technologies) Innovation and development of content filtering tools for use by parents, service providers, etc.
Infrastructure development	National economic development programs Incentives to private investment, e.g. “good governance” National Universal Service obligations for basic telecommunications	WTO Information Technology Agreement, Relevant Services Commitments, e.g. Telecoms, Computer and Related Services ITU-D development work on communications infrastructure World Bank UNESCO's ICT development programs UNCTAD UNDP's ICT development programmes	Advocacy and best practice work on trade liberalization in telecommunications (e.g. ICC Business Guide to Telecoms Liberalization) Private sector investment and deployment of infrastructure

Issue	National government actions and initiatives	Intergovernmental organization actions and initiatives	Private sector and business actions and initiatives
Education	National, regional, and local educational systems from basic education to university, to IT specific training	UNESCO UNICT TF Forums/Workshops ITU and UNDP Human Capacity Building programs in IT	Numerous private sector capacity building exercises and public-private partnerships (e.g. Cisco network academies, Microsoft, Cable and Wireless Virtual Academy, Nokia BridgeIT programme) Internal corporate training and life-long learning programmes
Exchange of Internet Traffic	Ensure that there are no legal barriers to the creation of regional traffic hubs Competition Law	ITU Recommendation D.50 ITU-T Rapporteurs Group continues to discuss this issue OECD Study "Internet Traffic Exchange and the Development of End-to-End International Telecommunication Competition" ITU assistance in establishing regional Internet Exchange Points APECTEL Working Group	Commercial negotiations among ISPs to exchange traffic (e.g. peering and transit) Business investment in infrastructure including establishing Internet Exchange Points
Technical coordination of the Internet	National laws apply to ccTLD administrators	Governmental Advisory Committee to ICANN and ITU activities under Resolution 102 (Marrakech 2002)	Internet Corporation for Assigned Names and Numbers (ICANN) The Internet Assigned Numbers Authority (IANA) Organizations such as CENTR, RIPE-NCC, APNIC etc.

Issue	National government actions and initiatives	Intergovernmental organization actions and initiatives	Private sector and business actions and initiatives
Technical standards	<p>Support for and participation in national standards setting bodies/processes</p> <p>Participation in international standards setting bodies</p>	<p>ITU-T and ITU-R Recommendations for the telecommunications network and radio</p> <p>ITU-R (WRC) identification, allocation and assignment of radio spectrum</p> <p>ITU-R (global regulations for frequency allocations)</p>	<p>Organizations involved in interface and performance standardization, including protocols:</p> <p>Internet Engineering Task Force (IETF), the Internet Engineering Steering Group (IESG) and the Internet Architecture Board (IAB)</p> <p>World Wide Web Consortium (W3C)</p> <p>Institute for Electrical and Electronic Engineers (IEEE)</p> <p>International Organization for Standards (ISO)</p> <p>International Electrotechnic Commission (IEC)</p> <p>SIP Forum</p>
Multilingual (internationalized) Domain Names (IDNs)	National acceptance of international standards		<p>Internet Corporation for Assigned Names and Numbers (ICANN), including coordination with root servers, IANA</p> <p>Internet Engineering Task Force (IETF), including technical and linguistic standards</p> <p>Multilingual Internet Names Consortium (MINC), including language tables</p>



Glossary

Asia-Pacific Economic Cooperation	APEC	www.apec.org
APEC Telecommunication and Information Working Group	APEC TEL WG	www.apectelwg.org
Asia Pacific Network Information Centre	APNIC	www.apnic.net
Better Business Bureau OnLine, Inc.	BBBOnLine	www.bbbonline.org
Business and Industry Advisory Committee to the OECD	BIAC	www.biac.org
CERT® Coordination Center	CERT/CC	www.cert.org
Council of Europe	CoE	www.coe.int
Council of European National Top-Level Domain Registries	CENTR	www.centri.org
Federal Communications Commission	FCC	www.fcc.gov
Global Business Dialogue on Electronic Commerce	GBDe	www.gbde.org
Governmental Advisory Committee to ICANN	GAC	www.gacsecretariat.org
ICC Commercial Crime Services	CCS	www.iccwbo.org/index_ccs.asp
Institute of Electrical and Electronics Engineers, Inc	IEEE	www.ieee.org
International Chamber of Commerce	ICC	www.iccwbo.org
International Electrotechnical Commission	IEC	www.iec.ch
International Organization for Standards	ISO	www.iso.org
Internet Architecture Board	IAB	www.iab.org
Internet Assigned Numbers Authority	IANA	www.iana.org
Internet Content Rating Association	ICRA	www.icra.org
Internet Corporation for Assigned Names and Numbers	ICANN	www.icann.org
Internet Engineering Steering Group	IESG	www.ietf.org/iesg.html
Internet Engineering Task Force	IETF	www.ietf.org
ITU Telecommunication Development Bureau	ITU-D	www.itu.int/ITU-D/
ITU Telecommunication Standardization Sector	ITU-T	www.itu.int/ITU-T/
Multilingual Internet Names Consortium	MINC	www.minc.org
National Computer Emergency Response Team for Australia	AusCERT	www.auscert.org.au
National Hi-Tech Crime Unit	NHTCU	www.nhtcu.org
Organisation for Economic Co-operation and Development	OECD	www.oecd.org
Organization of American States' Inter-American Telecommunication Commission (CITEL) Permanent Consultative Committee I (Public Telecommunications Services)	OAS' CITEL PCC I	www.oas.org/en/oas/citel.htm
RIPE (Réseaux IP Européens) Network Coordination Centre	RIPE NCC	www.ripe.net
Session Initiation Protocol Forum	SIP Forum	www.sipforum.org
United Nations	UN	www.un.int
United Nations Commission on International Trade Law	UNICTRAL	www.uncitral.org
United Nations Conference on Trade and Development	UNCTAD	www.unctad.org
United Nations Development Programme – Sustainable Development Networking Programme	UNDP	www.sdn.un.org
United Nations Educational, Scientific and Cultural Organization – Communication and Information Sector	UNESCO	www.unesco.org/webworld/index.shtml
United Nations Information and Communication Technologies Task Force	UN ICT Task Force	www.unicttaskforce.org
World Bank		www.worldbank.org
World Intellectual Property Organization	WIPO	www.wipo.int
World Trade Organization	WTO	www.wto.org
World Wide Web Consortium	W3C	www.w3c.org



Useful links

ICC webpage on Internet governance

http://www.iccwbo.org/home/e_business/Internet%20governance.asp

ICC Information paper on organizations involved in technical coordination of the Internet

(7 pages) updated version: 2 September 2003

http://www.iccwbo.org/home/statements_rules/statements/2003/373-31%205%20rev%20Organizations%20involved%20in%20technical%20coordination%20of%20the%20Internet%20updated%20august%202003.pdf

or

http://www.iccwbo.org/home/menu_electronic_business.asp

ICC background paper on Internet Governance

(12 pages)

This paper provides information regarding the workings of the Internet and some of the entities involved.

http://www.iccwbo.org/home/e_business/ICC%20background%20paper%20on%20Internet%20Governance.pdf

The International Chamber of Commerce

ICC is the world business organization, the only representative body that speaks with authority on behalf of enterprises from all sectors in every part of the world.

ICC promotes an open international trade and investment system and the market economy. Its conviction that trade is a powerful force for peace and prosperity dates from the organization's origins early in the last century. The small group of far-sighted business leaders who founded ICC called themselves "the merchants of peace".

Because its member companies and associations are themselves engaged in international business, ICC has unrivalled authority in making rules that govern the conduct of business across borders. Although these rules are voluntary, they are observed in countless thousands of transactions every day and have become part of the fabric of international trade.

ICC also provides essential services, foremost among them the ICC International Court of Arbitration, the world's leading arbitral institution.

Within a year of the creation of the United Nations, ICC was granted consultative status at the highest level with the UN and its specialized agencies.

Business leaders and experts drawn from the ICC membership establish the business stance on broad issues of trade and investment policy as well as on vital technical and sectoral subjects. These include financial services, information technologies, telecommunications, marketing ethics, the environment, transportation, competition law and intellectual property, among others.

ICC was founded in 1919. Today it groups thousands of member companies and associations from over 130 countries. National committees work with their members to address the concerns of business in their countries and convey to their governments the business views formulated by ICC.



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