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SPIN SETS IN ON INTERNET GOVERNANCE COMPROMISE

So the logjam on Internet governance has broken. The question is, who blinked - the U.S. or everyone else?

The issue of "who should rule the Internet" attracted increasing coverage after the EU reversed polarity and abandoned support for the U.S. position on this issue. That occurred not long ago, at the last formal meeting (called PrepCon3) preceding the vast summit meeting that came to order on Wednesday, bringing more than 19,000 participants together in Tunis, Tunisia, to plan a global "information society."

The question at hand has been whether ICANN, the Internet Corporation for Assigned Numbers and Names, would retain its control of the root zone of the Internet, and whether it would remain subservient to the U.S. government, via the supervision of the American Department of Commerce. Once the EU dropped its support of ongoing U.S. hegemony, it left the battle lines starkly drawn, and for all intents and purposes, the U.S. was on one side of the line, and on the other side was everyone else.

The last-minute desertion by the EU left the US with only two options: agree to a compromise of its control in advance of the Summit, or engage in a very public confrontation with multiple opponents in front of those 19,000 attendees, not to mention under the scrutiny of an intently watching world, served by legions of media looking for juicy stories where there would be few to be found. But the U.S. did have one advantage, and that was a big one: current control of the root zone of the Internet. If it wished to dig in, there was very little that anyone could do about it.

There were some reports heading into the final weekend before the Tunis Summit that attempts were in process to break the impasse. And, sure enough, on the first day of the Summit it was announced that a concordat had indeed been signed the night before that would take the Internet governance issue off the table before the Summit began its debate. But if one side blinked, which one was it?

One of the first articles released spun the compromise as a defeat for the U.S., bearing the head the story WSIS: US caves over internet monopoly . That article opened as follows:

> The US has agreed to consult with other governments over top-level domain names in a major shift in the US policy on control of the internet, EU officials confirmed on Wednesday....Under the deal, struck late on Tuesday night, all parties agreed that "no government should have the last word on another country's top level domain," said Martin Selmayr, a spokesman for EU Information Society Commissioner Viviane Reding, who attended the meeting.

But contrary to that headline, the "caving" by the US and the victory of the rest of the World appears to be more token than real: the same article indicates that the primary compromise made by the U.S. was simply that the American Department of Commerce would consult with a country before taking any action affecting its domain identifier. Hardly revolutionary stuff, that.

But if the U.S. didn't cave, does that mean that the opposition did?

That's the way it looked to the Business Standard, in India, in an article posted yesterday called Internet Control. As the Business Standard saw it:

> The rhetoric centred on control of the Internet turned out to be just hot air, after a compromise was hammered out at the World Information Summit in Tunis. The US remains in unilateral control. Status quo has been maintained with respect to technical functionality as well as regulatory power. While a multinational body, the Internet Governance Forum (IGF) consisting of national governments, corporations and NGOs, has been created, this has "no oversight function and would not replace existing arrangements, mechanisms, institutions or organisations, but involve them and take advantage of their expertise." The forum "would have no involvement in day-to-day or technical operations." Translated, the IGF will act like a scaled-up version of the typical Internet forum. It will allow frustrated users to rant and rave, or to offer useful suggestions. But these suggestions will not be binding.

So it is that as details of the horse-trading and next steps on Internet governance are finding their way into the media, each article manifests its own spin on what happened behind closed doors, and what will happen next.

Here in its entirety, for example, is the official (and self-congratulatory) EU press release on the compromise, which claims credit for putting back together what it had helped to put asunder only a few weeks before at PrepCon3:

EU brokers deal on progressive internationalisation of Internet governance at Tunis World Summit

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A worldwide political agreement providing for further internationalisation of Internet governance, and enhanced intergovernmental cooperation to this end, was brokered at the World Summit on the Information Society in Tunis last night. The compromise text agreed was based largely on EU proposals presented in the discussions since June. As a first important element of the agreement, a new international Internet Governance Forum (IGF) will be created to deliberate among governments, the private sector and civil society at large in a multi-stakeholder policy dialogue related to Internet Governance. A first meeting of this Forum will be convened by the Secretary-General of the United Nations by the second quarter of 2006 and take place in Greece. The texts agreed in Tunis also include language that will allow for enhanced cooperation among governments, on an equal footing, on public policy issues. Such cooperation should include the development of globally applicable principles on public policy issues associated with the coordination and management of critical Internet resources. This cooperation will make use of relevant international organisations. There was also a consensus in Tunis yesterday that countries should not be involved in decisions regarding another country's Top Level Domain, thus meeting requests made, in particular, by the EU in the negotiations.

"I welcome the texts now agreed in Tunis. They pave the way for a progressive internationalisation of Internet governance," commented Viviane Reding, EU Commissioner for Information Society and Media, who is leading the Commission delegation in Tunis. "This agreement was possible because of the strong belief of all democratic nations that enhanced international cooperation is the best way to make progress towards guaranteeing the freedom of the Internet around the globe and also to enhance transparency and accountability in decisions affecting the architecture of the Web. The fact that the EU spoke with one voice in Tunis, and had stood by its case for more cooperation on Internet governance in the run-up to the summit, certainly strongly influenced this positive agreement."

The text finalised last night reflects a consensus of all participants of the Tunis summit. It will now be officially adopted by the Heads of State or Government, or their representatives, in the course of the World Summit on Information Society that officially starts today and will last until Friday. For the Commission, the days to come will focus on gaining the support of other nations for the EU's policy of investing in Information and Communication Technology, as a means to overcome the "digital divide." In addition, the Commission will reiterate its position on the need to safeguard human rights, and in particular freedom of speech, in order to build a truly global Information Society.

As news continues to trickle out, I'll report on it here, and will post the full text of the principles that were agreed to as well.

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