Committee of Ministers: Declaration on Internet Governance Principles

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With the adoption on 21 September 2011 of a declaration on Internet governance principles, the Committee of Ministers sets out to explicitly support and promote a "sustainable, people-centred and rights-based approach to the Internet" (para. 5). The declaration is intended to encourage member states to uphold ten principles in their national and international Internet policy-making.

Essentially, the principles can be seen as general commitments on ten broad issues: 1) the protection of human rights, democracy and the rule of law; 2) multi-stakeholder governance; 3) the responsibility of states; 4) the empowerment of Internet users; 5) universality; 6) integrity; 7) decentralised management; 8) the open standards, interoperability and end-to-end nature of the Internet; 9) open network; and 10) cultural and linguistic diversity.

The Committee of Ministers places these commitments in the context of what we can now safely call an Internet governance tradition, as it cites as its primary sources of inspiration the Geneva phase and Tunis agenda, which are linked to the World Summits on the Information Society in 2003 and 2005 (para. 2). Indeed, many of the principles reiterate the normative status quo in Internet governance discussion, such as respect for fundamental rights and multi-stakeholder governance. More interestingly, the wording of some of the less familiar principles might interplay with several recent Internet policy debates in unexpected ways.

For example, under the declaration's suggestion that states should "refrain from any action that would directly or indirectly harm persons or entities outside their territorial jurisdiction" (para. 3 on the responsibility of states), EU-US negotiations on the extra-territorial revocation of domain names and IP addresses - following the General Affairs Council of the Council of the European Union, under Spanish Presidency in April 2010, and recently discussed in a LIBE committee hearing on the draft Directive on cyber-attacks against computer systems in the European Parliament - might become problematic.

With these ten principles, the Committee of Ministers provides an important stimulus for the debate on Internet governance. Declarations by the Committee are not legally binding on the member states, but they do possess a certain moral and political authority. It will be interesting to analyse the authority they will carry in specific cases of policy-making on both national and international level, given

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this new context of a shared vision and general commitment to a sustainable, people-centred and rights-based approach, as put forward in this declaration.

Declaration by the Committee of Ministers on Internet governance principles, 21 September 2011

https://wcd.coe.int/wcd/ViewDoc.jsp?id=1835773&Site=CM&BackColorInternet=C3C3C3&BackColorIntranet=EDB021&BackColorLogged=F5D383

Council of the European Union, "Council conclusions concerning an Action Plan to implement the concerted strategy to combat cybercrime", 3010th GENERAL AFFAIRS Council meeting Luxembourg, 26 April 2010

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