I recently attended the 2nd Global Conference of the Internet & Jurisdiction Policy Network in Ottawa. Approximately 200 people from around the world attended. The conference focused on Internet data, content and the Domain Name System, especially in transborder settings. The discussions sought to catalog the problems arising and possible responses to them and to map processes leading to a third convening in Berlin by June 2019.

It is time to make progress defining a way forward toward an increasingly beneficial Internet in anticipation of the billions who will gain access to it as this decade ends. At its origin, I hoped that the Internet would be a platform through which all its users would be free to share and access information and computing power of all kinds. As it became apparent that it was a commercially supportable service, it seemed that barriers to its access and use would fall and, indeed, half the planet’s population is now online. The arrival of the World Wide Web and subsequent search engines vastly simplified the creation, discovery and sharing of content.

Neutrality is still a key part of the Internet’s success: Internet packets still don’t know how they are carried or what they carry. But it is apparent that the freedom of expression the Internet invites has some social downsides. Mixed into the vast useful or at least innocuous content of the Internet is harmful, wrong, abusive, and misleading material injected by intent or ignorance and which disrupts societal norms. Moreover, the system is an avenue for a wide range of cyberattacks including malware, identity theft, and denial of service, to name three. Perhaps just as bad, the social media have become channels through which fake news and misinformation flow freely.

How did we get here? We collaborated on a global scale to build the Internet. We cooperated to create technical standards. We found business models to help the Internet flourish and access to it to increase. And we discovered what Shakespeare knew when he wrote his plays: people are imperfect and some have motivations that lead to harm to others.

We must employ the same tools and methods that built the Internet to improve its safety, security, privacy and utility. We must apply these tools at the appropriate layers in the Internet’s architecture to avoid damage to the essential openness that makes the Internet work and allows it to evolve. We must seek social norms to guide further evolution of the system. We must improve digital literacy to deepen the general public’s awareness of and defense against online risks. We must protect the public core of the Internet from deliberate damage. We must apply multi-national and multi-stakeholder deliberation to identify new goals and cooperate to achieve them. The global nature of the Internet demands transnational cooperation and collaboration to diminish the effects of harmful behavior, but we must find ways to protect human rights while protecting ourselves from those who violate them. In other words, protecting against harmful behavior
on the Internet can lead to human rights violations such as censorship and denials of the right to assemble because nation-states can use harmful behavior or content on the Internet as an excuse to violate other human rights under the guise of “protection.”

National sovereignty is sometimes cited as a reason to close borders and refuse cooperation. And yet, we have learned that it is in national interests to cooperate for the benefit of trade, social coherence, planetary concerns, and law enforcement. Ironically, the independence of the networks that make up the Internet has been a key ingredient to its growth and resilience. There is no center, but for the necessary cooperation needed to assure uniqueness in the identifier spaces of the Internet. Technical standards are the means by which independent cooperation among the networks leads to the global Internet. Social and legal norms may be the means by which we achieve collaborative intervention against harmful behaviors on the Internet. Protocols are a form of cooperation and perhaps it is now time to invent new diplomatic protocols, aided by technology, to fashion an Internet worthy of persistence and global access.

BIO

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