INTERNET GOVERNANCE LAW & POLICY

LAW-811A
(9:00 am - 10:50 am)
El Escorial, Spain
Summer 2015

Professor Roy Balleste, J.S.D.
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Course Description:

This course analyzes the legal and technological landscape faced by nations as they seek to adopt internet governance policies. This course covers the laws, regulations, and entities that seek to manage and regulate the Internet. The class analyzes the Internet, its impact in society and how international law has evolved around the governance of this technology. The issue of global internet governance raises challenging questions about where the control of the Internet should reside. The course will consider governance activities by the U.S. government, their relationship to the technical coordination of the Internet and the interests of global stakeholders. Topics to be discussed include the role of the World Summit on the Information Society (WSIS), the Internet Governance Forum (IGF), the Internet Corporation for Assigned Names and Numbers (ICANN), the U.S. Department of Commerce, and the governance models for the control of the Internet. The participation in the global debate of this issue represents a significant challenge, although one rooted in human rights and the protection of access to information.

Credits: 3


*The textbook is available in hardcover, paperback and also in e-book format for Kindle. It might be easier and worthwhile for you to have a print version of the book at the time of the exam.

*Supplemental reading materials will be delivered by the Professor.

*** Note: This syllabus is subject to change based on the needs of the class, and with notice by the professor.
Grading:

1. Final Take-Home Exam: The exam will account for 100% of grade. The exam will be as follows:

   **Part A**) This section will include 35 multiple choice questions (2 points each) for a total of 60 points or 70% of the grade.

   **Part B**) This section will include 15 short answer questions (2 points each) for a total of 40 points or 30% of the grade.

Answers to the exam will be submitted in Word format. Font is Times New Roman, 12pt.

2. Participation: Students are responsible for class participation. Students are expected and encouraged to participate in all sessions of the class. (Participation includes demonstrating that you are reading the assigned materials and responding to questions.) Most class sessions will involve a combination of lecture and discussion. Lectures and readings will be supplemented by other relevant materials.

The Professor reserves the right to increase the student’s grade by a “+” (example: B increases to B+) if he thinks that the student has an excellent record of class attendance and significant participation. The Professor will be available to meet with students after class. You may also schedule a meeting with the professor, and/or send an email to any time at rballeste@stu.edu.

Readings by Week:

**Week 1**

**Day 1:** Course Overview and Introduction

Introduction of Subject
Internet Governance in the Global Context

**Day 2:** The Historical Dimension of Technology

In the Beginning
Early Conflicts in Internet Governance
Critical Internet Resources
*Mueller, Chapter 1*
Day 3: Conflicts: The Actors of Internet Governance

The Actors of Internet Governance: stakeholders
ICANN
VesiSign
ITU
A Matter of Controversy
Video: Ancient Computing

Day 4: The Control of Technology

A Matter of Controversy
IPv4 to IPv6
IANA function
Mueller, Chapters 2

Day 5: The Control of Technology: Public Policy

WGIG: Definition
Civil Society
USA/EU
Registrants, Registry and Registrars
Regional Internet Registries (RIRs)
IPv4 to IPv6
ICANN/IANA function

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WEEK 2

Day 6: Access to Information or How to protect it

Case Study
Ancient Computing/ Ancient Robotics
Day 7: Sources of International Law

International Law intro: Part 1
Sources and Nature of International Law
Treaties
Customary International Law
Supplemental materials

Day 8: International Law's Role in Securing Cyberspace

International Law and Research: Part 2
Internet Governance Research
European Union
Council of Europe
International Communication Union (ITU)
Organization for Security and Cooperation in Europe (OECD)

Day 9: A Matter of Security

National Security in Context
Case Study
Security v. Openness
International norms
Cyberterrorism: DoS/control/governance of CIR
US-CERT

Day 10: The First Duty

Jus ad Bellum: What is a reasonable war?
Jus in Bello: How a nation conducts a reasonable war?
War in Cyberspace
US Air Force Cyber Command
Mueller Chapter 3

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WEEK 3

Day 11: The World Summit: First Phase

The World Summit on the Information Society
WSIS Geneva
PrepCom-1/PrepCom-2
PrepCom-3: Critical Stage
Working Group on Internet Governance: Final Report
WSIS Geneva Meeting: Relevant Documents
WGIG Final Report
Argentina/EU Proposals
The Nature of Civil Society
Argentina/EU Proposals

Day 12: The World Summit: Second Phase

The World Summit on the Information Society
WSIS Geneva Tunis
PrepCom-1/PrepCom-2
PrepCom-3: Critical Stage
WSIS Tunis Meeting: Relevant Documents
Tunis Agenda: Paragraph 72
Mueller Chapter 4

Day 13: ICANN

WSIS Process
ICANN Beginnings
GNSO, NCSG and NCUC
ICANN: GNSO and NCUC
Critical Internet Resources
GigaNet Archive: research source
Registrants, Registry and Registrars
Regional Internet Registries (RIRs)

Day 14: The Road to the Internet Governance Forum

IGF: The First five Years
The Nature of Civil Society
Human Rights
The Future
Athens 2006
Security v. Openness
Day 15: The IANA Transition

Policy Prospects for the Future of the Internet
UNESCO/CSTD
GigaNet
Registrants, Registry and Registrars
Regional Internet Registries (RIRs)
GNSO and NCUC
The Management of ICANN
Challenges for Global Diplomacy
Reconciling Technology with Human Dignity
Mueller, Chapter 7

WEEK 4

Day 16: Content Control

Internet Blocking and Filtering
Objectionable and harmful content
Freedom of expression
Reliability of information
Mueller, Chapter 8
**Day 17: The Future of the IANA Function**

US Department of Commerce
IANA Stewardship Transition
Enhancing ICANN Accountability
New Cross Community Working Group (CGW)
*Mueller, Chapters 9*

**Day 18: Regulatory Models**

Model #1: The IAHC Proposal
Model #2: The WGIG Revisited
Model #3: No Regulation
Model #4: Self-regulation
Model #5: Government Regulation
Model #6: Rulemaking via Technical Architecture
Model #7: Market and Economics
Model #8: The Model of IETF
Model #9: International Institutions
Model #10: The Global Commons
Model #11: France and the IBSA Joint Agreement
*Mueller, Chapters 10*

**Day 19: New Regulatory Models**

Model #12: Antarctic Continent
Model #13: Roman Law
Model #13: ICANN or International Custom
*Mueller, Chapter 11*

**Day 20: Final Thoughts and Dr. Postel’s Legacy**

Beyond 2010: the desirability of ICANN and the impact on Society
Final Considerations