



# **Introduction of Korean Internet governance law and Proposal by multi-stake holder approach**

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# TOC

- **Analysis of Internet governance mechanism**
- **Analysis of Korean Internet governance mechanism - Abstract**
- **Introduction of Korea Internet Address Resources Act**
- **Proposal by multi-stake holder approach**

# Analysis of IG mechanism

- **Decision making process**  
: Consensus base(bottom-up) vs. Top-down
- **Who is major player on Internet governance?**  
: Government vs. Private sector
- **Participation of other players**
- **Appointment process of major policy committee**  
: Bottom-up vs. Top-down
- **Support on private sector activity**

# Abstract of Korean IG mechanism

- **Decision making process**
  - : Top-down style
- **Major player**
  - : Government with KISA drive strongly
- **Participation of other players**
  - (1) Internet Address Policy Deliberation Committee  
(legally established)
  - (2) Korea Internet Governance Alliance  
(Government appointed members of various career)
  - (3) civil society – Jinbonet, Openet etc. (volunteer)

# Abstract of Korean IG mechanism

- **Appointment process of Internet Address Policy Deliberation Committee**  
: Top-down style, partial multi-stake holder
- **Support on private sector\* activity**  
: concerning international cooperation, not enough

\* **“Private sector”** = commercial orgs + civil society + end users + experts(including academic area)  
[different from Tunis Agenda terminology in this presentation]

# Internet Address Resources Act (1)

- Decision making process / major player  
: **Government drive strongly, but democratic manner and cooperation of the private sector**

## Article 3 (Obligations of State)

- (1) The State shall endeavor to promote the development and use of Internet address resources and ensure that Internet addresses are used in a fair and appropriate manner.
- (2) The State shall endeavor to ensure that policies related to Internet address resources are formulated and implemented in a transparent and democratic manner.

## Article 5 (Formulation and Implementation of Basic Plans)

- (1) The Ministry of Science, ICT and Future Planning shall formulate and implement basic plans on the development, promotion of use or management of Internet address resources.
- (2) Basic plans shall include the following matters:
  1. Basic objectives for the development, promotion of use or management of Internet address resources;
  2. Matters concerning the present status or supply and demand of Internet address resources;
  3. Matters concerning the development and standardization of Internet address resources;
  4. Matters concerning the protection of users of Internet addresses and the settlement of disputes;
  5. Matters concerning cooperation on Internet address resources between the State or local governments and the private sector;
  6. Matters concerning international cooperation on Internet address resources;
  7. Matters concerning the procurement or operation of financial resources for the development, promotion of use or management of Internet address resources;
  8. Other matters concerning the development, promotion of use or management of Internet address resources.

# Internet governance law in Korea

- Decision making process / major player  
: **Government establish and administer KISA**, Internet address management organization
- **The Act on Promotion of Information and Communications Network Utilization and Information Protection, etc. Article 52 (Korea Internet and Security Agency)**
  - (1) The Government shall establish the [Korea Internet and Security Agency](#) (hereinafter referred to as the "Internet and Security Agency") to upgrade the information and communications network (excluding matters concerning establishment, improvement and management of information and telecommunications network), encourage the safe use thereof, and promote the international cooperation and advancement into the overseas market in relation to broadcasting and communications.
  - (3) The Internet and Security Agency shall carry out the following business affairs:
    5. Information protection for the information and telecommunications network, development of technologies concerning the Internet address resources and standardization thereof
    17. Affairs related to [the management of Internet address resources under the Internet Address Resources Act](#)

# Internet governance law in Korea

- Decision making process / major player  
: **Government establish and administer KISA**, Internet address management organization
- **Internet Address Resources Act article 2 (Definitions)**
  3. The term "Internet address management organizations" means the Korea Internet & Security Agency (hereinafter referred to as the "Internet & Security Agency") under Article 52 of the Act on Promotion of Information and Communications Network Utilization and Information Protection, etc., which performs duties related to the assignment and registration, etc. of Internet addresses, and any corporation or organization entrusted with duties of managing Internet addresses by the Internet & Security Agency;



# Internet Address Resources Act (2)

- Participation of other players  
: **Internet Address Policy Deliberation Committee consultation**  
(nominated and administered by Government)

## **Article 5 (Formulation and Implementation of Basic Plans)**

- (3) The Ministry of Science, ICT and Future Planning shall, when it formulates basic plans, undergo the deliberation of the Internet Address Policy Deliberation Committee under Article 6.

## **Article 6 (Internet Address Policy Deliberation Committee)**

- (1) The Internet Address Policy Deliberation Committee (hereinafter referred to as the "Deliberation Committee") shall be established under the control of the Ministry of Science, ICT and Future Planning, so as to deliberate on policies for Internet address resources, etc.
- (2) The Deliberation Committee shall deliberate on the following matters:
1. Matters concerning the formulation and implementation of basic plans;
  2. Matters concerning approval for the entrustment of duties of Internet address management organizations under Article 9;
  3. Matters concerning approval for rules on the management of Internet addresses under Article 13;
  4. Matters concerning major policies for the settlement of disputes related to Internet addresses;
  5. Matters concerning international cooperation related to Internet address resources;
  6. Other policy matters related to Internet address resources, submitted by the Chairperson.

# Internet Address Resources Act (3)

- Appointment process of Internet Address Policy Deliberation Committee : **Top-down style (neither election nor bottom-up process), partial multi-stakeholder**

## Article 6 (Internet Address Policy Deliberation Committee)

- (4) Members of the Deliberation Committee shall be persons with abundant knowledge and experiences on Internet address resources, and shall be commissioned or nominated by the Chairman of the Ministry of Science, ICT and Future Planning, from among persons falling under any of the following subparagraphs:
1. Any public official in Grade III or higher, or any person who holds or held a position equivalent thereto in a public institution ;
  2. Any person who holds or held the position of a judge, public prosecutor, attorney-at-law or patent attorney for not less than ten years;
  3. Any person who holds or held the position of an associate professor or higher in a college or certified research institute, or holds or held a position equivalent thereto for not less than five years, who majored in information and communications;
  4. Any person who holds or held the position of an executive in a company related to information and communications for not less than five years;
  5. Any person who holds or held the position of the representative of an organization or institution related to information and communications;
  6. Any person deemed to have qualifications equivalent to the aforementioned positions by the Ministry of Science, ICT and Future Planning.

# Internet Address Resources Act (4)

- Support on private sector activity  
: **limited to international cooperation, not enough**

## **Article 8 (International Cooperation on Internet Address Resources)**

- (2) The Ministry of Science, ICT and Future Planning may support international cooperation on Internet address resources in the private sector.

## **Enforcement Ordinance Article 9 (Support on international cooperation activity of private sector)**

The Chairman of Ministry of Science, ICT and Future Planning may support on international cooperation activity of private sector concerning following matters by Act article 8(2).

1. Interchange of information, technology and man power concerning Internet address resources
2. Propulsion of joint research, technology cooperation and international standardization on Internet address resources
3. Participation and establishment of correspondence strategy on international organization concerning Internet address
4. Domestic detention of international conference concerning Internet address
5. Other matters of promotion of international cooperation for stable management and expansion of Internet address resources

# Summary of each player in Korea

- **Government (Ministry of Science, ICT and Future Planning) : decision-making by Top-down style**
  - Internet Address Policy Deliberation Committee consulting (4 times / 1 year)
- **Korea Internet and Security Agency(KISA) : management organization administered by Government**
  - Non-official consulting from Korea Internet Governance Alliance / Sub-committee on Address & Infrastructure
- **Korea Internet Governance Alliance / Sub-committee on Address & Infrastructure : Non-official consulting by volunteer base**
  - established 2012, major members of Internet Address Policy Forum(2009~2011) and Number and Name Committee(1999~2004)
  - members : experts(including academic area, technicians, lawyers), commercial orgs, civil society

# Proposal by multi-stake holderism

- **Reform of decision making process**
  - Introduction of bottom-up process legally and officially
  - Consensus based decision
- **Example of amendment of Internet governance Act**
  - Government grant major role of IG to independent Internet address management organization
  - KISA would be reformed to independent organization or introduction of other competitive organization (See the Act article 9)
  - Government could suggest this organization about public policy issues by official style (policy documents or reports)

# Proposal by multi-stake holderism

- **Boom-up on participation of private sector**
  - Government establish independent policy committee legally and participate in this organization as one player
  - Bottom-up nominating process of this policy committee members
  - Enlargement of participation of various stake holder(civil society, commercial org., end-users, experts)
  - Enough support on private sector activity  
(international and domestic, financial, more information)

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