

# IG regulation reform for enhancing Multistakeholderism in Korea

Jihwan Park, an OpenGov Advocate

# Table of Contents

- (1) Tool for analysis
- (2) Current IG regulation of Korea
- (3) Internet Address Resources Act
- (4) reform for enhancing MS

# [1] Analysis Tool for Governance Model

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

# Types of Multi- stakeholder Forum



Administrative decision, such as an executive decree:



Formal and informal agreements



Create new or build on existing laws:

# Level of Public influence of MSF - OGP

Level of public influence	
Empower	The government handed decision-making power to members of the public.
Collaborate	There was iterative dialogue AND the public helped set the agenda.
Involve	The government gave feedback on how public inputs were considered.
Consult	The public could give inputs.
Inform	The government provided the public with information on the action plan.
No Consultation	No consultation

## [2] Current IG regulation of Korea

- Decision making process

  - : Top-down

- Major player

  - : Government with KISA

- Participation of other players

  - (1) Internet Address Policy Deliberation Committee

    - (legally established)

  - (2) Korea Internet Governance Alliance

## [2] Current IG regulation of Korea

- Appointment process of Internet Address Policy Deliberation Committee
  - : Top-down, partially multi-stake holder
- Support on private sector activities
  - : concern of international cooperation



## [3] Internet Address Resources Act

- Decision making process / major player

**Government decides**

**in a cooperative manner**



### **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 and ICT 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;

## [3] Internet Address Resources Act

- Decision making process / major player

**Government establishes and manages KISA,**  
an Internet address management organizations

# ○ 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

of Internet address resources;

8. Other matters concerning the development, promotion of use or management of Internet address resources.

## [3] Internet Address Resources Act

- Consultation mechanism

**Internet Address Policy Deliberation  
Committee consultation**

**(Nominated and Managed 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 and ICT, 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.

## [3] Internet Address Resources Act

- Appointment of committee members

**Top-down**

**(no election / bottom-up process)**

## **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 and ICT, from among persons falling under any of the following subparagraphs:



# [3] Internet Address Resources Act

- Support for non government participants' activities  
: **concerns international cooperation only**

Article 8 (International Cooperation on Internet Address Resources)

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

# [4] Reform to enhance Multiskateholderism

1

bottom-up  
nominating  
process of the  
MSF  
(committee)

2

establish the  
MSF  
independent  
from  
Government

3

hand decision  
making power  
to MSF

4

enhance  
engagement of  
non-  
government  
stakeholder

5

fully support  
non  
government  
stakeholder;  
e.g. KIGA

# Level of Public influence of MSF - OGP

Level of public influence	
Empower	The government handed decision-making power to members of the public.
Collaborate	There was iterative dialogue AND the public helped set the agenda.
Involve	The government gave feedback on how public inputs were considered.
Consult	The public could give inputs.
Inform	The government provided the public with information on the action plan.
No Consultation	No consultation

# How to hand decision-making power

to MSF body and public  
is the cornerstone.