University of Zurich UZH

Law Institute

4th EU Summit on the Future Internet

Future of the Internet - Legal Perspectives

Prof. Dr. Rolf H. Weber
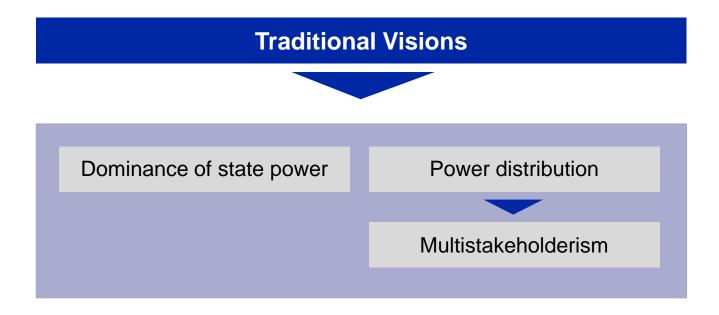
Aveiro, June 13, 2013

Technological developments

Drivers for changing the environment

Potential for understanding political structures and powers

Need for compliance with social expectations

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Traditional Visions

Dominance of state power

Power distribution

Multistakeholderism

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Back to cyber-sovereignty?

Preparation of WCIT 2012

Conference in Dubai

National control / fragmentation

versus

Preservation of status quo

WCIT lessons

Difficulties of including civil society

Moving away from consensus principle

Vague provisions and open resolutions

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Traditional legal approach: Hard law

Multilateral treaties and national law

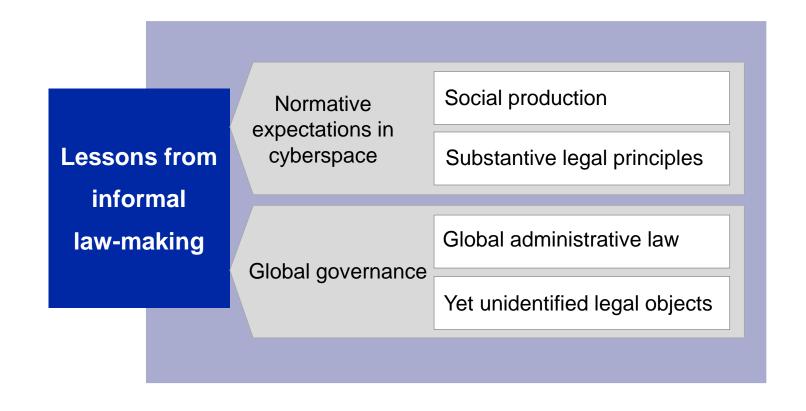Social control → stability

Rule-orientation → predictability

Minimum harmonization

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New approaches of informal law-making

Formalized standards and networks

Code-based law-making

Informal law-making

Internet-ional law-making

Civic virtue law-making

Process-informality

Actor-informality

Output-informality

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Lessons from informal law-making

Normative expectations in cyberspace
- Social production
- Substantive legal principles

Global governance
- Global administrative law
- Yet unidentified legal objects

Market structure issues

Infrastructure: net neutrality

Information: search engines and market power

E-Commerce: taxation

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Elements of future cyberspace law

Governance aspects

Organizational aspects

Dispute settlement aspects

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Future prospects

Sketching «constructions»

«Bricks»: Legal certainty, stability, reliability

Flexibility in governance and settlement

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