

For an Open and Free Internet

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It can be seen as a symbolic act that the Federal Government signed the „Contract for the Web“ (<https://contractfortheweb.org/>) initiated by Tim Berners-Lee in November 2018. The contract, which is to be published in May 2019 and which governments, companies, organisations and individuals can join, is more an expression of intent than a legally binding treaty. Nevertheless, it is an important commitment to an open and free Internet and at the same time a clear message for freedom, democracy and the rule of law. In future, all signatories will have to be judged on the implementation of its principles. Not only the Federal Government signed the contract – Google and Facebook are also signatories.

Economic and Societal Competition

Both the World Wide Web launched by Tim Berners-Lee thirty years ago and the Internet as a whole have become a venue for an economic and societal competition. The globally active Internet companies are thus challenging our regulatory principles. Competition and antitrust law, data protection law, copyright law and even tax law must prove themselves anew or be reconsidered under the conditions of a global interconnected economy. Germany (and also Europe) not only competes with the American “over the top players” such as Apple, Alphabet or Amazon, but also has to deal with the Chinese Internet giants such as the Alibaba Group or Tencent Holding. All these companies can dominate the global markets because of their economic power and are therefore in a position to determine the rules worldwide. The idea of the social market economy could be referred to a concept for the global regulatory justification of an open and free Internet. This requires international institutions that can enforce these framework conditions in a global competition.

The common practices of censoring, shutting down the Internet or individual services and the complete surveillance of users to prevent free access to and open exchange of information by some countries are contrary to the idea of an open Internet. It also contradicts our idea of a free and demo-

cratic society. The efforts to control the network politically also focus on its infrastructure. These countries have been attempting to gain political influence through international bodies such as the International Telecommunication Union (ITU) for a couple of years, for example with regard to net neutrality, or ICANN with regard to the authority to allocate addresses. The Internet is not just a marketplace. It has become the defining medium for global social, cultural and political exchange. Democratic societies should to assert themselves against non-democratic and authoritarian positions in the competition for the constitution of the Internet.

Here, too, it is Important to Actively Shape Globalization

The Internet is both a product and a tool of globalization. The demand for worldwide exchange of data, information and opinions in science and society as well as of services, work and goods in the economy has created the Internet as a perfect medium. The global network enables everyone who has access to participate in this exchange virtually everywhere and in real time. Knowledge transfer, opinion formation, cultural exchange and economic value creation have been promoted by the Internet at an exponential speed and breadth. The conditions under which

this exchange takes place also influence participation in the added value of globalization. Those who have no access or are excluded from services, whose privacy or freedom of expression is threatened and whose human dignity is violated, will regard themselves as losers of globalization on the Internet. To enable participation and to guarantee conditions for the values of freedom, democracy and the rule of law mean actively shaping globalization.

Internet Governance

It is commonplace that the rules for a global network are not negotiated in a national or even a European framework. Meaningful solutions are only possible on the international level. Nevertheless, all levels of regulatory competence are involved in this process. In 2019, Germany has the opportunity to play an effective role as host of the Internet Governance Forum (IGF) in Berlin.

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