

# EUROPEAN PARLIAMENT

1999



2004

---

*Session document*

FINAL  
**A5-0063/2001**

19 February 2001

## REPORT

on the Commission communication to the Council and the European Parliament on 'The Organisation and Management of the Internet – International and European Policy Issues 1998-2000' (COM(2000) 202 – C5-0263/2000 – 2000/2140(COS))

Committee on Industry, External Trade, Research and Energy

Rapporteur: Massimo Carraro



**CONTENTS**

	<b>Page</b>
PROCEDURAL PAGE .....	4
MOTION FOR A RESOLUTION.....	5
EXPLANATORY STATEMENT .....	10
OPINION OF THE COMMITTEE ON CITIZENS' FREEDOMS AND RIGHTS, JUSTICE AND HOME AFFAIRS.....	14

## PROCEDURAL PAGE

By letter of 14 April 2000, the Commission forwarded to Parliament a communication on 'The Organisation and Management of the Internet – International and European Policy Issues 1998-2000' (COM(2000) 202 – 2000/2140(COS)).

At the sitting of 13 June 2000 the President of Parliament announced that she had referred the communication to the Committee on Industry, External Trade, Research and Energy as the committee responsible and the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs and the Committee on Legal Affairs and the Internal Market for their opinions (C5-0263/2000).

The Committee on Industry, External Trade, Research and Energy appointed Massimo Carraro rapporteur at its meeting of 22 June 2000.

It considered the Commission communication and the draft report at its meetings of 11 October 2000, 4 December 2000 and 13 February 2001.

At the last meeting it adopted the motion for a resolution by 39 votes to 0, with one abstention.

Before voting began, Christian Foldberg Røvsing declared that he had interests in this area and would therefore not take part in the vote.

The following were present for the vote: Carlos Westendorp y Cabeza, chairman; Renato Brunetta, Nuala Ahern and Peter Michael Mombaur, vice-chairmen; Massimo Carraro, rapporteur; Konstantinos Alyssandrakis, Ward Beysen (for Willy C.E.H. De Clercq), Guido Bodrato, Giles Bryan Chichester, Nicholas Clegg, Claude J.-M.J. Desama, Harlem Désir, Concepció Ferrer, Christos Folias, Jacqueline Foster (for Godelieve Quisthoudt-Rowohl), Neena Gill (for Myrsini Zorba), Norbert Glante, Lisbeth Grönfeldt Bergman (for Marjo Tuulevi Matikainen-Kallström), Michel Hansenne, Malcolm Harbour (for Roger Helmer), Hans Karlsson, Bashir Khanbhai (for Konrad K. Schwaiger), Rolf Linkohr, Eryl Margaret McNally, Angelika Niebler, Giuseppe Nisticò (for Dominique Vlasto), Reino Kalervo Paasilinna, Yves Piétrasanta, Elly Plooi-j-van Gorsel, Samuli Pohjamo (for Colette Flesch), John Purvis, Daniela Raschhofer, Imelda Mary Read, Christian Foldberg Røvsing, Paul Rübig, Ilka Schröder, Esko Olavi Seppänen, Jaime Valdivielso de Cué, Alejo Vidal-Quadras Roca, Anders Wijkman and François Zimeray.

The opinion of the Committee on Legal Affairs and the Internal Market is attached; the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs decided on 16 January 2001 not to deliver an opinion.

The report was tabled on 19 February 2001.

The deadline for tabling amendments will be indicated in the draft agenda for the relevant part-session.

## MOTION FOR A RESOLUTION

### **European Parliament resolution on the Commission communication to the Council and the European Parliament on 'The Organisation and Management of the Internet – International and European Policy Issues 1998-2000' (COM(2000) 202 – C5-0263/2000 – 2000/2140(COS))**

*The European Parliament,*

- having regard to the Commission communication (COM(2000) 202 – C5-0263/2000<sup>1</sup>),
- having regard to the Council resolution of 3 October 2000<sup>2</sup>,
- having regard to the Commission communication on the 'Internet domain name system – Creating the .EU top level domain', COM(2000) 421<sup>3</sup>,
- having regard to the Commission working document on the creation of the .EU top level domain, COM(2000) 153<sup>4</sup>,
- having regard to the conclusions of the Feira European Council meeting of 19 and 20 June 2000, SN 200/1/2000,
- having regard to its resolution of 16 March 2000<sup>5</sup> on the Commission communication on 'eEurope - An Information Society For All: a Commission Initiative for the Special European Council of Lisbon, 23 and 24 March 2000', COM(1999) 687 of 8 December 1999<sup>6</sup>,
- having regard to the Commission communication on 'Internet Governance - Management of Internet names and addresses', COM(1998) 476<sup>7</sup>,
- having regard to the declaration of the European Ministerial Conference held in Bonn from 6 to 8 June 1997, on global information networks,
- having regard to Rule 47(1) of its Rules of Procedure,
- having regard to the report of the Committee on Industry, External Trade, Research and Energy and the opinion of the Committee on Legal Affairs and the Internal Market (A5-0063/2001),

A. whereas balanced international representation must be achieved within ICANN, so that

---

<sup>1</sup> Not yet published in the Official Journal.

<sup>2</sup> OJ C 293, 14.10.2000, p.3.

<sup>3</sup> Not yet published in the Official Journal.

<sup>4</sup> Not yet published in the Official Journal.

<sup>5</sup> OJ C 377, 29.12.2000, p. 380.

<sup>6</sup> Not yet published in the Official Journal.

<sup>7</sup> Not yet published in the Official Journal.

due account may be taken of all five geographical areas covered by the organisation,

- B. whereas the European Union is at a competitive disadvantage with respect to North America as regards the infrastructure required for the expansion of the Internet, and whereas the developing countries have a very low connection rate,
  - C. having regard to the threat posed by the digital divide,
  - D. whereas the European Union can benefit from the creation of its own Top Level Domain (ccTLD), '.EU', and its inclusion in the Domain Name System following an application made to ICANN,
  - E. whereas management of the Internet should be governed by general legislation, possibly involving forms of self-regulation, which, without jeopardising the sector's development, is capable of delivering uniformity and transparency so as to ensure operability and efficiency,
  - F. whereas, as the ICANN GAC (Governmental Advisory Committee) stated when setting out the objectives which the organisation is to pursue, the allocation of domain names and addresses by ICANN must be carried out in a non-discriminatory and fully transparent manner,
  - G. whereas the process of internationalising and democratising ICANN must be completed with a view to making the organisation totally independent of national influences and ensuring that the creation of new gTLDs (generic Top Level Domains) is not affected by outside pressures,
  - H. whereas the Union can give a new impetus to Internet management; whereas the Commission has a role to play in this connection, both with regard to the development of self-regulation, the possible framing of European legislation (where appropriate) and with a view to future international agreements,
  - I. whereas the Commission plays a major role in the coordination of Internet management and in negotiations with the United States in this area,
  - J. whereas the consultations between the Commission, the private sector and civil society regarding Internet management are also of major importance and should therefore be encouraged,
  - K. whereas the provision of access to and the protection of data published on the Internet should be regulated,
  - L. whereas the expansion of the Internet and the liberalisation of the telecommunications industry are interrelated,
1. Welcomes the Commission communication on 'The Organisation and Management of the Internet - International and European Policy Issues 1998-2000';
  2. Emphasises the need for all five geographical areas covered by ICANN to be represented by democratically-elected representatives on the organisation's Board of Directors;

3. Points to the need to define the EU entity, organisation or representative who will negotiate, on behalf of the EU Members, with the international organisations responsible for the development of the Internet, including those negotiations on the future functioning of ICANN; considers that the European Commission should be a leading authority, backed by the necessary resources, to negotiate with governments from the US and other parts of the world; insists that neither the European Commission nor the US Government nor other governments will interfere in the organisation and management of the Internet, but will give it sufficient independence and legal ground on an international basis for it to be an independent venture;
4. Considers that the neutral role of ICANN must be reinforced by a strong presence from the European Union, working alongside the US and other governments, through the Governmental Advisory Committee;
5. Supports the continuation of the self-regulatory basis of ICANN's operations, but emphasises that the EU must ensure that ICANN works within the principles of existing international codes, particularly the WIPO protocols;
6. Deplores the fact that the ICANN Board does not include a representative from the African continent;
7. Calls for the geographical composition of the ICANN Board to be reviewed at the earliest opportunity - possibly before the end of the appointed three-year deadline - in order to give Africa a seat thereon;
8. Points to the need to define the management structure of ICANN, an essential issue in order to guarantee the best possible results for its work; calls for the budgetary and financing arrangements for ICANN to be defined clearly and transparently to facilitate annual monitoring and guarantee its future viability, irrespective of the fact that ICANN is managed privately. There should also be a transparent membership process when the corporation is being formed;
9. Considers it necessary to guarantee the independence of ICANN from the US Government and to define the legal framework to which it must adhere in future, on the understanding that it is of paramount importance to maintain international neutrality if ICANN is to play a key role in the global development of the information society. Similarly, all the continents must be represented in it;
10. Points out that the Union is lagging behind North America as regards telecommunications infrastructure;
11. Emphasises that this situation is likely to place European economic operators working in the electronic commerce sector at a disadvantage with regard to their North American competitors, since it has an adverse effect on their costs;
12. Notes that private investment is the primary source of funding for the establishment of European backbone transmission networks, which are essential to the development of the Internet in the Union given the steady increase in bandwidth applications. Points out that the need for such investment has been acknowledged in connection with eEurope action

and was confirmed by the European Council at its meeting in Feira in June 2000, but that public investment should be called upon principally where private investment is insufficient;

13. Welcomes the action taken by the Commission with a view to creating a Top Level Domain (ccTLD) for the European Union, and calls on the Commission and the ICANN Board to ensure that '.EU' is created as soon as possible; considers that its registration procedures should provide a model for international best practice in this field;
14. Supports the WIPO's arbitration service in respect of the registration of domain names which infringe trademarks and looks forward to organisations submitting proposals to combat other cases of registration not made in good faith which are an infringement of personal names, for example, or a misuse of geographical designations;
15. Draws attention to the fact that, with a view to ensuring the development of the Internet within the Union, the Commission should develop, in conjunction with ICANN, effective codes of conduct (supported by legislation as appropriate), to cover the allocation and protection of domain names, action to combat fraud and cybersquatting, and access to personal data and the security and protection thereof; it is necessary to define not only the arrangements for settling disputes between the US and the EU, but also a universal method which will not be subject to differing national regulations or to merely bilateral treaties;
16. Attaches priority to the achievement of an open and competitive environment for registration, supported by an international regulatory structure for domain name registration and registrar;
17. Considers it necessary to establish clearly the scope of the responsibility of the national bodies administering the registers and of the service contractor, in the event of dispute; calls on Member Governments to coordinate their Country Code top level domain registration policies and procedures, so that users are handled in a consistent manner and with effective dispute-resolution policies, and further encourages the Commission to promote effective alternative dispute resolution procedures to reinforce the domain name registry codes of conduct;
18. Calls on the Commission to address at the earliest opportunity the problem of disparities between national laws already in force or under preparation or discussion in the Member States; as a result of this review it should encourage self-regulation and legislation with the aim of fostering the development of the Internet in Europe by ensuring uniformity and transparency within the Union;
19. Calls for a periodical evaluation of whether legislative action taken, or self-regulatory measures, have actually achieved the desired effect;
20. Considers that the European regulatory strategies in the above areas should aim to become 'best practice' across the world Internet;
21. Calls for the common Internet management standards to be included in the negotiating package up for discussion with the applicant countries, so as to ensure that those countries



have the same legislation in this area as the rest of the Member States from the moment they join the EU;

22. Draws attention to the link between the development of the Internet within the Union and liberalisation of the telecommunications industry and stresses the need for swift action to cut Internet access costs and extend flat-rate charging; calls therefore for the package of telecom proposals currently under discussion to be adopted at the earliest opportunity;
23. Points to the importance of combating the digital divide by facilitating access to the Internet for the most disadvantaged sections of the population;
24. Instructs its President to forward this resolution to the Council and Commission, and to the governments and parliaments of the Member States.

## **EXPLANATORY STATEMENT**

### **Introduction**

The Internet is without a doubt the most revolutionary of all the technological innovations which have emerged over the past twenty years. It has brought profound changes not just in the economic and technological spheres but also in cultural and social terms.

In the past, Internet coordination functions were handled on a case by case basis by the US Government, its contractors and volunteers. This informal management approach was dictated primarily by the context in which the Internet developed. However, the Internet's rapid expansion called for the establishment of a structure which fully reflected the diversity of the world's Internet communities.

The IANA (Internet Assigned Numbers Authority) corporation, set up at the instigation of the US Department of Commerce, can be seen as the precursor to such a structure. The IANA was responsible for allocating Internet Protocol (IP) addresses, coordinating the assignment of protocols provided for in Internet technical standards and managing the Domain Name System (DNS).

In 1998 talks held at international level and involving the Union and its Member States gradually led to the establishment of a totally new body which was no longer exclusively American in nature and which was to take over the responsibilities of the IANA: the Internet Corporation for Assigned Names and Numbers (ICANN).

ICANN, which was set up in October 1998, is a non-profit-making private-sector corporation formed by a broad coalition of the Internet's business, technical, academic and user communities. Since ICANN was set up, the IANA has continued to distribute addresses to the Regional Internet Registries, coordinate with the IETF (Internet Engineering Task Force, an international community of designers, operators and researchers involved in the development of the Internet architecture) to assign protocol parameters, and oversee the operation of the DNS.

ICANN coordinates four key areas of Internet management, namely the Domain Name System (DNS), the allocation of Internet Protocol (IP) address numbers, the management of the root server system and the coordination of protocol number assignment.

ICANN is dedicated to preserving the operational stability of the Internet, promoting competition, achieving the broadest possible representation of the global Internet community and coordinating policy through private-sector, bottom-up, consensus-based means.

The organisation has a 19-member Board of Directors (the ICANN Chairman, nine members from the three supporting organisations (with the Address Supporting Organisation, the Domain Name Supporting Organisation and the Protocol Supporting Organisation each supplying three members), and a further nine members from outside ICANN). The supporting organisations and the At-Large Membership select directors on the basis of criteria intended to achieve a geographical balance. The Board of Directors currently has eight members from

North America, seven from Europe, three from the Asia/Pacific region and one from Latin America, but none from Africa. The geographical balance of its membership is to be reviewed at least once every three years.

The Board comprises five committees, namely the Audit Committee, the Committee on Conflicts of Interest, the Committee on Reconsideration, the Executive Committee and the Executive Search Committee.

It has also set up four advisory committees: the Membership Advisory Committee, the Advisory Committee on Independent Review, the Governmental Advisory Committee (GAC) – in whose work the Commission and the Member States are involved – and the DNS Root Server System Advisory Committee.

### **Commission communication**

The Commission communication contains conclusions on ICANN's main areas of activity.

Conclusions on ICANN membership: The Commission intends to encourage the flow of information about the ICANN process to all categories of Internet users, so as to ensure an adequate level of participation and representation of the interests concerned.

Conclusions on Internet Protocol (IP) addressing: The Commission intends to take the following action to improve the Internet Protocol addressing system managed through ICANN and the Regional Registries:

- monitoring developments in ICANN and its constituent bodies, since the allocation of these addresses will have a direct effect on the feasibility and the economics of routing;
- encouraging the new constituencies to define their requirements;
- encouraging the transition to IPv6 within the European institutions and the public administrations in the Member States;
- facilitating the global expansion of the Internet through the transition from IPv4 to IPv6 addressing systems;
- in the context of EU research projects, promoting the development and use of IPv6 and next generation Internet technologies;
- encouraging the development and implementation of improved future naming and addressing systems, including Internet search and directory services and routing technologies.

Conclusions on Internet protocols: The Commission intends to:

- continue to encourage European industrial and technical support and participation in the Protocol Supporting Organisation (PSO) and its constituent bodies;
- support international cooperation between the standardisation bodies, including the PSO;
- encourage within Europe increased awareness and use of the protocols being developed;
- encourage involvement in the protocol development process by the organisations

- participating in related EU research projects;
- ensure that the existing neutrality of Internet specifications between alternative operating systems and other platforms is maintained and enhanced.

Conclusions on Domain Names: The Commission encourages the Member States to implement the Governmental Advisory Committee recommendations in so far as they related to governments' relations with ICANN and with their national ccTLD Registries.

The national ccTLD Registries in the Union should adapt their policies and practices to achieve a high level of transparency in their operations.

The Member States should participate with their Registry organisations in the review of the registration policies and practices of the national ccTLDs.

The Commission will continue to review whether the registration policies of the national ccTLD Registries are entirely consistent with EU internal market and competition law.

Conclusions on intellectual property: The Commission intends to:

- continue to maintain an international dialogue, notably with the World Intellectual Property Organisation (WIPO) and the US authorities, on dispute resolution and international alternative dispute resolution mechanisms;
- examine the consequences of the development of national legislation and jurisdiction based on the location of Domain Name Registries, which may have extra-territorial effects, and to propose any measures deemed necessary;
- make a proposal for a code of conduct to restrict the scope of abuses which give rise to domain name disputes;
- seek the cooperation of the Member States in the implementation of such a code of conduct.

Conclusions on data protection: The Commission intends to continue discussions with ICANN and the United States on this issue and consider the ways in which data protection rules should be applied by the national ccTLD Registries in the Member States.

Conclusions on competition policy: The Commission intends to ascertain whether agreements and business registration practices fall under EU competition rules and, where necessary, to take appropriate action on the basis of its powers under the Treaty.

Conclusions on Internet infrastructure: The Commission intends to collect the necessary information with a view to identifying those possible further measures that would correct the current imbalances regarding the capacity and routing of Internet infrastructure in Europe.

### **Rapporteur's position**

The rapporteur welcomes the Commission communication and expresses support for the role being played by the Commission within ICANN and in handling negotiations with the United States on how to secure still greater independence for ICANN.

At the same time, there is an urgent need for European legislation to impose uniformity on the legislation in force within the Union in areas such as the allocation and protection of domain names, action to combat Internet fraud and cybersquatting, and access to data and the security and protection thereof. Legislation of this kind is essential to the development of the Internet in Europe, and the Commission is asked to come up with proposals at the earliest opportunity. Unless common, uniform legislation is enacted, the coexistence of disparate national laws will severely disrupt the Internet's development.

Furthermore, in order to ensure the uniformity of legislation in the above areas, the common Internet management standards adopted will need to be included in the negotiating package up for discussion with the applicant countries.

The liberalisation of the telecommunications industry also has a bearing on the Internet's development, and in this connection, the rapporteur calls for a reduction in Internet access costs and the extension of flat-rate charging.

With specific regard to the Internet management functions performed within ICANN, the rapporteur hopes that the process of internationalising that organisation will be completed so as to get rid of all remaining national influence (particularly that exerted by the United States), above all as regards the creation of new generic top level domain names. The Internet must be managed in a transparent, independent and non-discriminatory manner, and this applies in particular to the allocation of domain names and addresses by ICANN.

Attention should also be drawn to the fact that Europe is lagging behind in the telecommunications infrastructure field, and that this situation is placing European operators at a disadvantage with respect to their North American competitors. Public and private investment should therefore be channelled into the creation of European backbone transmission networks.

Lastly, access costs must be cut so as to ensure uniform development and enable all users to draw the full benefits from the Internet. The legislative proposals for the telecommunications sector currently being discussed by Parliament and the Council should therefore be adopted at the earliest opportunity.

30 January 2001

## **OPINION OF THE COMMITTEE ON LEGAL AFFAIRS AND THE INTERNAL MARKET**

for the Committee on Industry, External Trade, Research and Energy

on the communication from the Commission to the Council and the European Parliament on the Organisation and Management of the Internet: International and European Policy Issues 1998-2000  
(COM(2000) 202 – C5-0263/2000 – 2000/2140(COS))

Draftsman: Malcolm Harbour

### **PROCEDURE**

At its meeting of 21 June 2000 the Committee on Legal Affairs and the Internal Market appointed Malcolm Harbour draftsman.

It considered the draft opinion at its meetings of 8 January and 30 January 2001.

At the last meeting it adopted the following conclusions unanimously.

The following were present for the vote: Ana Palacio Vallelersundi, chairman; Ward Beysen, Willi Rothley and Rainer Wieland, vice-chairmen; Malcolm Harbour, draftsman; Luis Berenguer Fuster, Maria Berger, Carlos Candal, Charlotte Cederschiöld, Bert Doorn, Raina A. Mercedes Echerer, Enrico Ferri, Janelly Fourtou, Marie-Françoise Garaud, Evelyne Gebhardt, Gerhard Hager, The Lord Inglewood, Ioannis Koukiadis, Kurt Lechner, Klaus-Heiner Lehne, Neil MacCormick, Toine Manders, Arlene McCarthy, Manuel Medina Ortega, Bill Miller, Hartmut Nassauer, Ria G.H.C. Oomen-Ruijten, Elena Ornella Paciotti, Felekna Uca, Theresa Villiers, Diana Wallis, Joachim Wuermeling, Stefano Zappalà and François Zimeray.

### **BACKGROUND/GENERAL COMMENTS**

#### **SHORT JUSTIFICATION**

##### **The Commission Report**

Your draftsman welcomes the Commission's report, which provides a clear and comprehensive review of the global issues surrounding Internet management and governance. The report sets out a forward agenda for the European Commission and the national governments, which your draftsman broadly supports. This short justification, and the resulting amendments, reflect a number of specific concerns and issues that your draftsman

would like to be included in the final Industry Committee report.

### **ICANN - An Organisation in Transition**

Your draftsman strongly supports the establishment of ICANN as a neutral, truly international body to establish, promote and police the key technical standards and protocols that will make the Internet function efficiently and effectively for world citizens. In order to provide that international balance, the active participation of the European Union will be crucial, particularly in the formative stages of ICANN. The Commission needs to ensure that it has the expertise and financial resources available to carry out this key role.

### **Continued Support for Self-Regulation**

The international governance of the Internet has, so far, proceeded on the basis of international self-regulation. The extensive consultation mechanisms developed by IANA (the predecessor of ICANN) have allowed the views of all participants to be effectively represented.

Industry stakeholders believe that this self-regulatory mechanism should continue to be supported as ICANN develops into a fully independent operation. In your draftsman's view, this strategy is correct, and the Commission's endorsement of it is welcomed. Your draftsman is concerned that the Industry Committee report carries extensive calls for "legislation" which contradict with this approach. Amendments have been proposed accordingly to clarify his position.

### **A Need to Respect International Codes**

The operational role of ICANN as the global co-ordinator of domain name registrations and Internet address allocation needs to be carried out within the framework of existing international codes of practice and protocols. It is essential that ICANN draws upon existing international jurisprudence and provides access to recognised forms of arbitration to settle any internal disputes. ICANN must also work closely with WIPO on issues related to intellectual property ownership.

### **Specific Issues relating to Domain Name Registration**

As well as containing a commentary on the overall policy framework, the report highlights a number of critical issues relating to the future operation of domain name registries. It is essential, for the healthy evolution of the Internet, that the domain name system should operate in an open, transparent and efficient manner. Domain name registries must be able to compete on open terms and protections must be provided against "cyber-squatting".

The Commission report highlights concerns about continued US control of domain name registration operations and some potential anti-competitive issues. It is essential that these are resolved as quickly as possible using EU influence and resources.

### **Competition in Electronic Communications**

The Industry Committee's draft report rightly emphasises the need for plentiful and low-cost broad-band communication structures as the basis for exploiting the commercial and societal benefits offered by the Internet. However, your draftsman believes that a fully functioning internal market will provide the optimum means of delivering this network through private investment. However, there remains an important role for public-sector investment in providing very high band-width research networks to allow universities and other institutions to investigate the new protocols, product and service ideas that will fuel information society growth. Amendments have been tabled to clarify this point.

### **Points for the Industry Committee Report**

Your draftsman has tabled a number of amendments and additional clauses to the Industry, External Trade Research and Energy Report prepared by Massimo Carraro MEP. This reflects the policies and issues set out in this explanatory statement.

## **CONCLUSIONS**

The Committee on Legal Affairs and the Internal Market calls on the Committee on Industry, External Trade, Research and Energy, as the committee responsible, to incorporate the following points in its motion for a resolution:

### **Amendment 1**

#### **Recital G**

whereas the Union can give a new impetus to Internet management; whereas the Commission has a role to play in this connection, both with regard to *the development of self-regulation*, the *possible* framing of European legislation (*where appropriate*) and with a view to future international agreements,



## Amendment 2

### Paragraph 2a (New)

Points out the need to define the EU entity, organisation or representative who will negotiate, on behalf of the Member States, *with* the international **organisations responsible** for *the* development of the Internet, including those negotiations on the future functioning of ICANN; considers that the European Commission should **be a leading authority, backed by the necessary resources**, to negotiate with governments from the US and other parts of the world;;

## Amendment 3

### Recital 2b (New)

*Considers that the neutral role of ICANN must be reinforced by a strong presence from the European Union, working alongside the US and other governments, through the Governmental Advisory Committee;*

## Amendment 4

### Recital 2c (New)

*Supports the continuation of the self-regulatory basis of ICANN's operations, but emphasises that the EU must ensure that ICANN works within the principles of existing international codes, particularly the WIPO protocols;*

## Amendment 5

### Paragraph 7

Calls therefore for Community and national **government measures that encourage (8 words deleted)** private investment **to expand (7 words deleted)** European backbone transmission networks, which are essential to the development of the Internet in the Union given the steady increase in bandwidth applications; **encourages selective European Union and public sector investment in backbone networks; (1 word deleted)** and points out that the need for such investment has been acknowledged in connection with eEurope action and was confirmed by the European Council at its meeting in Feira in June 2000;

## Amendment 6

## Paragraph 8

Welcomes the action taken by the Commission with a view to creating a Top Level Domain (ccTLD) for the European Union, and calls on the Commission and the ICANN Board to ensure that ".EU" is created as soon as possible; considers that *its registration procedures should provide a model for international best practice in this field*;

## Amendment 7

### Paragraph 9 (New)

Draws attention to the fact that, with a view to ensuring the development of the Internet within the Union, the Commission should develop, in conjunction with ICANN, effective codes of conduct (*supported by legislation as appropriate*), to cover the allocation and protection of domain names, action to combat fraud and cybersquatting, and access to personal data and the security and protection thereof;

## Amendment 8

### Paragraph 9a (New)

*Attaches priority to the achievement of an open and competitive environment for registration, supported by an international regulatory structure for domain name registration and registrar;*

## Amendment 9

### New paragraph 9b (New)

*Calls on Member Governments to co-ordinate their Country Code top level domain registration policies and procedures, so that users are handled in a consistent manner and with effective dispute-resolution policies;*

## Amendment 10

### Paragraph 9c (New)

*Further encourages the Commission to promote effective alternative dispute resolution procedures to reinforce the domain name registry codes of conduct;*

## **Amendment 11**

### **Paragraph 10**

Calls on the Commission *(9 words deleted) to address* at the earliest opportunity *(7 words deleted)* the problem of disparities between national laws already in force or under preparation or discussion in the Member States; *as a result of this review (20 words deleted) it should encourage self-regulation and legislation (2 words deleted) with the aim of* fostering the development of the Internet in Europe by ensuring uniformity and transparency within the Union;

## **Amendment 12**

### **Paragraph 11a (new)**

*11a. Calls for a periodical evaluation of whether legislative action taken, or self-regulatory measures, have actually achieved the desired effect;*

## **Amendment 13**

### **Paragraph 12**

12. Considers that the European *regulatory strategies (two words deleted)* in the above areas *should aim to become 'best practice' across the world Internet;*