

Contents

<u>Preface</u>	<u>V</u>
<u>Bibliography</u>	<u>XI</u>
<u>Abbreviations</u>	<u>XXIII</u>
<u>I. Introduction</u>	<u>1</u>
<u>II. Technological Developments and Standardization</u>	<u>5</u>
A. <u>Expansion of New Infrastructures</u>	<u>5</u>
B. <u>Technological Standardization</u>	<u>8</u>
1. <u>Origins of and Organizations for Standardization</u>	<u>8</u>
2. <u>Benefits of Standardization</u>	<u>9</u>
3. <u>Challenges of Standardization</u>	<u>10</u>
4. <u>Standardization for New Network Infrastructures</u>	<u>11</u>
<u>III. Foundations of Law and Regulatory Models</u>	<u>13</u>
A. <u>Law and Regulation as Societal Tools</u>	<u>13</u>
1. <u>Structural and Open System</u>	<u>13</u>
2. <u>Relative Autonomy and Flexibility of Law</u>	<u>14</u>
3. <u>Substance and Change of Law</u>	<u>15</u>
4. <u>Regulatory Strategies and Quality</u>	<u>16</u>
B. <u>First Generation Regulatory Models</u>	<u>17</u>
1. <u>Lex Informatica</u>	<u>18</u>
2. <u>Code as Regulator</u>	<u>19</u>
3. <u>Formalized Standards and Networks</u>	<u>21</u>
4. <u>Informal Law-making</u>	<u>24</u>
5. <u>Normative Expectations</u>	<u>26</u>
C. <u>Second Generation Regulatory Models</u>	<u>27</u>
1. <u>Polycentric Regulation</u>	<u>28</u>

2. <u>Hybrid and Mesh Regulation</u>	29
3. <u>Global Legal Pluralism Approach</u>	31
4. <u>New Experimentalist Model</u>	31
D. Impacts of Theories on the Normative Framework	33
1. <u>Conversion of Theoretical Concepts into Policies and Rule-making</u>	33
2. <u>Digital Constitutionalism</u>	36
3. <u>Transnationalism</u>	37
4. <u>Cosmopolitanism</u>	37
IV. Substantive Governance Principles	41
A. Legitimacy and Participation	41
1. <u>Legitimacy: Traditional Foundation and Understanding</u>	41
1.1. <u>Notion and Contents</u>	41
1.2. <u>Normative Character</u>	42
1.3. <u>Concretization for Internet Governance</u>	43
2. <u>Participation: Multistakeholderism as New Concept</u>	44
2.1. <u>Notion and Foundation of Multistakeholderism</u>	45
2.2. <u>Forms and Legal Framework of Decision-Making</u>	46
2.3. <u>Concretization for Internet Governance</u>	49
2.4. <u>Participation Issues in ICANN</u>	52
2.5. <u>Participation in Other Internet Governance Bodies</u>	56
B. Transparency	61
1. <u>Notion and Types of Transparency</u>	61
2. <u>Enhancing Transparency for the Future of Internet Governance</u>	63
2.1. <u>Transparency Issues in ICANN</u>	63
2.2. <u>Transparency in Other Internet Governance Bodies</u>	67
C. Accountability	70
1. <u>Notion and Elements of Accountability</u>	70
2. <u>Enhancing Accountability for the Future of Internet Governance</u>	71
2.1. <u>Accountability Issues in ICANN</u>	71

2.2. <u>Accountability in Other Internet Governance Bodies</u>	77
D. <u>Analysis: Taking Stock and Looking Ahead</u>	79
V. Revitalization of International Legal Concepts	83
A. <u>Infrastructural Perspectives</u>	83
1. <u>Internet Integrity and Stability of Cyberspace</u>	83
2. <u>Cybersecurity Framework</u>	84
3. <u>Avoidance of Fragmentation</u>	87
B. <u>Realization of Common Values</u>	89
1. <u>Duty of Co-operation</u>	90
2. <u>Global Public Goods</u>	92
3. <u>Shared Spaces</u>	93
4. <u>Due Diligence</u>	94
5. <u>State Responsibility</u>	95
6. <u>Further Concepts</u>	96
C. <u>Concluding Remarks</u>	97
VI. Outlook	99