

Multi-Stakeholder Internet Governance – A Peak into (Privacy) Standards Decisions by the World Wide Web Consortium (W3C) [Working Title]

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Motivation:

The World Wide Web Consortium (W3C) is the main international standards setting organization (SSO) for the World Wide Web (WWW). The W3C's members include industry players, government regulators, non-governmental organizations as well as individuals. These members jointly decide on standards to "lead the World Wide Web to its full potential by developing protocols and guidelines that ensure the long-term growth of the Web" (W3C, n.d.).

One shared global issue in the digital sphere are privacy concerns on the internet. An increasing number of legislations aimed at safeguarding consumer privacy protection online came (or will come) into effect in various jurisdictions across the world. Examples entail the General Data Protection Regulation (GDPR) in the European Union, the California Consumer Privacy Act (CCPA) or the Chinese Personal Information Protection Law (PIPL).

But while this fragmented "patchwork" of different legislations naturally emerged from geographically dispersed jurisdictions, global standard setting bodies like the W3C are theoretically well-suited to address such concerns regarding internet security and consumer protection at a global scale. A historical example of a privacy initiative that has been discussed through the W3C is the Do-Not-Track standard that lays out the technicalities for transmission of consumer tracking preference. More recently, Google's announced changes to its market-leading Chrome browser, the so-called "Privacy Sandbox" proposals, are being discussed by the W3C. These proposals aim at replacing functionality in online advertising that is currently powered by Third-Party Cookies – a technology that enables consumer data collection in browsers but has come under increased scrutiny for its invasive nature. Google announced that it would not unilaterally deploy such changes with far-reaching consequences for the Web at large. Instead, the company engages in the multistakeholder dialogue in the W3C to reach consensus on how to create technical functionalities that act as effective substitutes to third-party cookies.

The multistakeholder approach to setting standards that effectively limit the extent of collection and combination of personal information might face significant hurdles. Hopes of reaching consensus among the various stakeholders that exhibit an ideological divide regarding data – ranging from full prohibition of data collection by privacy advocates to sustaining advertising-funded business models by large Internet companies – seem a difficult undertaking given the consequences that stricter privacy safeguards would have on an industry that is "built on advertising dollars".

Goal:

The goal of this thesis is to provide an overview of decision-making on standards by the W3C, potentially (but not compulsory) with a focus on online consumer privacy. To this end, the following non-exhaustive list of questions provide a preliminary starting point:

- What is the W3C's purpose and which stakeholder groups does it represent? What kind of standards precisely does the W3C address?
- What are the strengths and weaknesses of multistakeholder governance? Which procedural pitfalls that may impede reaching a consensus among the various stakeholder groups,

which may exhibit diametrically opposed interests, exist? How can organizations like the W3C address them, and what needs to be done in case they are unable to do so?

- Should decisions of not exclusively technical affair, e.g., privacy, be left for industry-led self-regulation through the W3C, a technical standard setting body, rather than government-led regulators? Are there any circumstances under which a multistakeholder policy-making may be preferable to its unilateral pendant?

Suggested References:

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