

**Letter**

## No institution can govern the internet

From Ayden Férdeline, Berlin, Germany



Those who would legally regulate the internet do not understand network architecture

YESTERDAY

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Gillian Tett asserts that we need a mechanism to keep data “flowing around the world in the face of geopolitical tensions” (“[Do we need an IMF to regulate the internet?](#)”, April 20). On that objective I completely agree. She then suggests that an institution along the lines of the International Monetary Fund could be best equipped to ensure this objective is met. This is where I disagree, because many of the regulatory decisions that govern data flows are made not by nation-states, but by the code and the technical architecture of the internet.

At a very high level, the current aim of internet governance, at least as seen from the vantage point of engineers, is already to produce an efficient and interoperable global network of privately owned networks. This has happened successfully for decades now. Data of all kinds, good and bad, can be transmitted anywhere — and quickly. Indeed, this is precisely why policymakers and others have been calling for the internet to somehow be reined in.

Their argument is that code and architecture should not be the primary factors governing the internet, because as the internet has grown in social and economic importance, regulatory decisions should instead be made by governments through legal regulation. I fear that those who do not understand network architecture are likely to make decisions that do not fulfil the important objective of keeping data flowing around the world.

Unfortunately, the situation really is rather simple. If we interfere with basic network engineering frameworks, such as the end-to-end principle that we have used for decades now and which says that networks must be neutral with respect to what information they transport, we will not end up in a situation where data are flowing freely and globally.

No new global institution will be able to fix this. As a practical matter, no existing transnational governance institution conceives this issue as being within its mandate. No treaty-based international organisation currently has jurisdiction over data flows. As such, an international solution, which would completely displace the internet as we know it — with unknown costs and unclear benefits — would require a new treaty regime that would face substantial political barriers.

When I speak with engineers, I tend to hear that the problem we face with keeping data flowing efficiently around the world is not a technical one. The issue, actually, is with the lawyers and politicians who are trying to interfere with the internet's architecture and design, ignorant as to the unintended consequences that will inevitably result.

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