

# **Using the Internet Governance Forum to Promote Multistakeholderism and Good Governance**

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## **WGIG Report & Tunis Agenda: A working definition of Internet governance**

- *Internet governance is the development and application by Governments, the private sector and civil society, in their respective roles, of shared principles, norms, rules, decision-making procedures, and programmes that shape the evolution and use of the Internet*
- This ‘broad definition’ covers the full range of shared or generally recognized/applied mechanisms that shape the Internet’s physical and logical infrastructure and its use for communication, commerce, and more

# The distributed architecture of Internet governance

- *Substantive Focus*

- *Infrastructure (physical/logical)*: underlying services, applications, facilities; interconnection, domain names and IP addresses, technical standards, root server and zone file operations, network security, etc.; *Communication and Commerce*: e-commerce, e-contracting, authentication, trade in digital goods and services, consumer protection, intellectual property, speech, dispute resolution, privacy and ‘information security’/cybercrime, etc.

- *Institutional Forms*

- Wide variations in functions and collective action problems, participants, organizational settings, agreement type, decision making procedures, rule strength, scope, domain, compliance mechanisms, distributional biases, etc.

## **This range & diversity presents challenges**

- Varying ability of individual stakeholders to:
  - Participate, due to formal and informal barriers
  - Track and analyze all the developments that may affect them
- Global community's collective difficulties in addressing:
  - Cross-cutting issues applicable to two or more mechanisms
  - Multidimensional issues from the single point perspective of limited mandate collaborations
  - Orphaned or new issues that fall between the cracks of extant mandates or, conversely, become contested turf
  - Potential complementarities or conflicts between mechanisms
  - Comparative and generalizable lessons learned absent a holistic perspective

## **The Internet Governance Forum could help address these by promoting:**

- Inclusive dialogue
  - Complement governance mechanism with limited memberships
  - Promote sense of buy-in, give all actors chance to raise issues
- Networking, collective learning, and mutual adjustment
- Capacity building
- Ongoing monitoring of trends and holistic analysis
- As appropriate, institutional reforms in line with principles of good governance

*Focus here is on the last two functions*

## **Civil society stakeholders have long advocated a forum/mechanism that could play these roles**

- **Civil Society Declaration at the December 2003 WSIS**
  - Called for establishment of a multistakeholder process to monitor & assess governance decision making, & to solicit stakeholder input on its conformity with the WSIS Principles
- **WSIS Internet Governance Caucus, 2004-2006**
  - Numerous publications, speeches, and interventions in WSIS, UNICT Task Force, ITU, etc. meetings by both the caucus & individual members calling for a forum to promote ongoing monitoring, holistic analysis, application of the WSIS Principles
- **Civil Society Statement at the November 2005 WSIS**
  - The IGF should work closely with the research community to promote expert analysis, trend monitoring, capacity building

## **The WGIG Report was consistent with this approach...**

‘The IGF could assume, inter alia, the following functions:’

*–Promote and assess on an ongoing basis the embodiment of WSIS principles in Internet governance processes*

*–Interface with intergovernmental bodies and other institutions on matters under their purview*

*–Identify emerging issues and bring them to the attention of the appropriate bodies and make recommendations*

*–Connect different bodies involved in Internet management where necessary*

*–Address issues that are not being dealt with elsewhere and make proposals for action, as appropriate*

*–Contribute to capacity-building for Internet governance*  
[emphasis added]

## **...as was the Tunis Agenda for the Information Society**

- The IGF is to play a multidimensional, catalytic role in relation to existing Internet governance mechanisms
- In particular, it is to, *‘Promote and assess, on an ongoing basis, the embodiment of WSIS principles in Internet Governance processes’*
- The WSIS Principles hold that Internet governance, *‘should be multilateral, transparent and democratic, with the full involvement of governments, the private sector, civil society and international organizations. It should ensure an equitable distribution of resources, facilitate access for all and ensure a stable and secure functioning of the Internet, taking into account multilingualism.’*

## What does this mean in practice?

- Clear principles

- *Transparent*: Open decision making, free information access

- *Full involvement*: Multistakeholder inclusion (active/passive)

- Unclear or somewhat clear principles

- *Multilateral*: ‘As appropriate?’

- *Democratic*: ?

- *Equitable distribution of resources*: ‘Where applicable?’

- *Access for all*: ‘Where applicable?’

- *Stability, security, multilingualism*: ‘Where applicable?’

- All Internet governance processes should be transparent & involve all interested nongovernmental stakeholders

- The IGF is uniquely well placed to ‘assess, on an ongoing basis,’ their conformity with these requirements

## Related, supportive elements of the Tunis Agenda

- The IGF is mandated to:

- Facilitate discourse between bodies* on cross-cutting policies and discuss issues outside the scope of any existing body

- Interface with appropriate inter-governmental organizations and other institutions* *on matters under their purview;*

- Facilitate the exchange of information and best practices,* making full use of the expertise of the academic, scientific and technical communities;

- Strengthen and enhance the engagement of stakeholders in existing and/or future Internet Governance mechanisms*

- Identify emerging issues, bring them to the attention of the relevant bodies and the general public, and, where appropriate, make recommendations* [emphasis added]

➤ **Ongoing monitoring/analysis, not just annual conferences**

## Potential impediments

- Lack of preparatory discussion during WSIS (except in WGIG) on most mechanisms & application of principles
- Unclear political commitments to & selective interpretations of this & other elements of the Agenda
- Limiting visions of the IGF as primarily a series of one-off, annual conferences on comparatively ‘safe’ issues
- Professed concerns about the supposed ‘duplication’ of work being ‘done elsewhere’
- Possible turf-based defensive reactions by secretariats and members of other organizations or collaborations [including those that *are* transparent & inclusive!]
- Unanswered questions on IGF’s institutional capacity

## **IGF Recommendations of the Multistakeholder Modalities Working Group, March 2006**

- The IGF should be an ongoing, multi-level process, rather than be restricted to a series of discreet annual events
- Multistakeholder Program Committee (PC) to coordinate
- The PC should facilitate the bottom-up formation of multistakeholder groups (working groups, discussion groups, research networks, etc), primarily virtual work
- The PC should define transparent procedures and criteria
  - for the organization and recognition of groups
  - For groups to propose any results of their activities as possible inputs for consideration in the annual meetings
- Fully engage the academic and technical communities

## Conclusion

- Annual IGF conferences alone cannot implement the clear mandate agreed by all governments in the Tunis Agenda
- Failure to implement would constitute a major missed opportunity and could reduce both the IGF's value & the engagement of many stakeholders (not just civil society)
- IGF should support the development of a Working Group on Implementation of the WSIS Principles (WGIWP)
- WGIWP could be minimal cost, largely virtual, transparent, open to all, & work closely with external sources of expertise in the research community
- WGIWP could monitor & assess trends, maintain a web portal, issue reports & recommendations for consideration or just 'for information' at annual conferences