Responses to the CSTD Questionnaire on improvements to the IGF

IT for Change

November 19, 2010

1. **What do you consider the most important achievements of the first five IGF meetings?**

IGF's most important achievement is a pioneering model of open participation and remarkable transparency in global governance, that is indeed path-breaking. It is hoped that it will not only support the emergence of an institutional system of global governance of the Internet that is paradigmatically more open, transparent, inclusive and dynamic, it will also be a fore-runner to such models in other areas of global governance.

2. How satisfied are you with the delivery of the results of discussions at the IGF and the impact they have had on developments in national, regional or international Internet governance?

IGF's first five years have been spent almost entirely in careful, perhaps overly careful, nurturing of the 'form' of the new model of participation in global governance. In the process, too little emphasis has been given to the 'substance' or the basic purpose of the IGF. The IGF was created to help fulfill a global policy vacuum vis a vis governance of the Internet, which is inherently a global phenomenon, whereby, it should be obvious, that it has considerable and important global policy imperatives.

The success of the IGF has to be primarily judged vis a vis its primary purpose – of contributing to global Internet policies and policy frameworks. Little, if anything, has been done in this regard. In fact, while so much attention as been given to evolve the 'form' of the IGF, it simply has not been able to develop appropriate forms for such purposeful global policy impact. It is difficult to see any real globally democratic Internet policy developments in the past five years, or even to see any contributions of the IGF towards any such possible future policy developments. It is another matter that exclusive clubs of powerful nations have been doing a lot of Internet policy work, much of it with default global application. IGF should have helped us democratize global Internet policy making processes. If developments over the last five years were to assessed, we may actually be moving in the reverse directions of reduced global democracy in Internet policies (The Internet related aspects of the proposed Anti-Counterfeiting Trade Agreement is a good case in point.) Some small movement towards internationalization of CIR governance may have occurred, but its real extent and

impact is yet to become apparent. Discussions at the IGF may have had some role in this. However, the overall impact seems very small, and limited only to this one area.

IGF discussions may had relatively greater, indirect, impact at the regional and national levels, especially in awareness building. However, the regional and national level impacts do not in any way compensate for the lack of impact at the global level, which is IGF's primary mandated impact area. The IGF should take urgent and purposive steps towards figuring out ways in which it can play its mandated role in global policy making.

3. Which, if any, new mechanisms would you propose to improve the impact of the IGF discussions, in particular as regards the interaction between the IGF and other stakeholders? Please specify the kind of mechanism (e.g. reporting, exchanges, recommendations, concrete advice, etc.) and the stakeholders (e.g. intergovernmental bodies, other fora dealing with Internet Governance, etc).

In making the necessary improvements, we should first of all identify the areas of IGF's mandate where it has not performed well. The specific improvements should follow from the imperative of the required better performance in key areas of lack. The primary mandate of the IGF was to help in the development of 'global' Internet policies through a multistakeholder dialog. A secondary purpose relates to capacity building.

Improvements in the IGF should be designed specifically to achieve and enhance its 'global' policy related role. Some such possible improvements are

- Identification of key global policy areas that require urgent resolution,
- Setting up Working Groups on these key areas,
- Bringing out background material to inform discussion on these key areas,
- Holding inter-sessional meetings around these key themes,
- Developing special formats at the annual meetings where focused and purposeful consideration can be given to these key issues
- Developing recommendations that could inform policy making in appropriate arenas. These recommendations will not be binding on anyone, but could still function as model, reference or common framework for policy development by organizations with the mandate for developing Internet related policies.
- Improving structured engagement with key organization with existing or likely Internet policy related role

There will admittedly be difficulties to face as the IGF seeks to develop in these directions. However, once a purposeful attitude is taken by all involved, it would be possible to find innovative ways to proceed, so that the mandate of the IGF can be fulfilled.

It is also an imperative to ensure that private interests do not unduly influence important policy related processes, for the purpose of which the IGF should be independently funded by public funds. Additional voluntary contributions should be allowed, as they are allowed for many other UN bodies, but in a transparent way ensuring that there is no undue influence on the working of the IGF.

4. In your view, what important new issues or themes concerning Internet governance have emerged or become important since the Tunis phase of the Summit, which deserve more attention in the next five years?

The issue of preserving the openness of the global architecture of the Internet (network neutrality principle is a good example) has emerged as the key global issue, to which, unfortunately, the IGF has not given enough purposive attention. In general, since the market logic rules Internet's development, there is great need to match it with a public interest and citizenship oriented approach to how the Internet works and should work. The basic frameworks of such alternative approaches could and should be developed by the IGF, and it is important for the IGF to recognize this key imperative. Supporting markets is important, but regulating them for public interest is no less important. This is especially so because monopolistic mega corporations in the Internet space are so powerful that individual countries have little policy or regulatory leverage vis a vis them. Protection of public interest requires development of appropriate regulatory frameworks to be worked out at global levels, which is a key imperative that the IGF should addresss itself to.

The interests of marginalized people and communities have not be identified as possibly structurally different from those of others, much less taken up at the IGF. The main actor whose interests get spoken of is still the 'user-consumer', and not the structurally marginalized, whose interests are much better served through rights- and citizenship based approaches. The IGF needs to be able to address these fundamental questions of how the Internet needs to be seen beyond being just a marketplace or a commercial space. It at least as much, or more, represents a new social, cultural and political spaces which require new social contracts, and correspondingly new policy approaches.

5. What do you think should be the priority themes and areas of work of the IGF during the next five years?

The following should be the priority themes for the IGF in the next five years.

a) Developing global norms to protect and promote the open architecture of the Internet

b) Discussing various global institutional options for democratic global policy making in the Internet governance area

c) Looking at ways of ongoing international cooperation and working together on trans-national Internet related issues

c) Identifying structural marginalizations that are implicated in the information society with relevance to Internet policies, and ways to address them, helping devise polices that specifically promote egalitarianism and social justice

d) Global governance of mega digital corporations with global reach and near monopolies, especially as they begin to considerably structure our social behavior, in economic, social, cultural as well as political sense.

7. How do you think more awareness of Internet governance issues and the IGF process can be raised amongst groups whose lives are affected by Internet governance but who are not yet part of the IGF process?

The first condition of raising awareness among the marginalized groups is to pro-actively take up issues that impact them, directly or in a larger structural sense. The IGF needs to make itself more friendly to those who represent these marginalised groups, and for this purpose the choice of agenda, the 'language' which gets spoken and the terms which get used at the IGF, and the 'ideals' which are seen as articulated should all express this new orientation. (To illustrate the point, one could give the example of the manner in which issues are constructed and taken up in development issues related spaces in the UN.)

Next, adequate funding support is required to attract participants from these groups. While special funds should be provided to get participation from developing countries, it is needed to look further at what kinds of groups get represented from these countries. In our view, most often funds for obtaining participation from developing countries do not look at the further issue of marginalization within developing countries.

8. How, if at all, do you think that the IGF process (including the format of the meeting, the preparatory process, the development of the agenda, etc.) needs to change to meet changing circumstances and priorities?

Since, in our view, IGF processes should change with a clear view to the necessary areas where it still needs to make impact, we have dealt with this question under our response to question 3 above.

We must however mention here that for the IGF to improve, MAG's processes should improve considerably. MAG is the key 'structure' within the IGF and its prime driver. It needs to become more purposeful, taking up a larger role than a simple program committee, which is the way it functions today. Whether it is doing the preparatory work for purposeful policy dialog (including through working groups), making connections with other organizations or helping obtain concrete recommendations from the IGF processes, MAG has a central and key role everywhere. IGF cannot improve without considerable improvement in the MAG. It is therefore important that a specific and relatively detailed mandate and role of the MAG is laid out, which should transform its role from being merely a program committee as at present.

9. **Do you have any other comments?**

We will closely follow the WG process and will provide more comments and suggestions accordingly.