

Submission to the CSTD Working Group on Improvements to the IGF

Civil Society Internet Governance Caucus

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1 Review of IGF vis-à-vis Tunis Agenda – paragraphs 72 to 80

In terms of its principal mandate, the IGF seems largely to be on its way to becoming a unique global forum for multi-stakeholder dialogue on Internet governance. However it is important, for this purpose, to keep up the on-going process of evolutionary innovation evident at each successive IGF meeting. To keep up the interest and engagement of stakeholders it is important that the IGF take up the most pressing global Internet governance issues and seek a policy dialogue on them, with the objective of such a dialogue helping processes of real policy-making in these areas. Overall, IGF's success will be judged by how much it managed to influence these real policy-making processes. If this is taken as the central criterion of success, one can say that IGF is moving towards fulfilling its mandate, but not quite yet there. It needs to continue to pursue structural evolutions that (1) enable “effective and purposeful policy dialogue” on “issues that require most urgent resolution” and (2) strengthen links with institutions and processes of real policy making.

In this connection, the IGF must extend its effort to “facilitate discourse between bodies dealing with different cross-cutting international public policies regarding the Internet” (paragraph 72(b)) and “interfacing with appropriate inter-governmental organisations and other institutions on matters under their purview” (72(c)).

The IGF has also not been able to make any significant progress towards fulfilling its mandate under section 72(e) of “advising all stakeholders in proposing ways and means to accelerate the availability and affordability of the Internet in the developing world,” and section 72(g) of “identifying emerging issues, . . . and, where appropriate, making recommendations.”

The IGF has however, had considerable success in at least three areas:

1. Getting stakeholders with very different worldviews to begin talking with each other, and at least start to see the other's point of view, if not accept it. This is a very important initial step because it is widely recognised

that Internet governance requires new and different governance and policy models beyond exclusively statist ones.

2. Building capacity on a range of Internet governance issues among many newer participants, especially from developing countries with under-developed institutional and expertise systems in Internet governance arena.
3. Triggering regional and national initiatives for multi-stakeholder dialogue on Internet governance, and forming loops of possible interactivity between the global IGF and these national and regional initiatives.

Paragraph 72 of the Tunis Agenda, (a), asks the IGF to “Discuss public policy issues related to key elements of Internet governance in order to foster the sustainability, robustness, security, stability and development of the Internet.” There can be no doubt that this discussion is beginning to take place. The participation, the increasing quantity and quality of workshops, even the controversies that arise, are proof that this discussion is taking place. The continued interest in workshops is an indication that this process is still dynamically growing and needs to continue so that discussions may cover all aspects of the debate and include all actors, particularly in areas such as rights, inclusion and others, which have not been adequately addressed.

The Tunis agenda also calls for “development of multi-stakeholder processes at the national, regional level” similar to the IGF. As already noted, some national and regional processes are already taking shape. IGF should further encourage such processes and seek to establish formal relationships with these initiatives, including through IGF Remote Hubs.

2 Improving the IGF with a view to linking it to the broader dialogue on global Internet governance as directed by the UN General Assembly Resolution on “Information and communications technologies for development” (adopted on 24 November 2010)

A side-effect of the IGF’s reluctance to develop output documents, and to evolve processes suited to developing these, has been its relative insularity in the Internet governance regime. Other institutions of Internet governance are unable to consider any concise outcomes of the IGF discussions as inputs into their own deliberations. As such, the IGF, whilst not irrelevant to those who participate in it, has proved less relevant and significant to outsiders than it deserves.

This points to the need to create mechanisms to integrate the IGF’s outcomes into the programmes of other institutions. For example, just as at the Vilnius IGF meeting online moderators helped to bridge between online and offline discussions, so too there could be rapporteurs whose job it would be to summarise

relevant discussions at the IGF and to forward them to external institutions, and to act as a proactive conduit for feedback from those institutions.

Ideally these summaries would include both main sessions and workshops, since much of the valuable discussion at the IGF takes place in the latter. Alternatively, they could be limited to the main sessions provided that a better mechanism for feeding the output of workshops back into main sessions is realised (this is explored in section 8 below).

A emerging model for this process (though other possible models may also be explored) is found in the “messages” or “recommendations” produced by national IGFs such as IGF-D (Deutschland), and regional IGFs such as the East African IGF and EURODIG. Ideally this would become a two-way process in which the institutions addressed could also turn to the IGF with issues they wished the IGF to address through multi-stakeholder dialogue.

More detail of possible mechanisms for recording outcomes from the IGF process are considered in section 4 below, and more specific means of linking with other organisations dealing with Internet governance are considered in section 5 below.

3 How to enhance the contribution of IGF to socio-economic development and towards IADGs including enhancing participation of developing countries

To enhance the contribution of the IGF to socio-economic development and towards the IADGs, the IGF should identify the linkages between Internet governance mechanisms and development, and consider options for mainstreaming development considerations into IGF discussions and Internet governance processes, as appropriate.

To enhance the participation of developing countries, it will be necessary to establish a special funding mechanism by to help actors from developing countries to continuously engage in the IGF and related organisations and meetings. Fellowship works carried out by DiploFoundation, DotAsia Organisation, the Internet Society and other institutions offer a good reference for this, but they should be expanded to a larger scale. Targeting youth groups or the younger generation of professionals will have, in the long run, an effective impact.

Funding mechanisms for developing country participants must take into account clear criteria (for instance, age, gender and whether a particular group works with the marginalised people we want to bring to the IGF process). There should be an open opportunity to apply for funding, and opportunities should be published and disseminated widely. Transparency and timely decisions on funding decisions are also important.

Another way to enhance participation is by providing technical training to policy makers and policy training to engineers to help close the gaps between and

within the under-represented and also even the well-represented. To differentiate between this capacity building role of the IGF and its policy discussion role, they should be clearly differentiated at IGF meetings, and perhaps the capacity building workshops held on a day before the main sessions and the more policy-oriented workshops begin.

4 Shaping the outcome of IGF meetings

The IGF should consider how to improve its orientation towards the development of tangible outputs. These may amount to “messages” rather than to recommendations, declarations or statements. The difference is that messages would take into account diverging opinions, and capture the range of policy options — however this should not preclude the IGF from developing processes that are better at facilitating a convergence of opinion through reasoned deliberation. Whilst consensus will not be achievable in every area, an important objective for a policy forum such as the IGF is to produce a high-quality reasoned consensus on policy issues where possible.

A first step towards the production of such messages or recommendations from the IGF is to create the necessary structures and processes for improved reporting from the IGF. This could include the use of a reporting template by workshops and main sessions.

Messages or recommendations could be based on:

- An overall chairman’s report (though this alone may not be a sufficiently inclusive process).
- Discussions in each session, compiled at the end of the IGF (though experience has shown that some session organisers can be lax in preparing such summaries).
- A repository of best practices discussed at the IGF (though in emerging policy areas, best practices may not exist yet, so the IGF’s outputs should not be limited to recording these).
- Discussions of thematic working groups (which would need to be created), to continue following the annual IGF meeting and be largely conducted online through open and inclusive processes.

Whatever form its outputs take, efforts should be taken to ensure that they are transmitted to relevant external institutions through appropriate mechanisms. Processes for efficient distribution of outputs to all relevant bodies and missions must be established. One method for such distribution would be the establishment of a rapporteur role such as that discussed in section 2 above, perhaps under the auspices of the MAG.

Finally, to ensure the effectiveness of the evolving mechanisms used for developing and disseminating outputs, the IGF should define ways to better capture the impact of the IGF, such as through an annual report.

5 Outreach to and cooperation with other organisations and fora dealing with IG issues

As already noted in section 2 above, the IGF lacks a strong cooperative relationship with other Internet governance institutions. They do not yet recognise the value of the IGF's contribution, in bringing multi-stakeholder deliberation to bear on pressing Internet governance questions. In particular, it is necessary to increase the influence of the IGF over decision-making bodies.

One concrete strategy to this end that could be immediately implemented could be to strengthen the link between the IGF and the CSTD, being the body with main responsibility for WSIS follow-up. Specifically, the CSTD should take into account inputs from the IGF when drafting its annual resolution. The IGF should then concentrate on developing similar links with other global decision-making bodies both public and private.

The IGF also has a watchdog role to play, pursuant to its mandate in paragraph 72(i) of the Tunis Agenda, wherein it can review and ensure the accountability of all fora involved in Internet governance. This could also be the specific responsibility of a new multi-stakeholder working group within the IGF, reporting to the MAG.

6 Inclusiveness of the IGF process and of participation at the IGF meetings (in particular with regard to stakeholders from developing countries)

Improving the inclusiveness of the IGF requires three main strategies to be addressed:

- Capacity building.
- Outreach.
- Remote participation.

Capacity building should focus on institutional capacity (eg. governments, civil society organizations), rather than on individual capacity. Some suggestions in this regard have been given above in section 3 above.

The IGF should develop an outreach strategy to include in the IGF processes groups that have not yet been included, from civil society, small and medium sized companies, decision-makers, parliamentarians and youth. This should involve the production of a roadmap to identify key-players in each region that need to be included. Such an exercise could also assist the IGF to understand the real barriers for participation.

Integral to this is the issue of funding for developing country participants (especially to developing country policy makers), which has also been addressed already in section 3 above.

Remote participation is a vital feature of an inclusive IGF, and should be formally recognised as an integral part of the IGF. Basic features to be supported are that all IGF meetings, MAG meetings and open consultations should be webcast, recorded and captioned, and options for remote participation put in place. This must include not only participation that is simultaneous with the annual meeting itself, but also asynchronous participation that is not dependent on the timezone of the participant.

The tools and techniques used to enhance remote participation should give participants the opportunity to effectively influence agenda-setting and IGF debates. Too often, the undue emphasis on real-time discussion at the IGF means that remote participation comes too late to be relevant to the IGF's proceedings. This can be avoided by re-conceptualising the IGF as an ongoing global process that takes full advantage of online networking. By the same token, the participation of remote speakers should also be encouraged.

To achieve the necessary level of remote participation, resources must be provided. To date, the resources that have been poured into the annual meeting have been disproportionate compared to those devoted to remote participation – which has a much greater inclusive potential. There has been an over-reliance placed on volunteer effort, which the IGF has been very fortunate to receive. Neither has there been any effective outreach or support to the administrators of other Web sites and popular online fora that comment on IGF or broader Internet governance issues, and could supplement the IGF's own efforts to include the community in its work.

7 Working methods of the IGF, in particular improving the preparation process modalities

Much has been said about the need for the IGF to interface in a useful way with external policy makers, but the IGF's working methods were not originally developed in a way that readily advances this aim. Focussed reform to the IGF's institutional machinery will be required to improve its capacity to contribute to Internet governance policy making processes.

7.1 Current modalities: open consultation and MAG

The open consultation meetings could be improved by:

- Seeking the inputs of national and regional IGFs regarding the issues to be discussed in open consultations, especially the agenda. The MAG could take responsibility for this.
- Organisations that are part of the Internet governance ecosystem could be invited to share a one-page document regarding their suggestions on

specific thematic issues. This will improve the inputs that go into the IGF and this is important if the IGF is expected to serve as a clearinghouse.

- At least one of the open consultations should take place as an online meeting.

The MAG also requires reform, both in its composition and its working methods. On the former count, the MAG needs to become more accountable to its constituents. This may involve moving on from the existing “black box” approach whereby the United Nations Secretary General selects MAG members from a range of nominees put forward by various parties, pursuant to selection criteria that are not published.

An alternative approach is the selection of MAG representatives through a bottom-up process driven by the stakeholder groups, subject to appropriate criteria to ensure regional and gender balance and a diversity of viewpoints.

In particular, civil society has been under represented in the MAG to date. This anomaly should be corrected in this round of rotation and a fair balance of members among all stakeholders assured. Fair civil society representation is necessary to ensure legitimacy for this new experiment in global governance. We agree that the organisations having an important role in Internet administration and the development of Internet-related technical standards should continue to be represented in the MAG. However, their representation should not be at the expense of civil society participation.

Another reform that might be considered is to rescind the special privileges that representatives of intergovernmental organisations, and special advisors to the chair, currently possess. If the MAG’s processes are opened to broader oversight by the community, such special privileges would soon become redundant.

It is also very important that the established process by which one-third of the MAG members are rotated each year is executed methodically, so that the composition of the MAG is completely refreshed every three years. Without this, it is too easy for the MAG to be captured by particular interest groups and for under-performing members to hold the MAG back.

As to the working methods of the MAG, more significant reform of should be considered to assist the IGF to fulfil its mandates in “interfacing,” “advising,” “identifying issues,” “giving recommendations” etc. Specifically, the MAG could be more effective if it worked through thematic and functional working groups (some of which have already been identified above). These working groups should prepare for each main session and the set of workshops connected to this main session. Working groups can also be used for managing internal tasks of the MAG more effectively. It could thus be strengthened and enabled to take on a more effective role in reporting, and in facilitating substantial discussions throughout the year.

7.2 IGF Secretariat

The autonomy of the Secretariat should be a paramount consideration. It should remain convened by the UN Secretary General, with an independent budget and

a Secretariat under contract with the United Nations Department of Economic and Social Affairs (UNDESA). This provides it with a formal link to the UN system, which is important to ensure the continued participation of governments in the IGF.

The Secretariat should not be subsumed into any other functional UN organisation or process, because this could jeopardise its perceived independence, and could introduce new impediments to the continuation and development of the informal and open processes that the IGF has innovated.

The Secretariat should also strive to improve its transparency and its responsiveness to stakeholders. Very often emails to the Secretariat are not returned, and suggestions made by stakeholders are not specifically responded to. Whilst maintaining its strict neutrality, the Secretariat should also be proactive in facilitating the IGF's evolution and should make statements that detract from the breadth of the IGF's mandate in the Tunis Agenda.

8 Format of the IGF meetings

The IGF's main sessions should be focused on specific issues concerning the conduct of Internet governance per se, rather than on more broadly framed issues pertaining to the Internet environment generally.

This requires a willingness to reconsider the current structures and processes that may have seemed necessary at the time of the IGF's inception but which may now be reconsidered in light of current practices, technology support opportunities, changed international financial and environmental conditions and so on. For example, it may be appropriate for the Internet Governance Forum to be reconceived from a single face-to-face meeting. Rather, the IGF might consider how other Internet governance institutions such as the IETF and ICANN, conduct their work and engagement between meetings in online and regional fora, and for which global face-to-face meetings are a capstone for the work done elsewhere rather than the single element in the process.

Similarly, attention must be given to the effectiveness of the IGF's inter-sessional work program, which is currently limited to open consultations, MAG meetings, dynamic coalition meetings, and loosely connected national and regional meetings. In particular, there should be a better mechanism than at present for these other groups and meetings to present their outputs to the IGF as a whole. This would require the IGF to set more stringent standards for such groups and meetings, including open membership, democratic processes, and perhaps multi-stakeholder composition.

Concretely, main sessions could be improved by means such as the following:

- Focusing on public policy issues and controversial issues, rather than technical details and innovations.
- Fostering periodical meetings with the participation of the organisers of national and regional IGFs.

- Setting aside a budget for inviting speakers to main sessions. Invitations to speak should be based on expertise, not on who is already attending the IGF.
- Identifying key global policy areas that require attention early in the year, creating working groups around these areas and sharing background material to be discussed in sessions throughout the year (at thematic meetings and/or online). They can then be discussed in a more in-depth way at the IGF.
- Following up from main sessions online, with the help of dedicated working groups for each issue area, who can help in the development of a community-driven conclusion document (recording consensus or otherwise) as a concrete output from the session.

Workshops could be improved by considering the following suggestions:

- Creating a mechanism for improved, stronger links between the workshops and the main sessions.
- Scheduling the two first days of the IGF for workshops and the two last days dedicated to main sessions, best practices fora and roundtables.
- Giving stricter obligations to the workshop organisers, in line with the idea of the feed to the main session, to provide summaries of the workshops directly to the main sessions and also to the whole outcome of the IGF.
- Developing a template for the proposal of workshops. It would make evaluation of the proposals easier and would allow limiting by default the number of speakers.
- Stricter evaluation of the workshop proposals, including a reduction of the number of panellists.
- Participants should be able to give feedback and evaluate the workshops they attended online.
- Conducting wrap-up workshops that would summarise discussions carried out in several workshops and forward an input to the main session.

9 Financing the Forum (exploring further options for financing)

9.1 Review of the current situation

We congratulate the IGF secretariat on doing exemplary work in the last few years, on a very thin resource base, and in difficult conditions where different stakeholder groups involved in the IGF have very different orientations and

expectations of the secretariat. A lot of the IGF secretariat's work is indeed path-breaking in the UN system. However, it is very evident that the secretariat needs much better resource support that they have at present, if we are to fulfil all our expectations from this unique global institution. The Secretariat should be provided with resources needed to perform its role effectively.

Further, as noted in section 6 above, perhaps with the exception of webcasting, remote participation mechanisms have not been well resourced to date. This has limited the ability of the IGF to reach out to affected online communities around the world.

9.2 Options for ensuring predictability, transparency and accountability in financing IGF

As a global policy related institution it is important for the IGF to have stable public funding, and to insulate itself against any possibility of special interests influencing its working through control over funding. Such funding should not only enable appropriate and streamlined functioning of the IGF secretariat, the annual event and other proposed and inter-sessional activities, it should also be used to ensure equity in participation in the IGF across geographies and social groups.

The United Nations needs to recognise that the IGF is the outcome of a UN process and should ensure that it has the resources it needs to fulfill its mandate as defined at the Tunis Summit in 2005. A significant source of funding should be public funding through the UN. Donations from other donors from any stakeholder group should also be facilitated, but a public register of such donations should be maintained so that the IGF's neutrality is not questioned.

In addition, as noted in section 3 above, a fund should be established to support the participation of people from developing and least developed countries in the IGF annual meetings and the IGF preparatory consultations.