

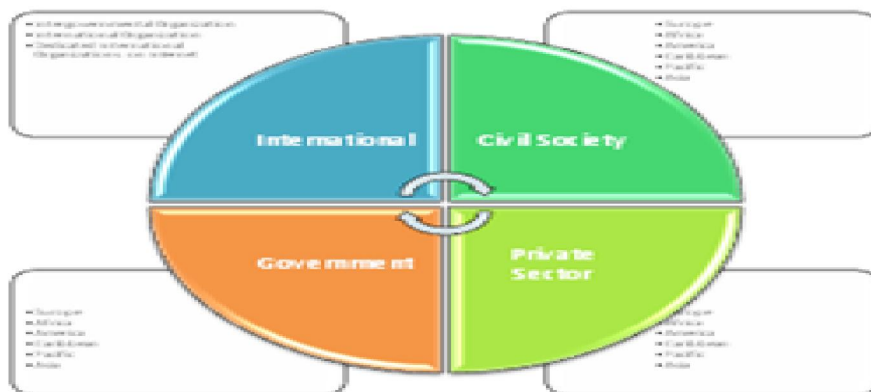
Email to IGC List dated 13th October, 2011

Sala's Perspective

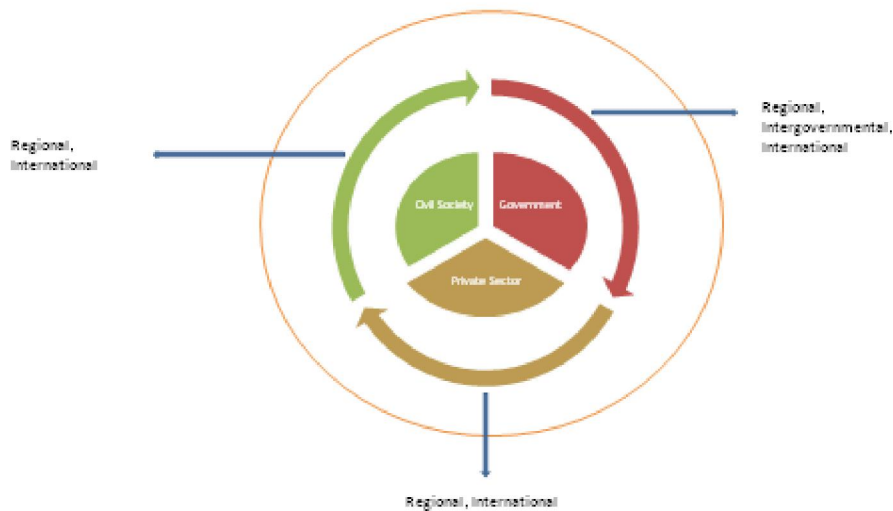
My views are that there is no need for a new institution but we should work towards encouraging and strengthening multi-stakeholder dialogue in our countries, regions etc. If we work towards guidelines for good behaviour then we should specify which actors are we targeting eg. Governments, private sector or civil society.

My sensing is that instead of an institution being created, we should use the more cost effective and scalable solution which is in my view a comprehensive global database which should be housed with the Internet Governance Secretariat. This will enable and allow any stakeholder to immediately within minutes draw from the rich resources that the global internet universe offers. Let the stakeholders as creatures within the Internet Universe manage their own reforms. Let the IGF community globally, regionally and nationally stir each other on to developing and improving processes. Otherwise we are in danger of creating bureaucracy after bureaucracy and derailing development, innovation and enterprise.

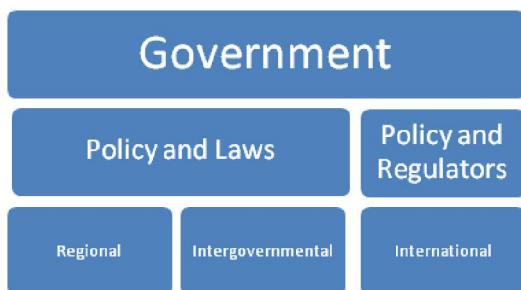
If the issues raised in the IBSA paper which we were invited to comment on are not about changing the IGF model as it currently is, then it should expressly state it to remove any doubts. Firstly to set the context of my views, I would like to use a few illustrations to show how I perceive the world and I understand that we all see the world differently. My apologies if it is too long. Consider it "snoozing material".



In the Government zone, I have categorised governments in regions such as Asia, Africa, America, Caribbean, Europe, and the Pacific. I have done the same thing for Private Sector and Civil Society. I know that this illustration does not adequately capture the various hybrids and mixture of groups but consider this to be the most base and primitive segregation illustration to show the clear separations. Another way of showing this would be through:-



If I were to break this down, I could do a crude structure to show the different sectors:



Take the different regions for instance where you have Asia, Africa, America, Caribbean, Europe and the Pacific. These regions have countries that have governments and also have regional governments and intergovernmental organisations in some instances. At the most basic level their function is to create, interpret and enforce laws. Governments play a key role in how the landscape becomes an enabling environment for trade etc and at the same time looking after the welfare of the citizens of the state. *[That being said, this is not always the case]* The factors that affect the way that they would formulate their Policies and regulate differs as countries are sovereign. As such there are governments who would have diverse approaches to say something like “Privacy” or “filtering”. The manner in which infrastructure is rolled out and development status is also subject to a host of diverse variables and factors and no two country are exactly alike. Some jurisdictions may share similar challenges and others be poles apart.



Then of course you have the Private Sector whose companies are registered in any one of these regions or more, Asia, Africa, America, Caribbean, Europe and the Pacific. The Private Sector often called the leaders of innovation and engine of any economy is of course affected by the type of governing landscape created by policies or impacted by the absence of policies. Generally, the Private Sector are leaders in Trade and Innovation and there are of course instances where there are government research companies that are also leading in this regard.



Civil Society on the other hand have the role of speaking up, addressing and highlighting issues that governments or the private sector choose to ignore and they represent the views of ordinary internet users, community groups, non-governmental organisations etc.

Challenges within Respective Countries

Countries around the world differ in the way in which these sectors relate to each other. Each country's context and issues differ. At the same time, the level and manner in which government, private sector and civil society engage with each other is different. There are some regions and countries which are known for open and inclusive consultation of all parties and some that do not have nor encourage open and inclusive participation. There are countries that are trying to build and strengthen in-country multi-stakeholder relations.

With something as complex as the internet universe where you have diverse stakeholders as the Internet is global and transcends borders, and because things are interconnected it follows that the impact of any decision has the capacity to affect the entire universe. For instance, Egypt forcing the operators to shut the internet down had a domino effect on the rest of the world etc.

Governments and Intergovernmental Organisations

We have currently within countries, governments who create policies and laws that regulate the internet. Governments already exist and there are intergovernmental organisations and International Organisations that help to build capacity, create an enabling environment to promote the maximum

use of the Internet. The International Telecommunications Union and the Caribbean Telecommunications Union are examples of intergovernmental organisations that exist in this regard. In terms of things that should be fixed, the question I ask is if it is to do with building capacity, doing outreach with governments then we can highlight success stories such as the Caribbean ICT Roadshow which is an initiative of the CTU. These governments have the role of creating policy, laws and ensuring that there is an enabling environment. The United Nations (UN), World Trade Organisation (WTO), World Intellectual Property Organisation (WIPO) etc exist and have well established systems and processes that affect the Internet Universe to some extent.

The Council of Europe has been doing excellent work in terms of producing declarations such as *Declaration of the Committee of Ministers on the management of the Internet protocol address resources in the public interest*¹. They can share these lessons with other intergovernmental organisations. We expect governments and intergovernmental organisations to look after their own institutional reform. At least when we vote governments into power, we expect them to be competent to engage.

Private Sector

The Internet Governance Forum is an excellent place where they can share these best practices and lessons. At the same time, the bulk of the internet infrastructure or information infrastructure that allows us to enjoy being a part of the Internet Universe are owned by the Private Sector whether these are global submarine cables, base stations, fibre grids, ADSL etc. These entities whether they are telecommunication companies (Telcos), Internet Service Providers (ISPs), software/hardware companies, vendors etc are all critical in contributing to the Internet Architecture that enables it to be a useful tool. There are some Private Sector that are for profit and others not for profit and a key player in the Internet Universe is the Internet Corporation for Assigned Names and Numbers (ICANN). There are entities whose reach transcends domestic borders, that is, national sovereignties such as Google, Verisign but regardless of where their operation is based, they are subject to the domestic laws of wherever their operation is based. Of course, in law there are instances where jurisdiction can be challenged. The question I have is what precisely do people want to address and fix? To make any proposals for changes, people can submit requests for policy changes and it is addressed and factored. More often than not the Private Sector is willing to hear discussions and perspectives and where people feel that their consumer rights are infringed then there are entities within which they can raise their concerns. Take the recent decision by the United States Federal Trade Commission that ruled that certain default software settings can equate to unfair and deceptive practice. Considering the social good that the Private Sector has played in the wake of severe crises, consider Google's response in Haiti, New Zealand and Japan. Cisco's response in Japan when the tsunami hit was phenomenal and it allowed for communications to be restored.

Civil Society

There are numerous civil society organisations that are doing excellent work such as APC, Electronic Frontier Foundation, Netsafe and many others. Their strength is their ability to speak up for those that cannot speak. The work they do in relation to highlighting human rights abuses, seeking redress, assisting those that are not allowed to speak in their own homes or countries etc. If there are things that need to be fixed, for instance increased meaningful participation and capacity building, how then can this be built and how can these lessons be shared. For example, there is a Digital Observatory in New Caledonia which is based in the Pacific and they can share their experiences. The IGF is an

¹<https://wcd.coe.int/wcd/ViewDoc.jsp?id=1678299&Site=CM&BackColorInternet=C3C3C3&BackColorIntranet=EDB021&BackColorLogged=F5D383>

excellent place and model that allows for a non-threatening environment that enables all stakeholders to freely converse knowing that the discussions are not binding.