

APC Policy Programme calls for the establishment of a multi-stakeholder working group of the Internet Governance Forum aimed at enhanced cooperation

GENEVA, MAY 14 2012 - Cooperation in internet governance implies that all partners should, in their respective roles, work together on an equal footing and with a shared mission. The Association for Progressive Communications' Communication and Information Policy Programme (APC CIPP) thereby supports strengthening 'enhanced cooperation' to address global public policy issues pertaining to the internet, which will realise its potential only when forces are balanced.

Structural differences exist between governments, the technical community the private sector and civil society - four stakeholder groups that make up the current internet governance ecosystem. APC is a civil society network that has not shied away from actively participating in the global policy dialogue and seven years after release of the Tunis Agenda still believes that internet governance should be ,participative, inclusive, transparent and democratic, with the full involvement of governments, the private sector, civil society, the technical community and international organisations. This implies recognizing and curbing imbalances not only between stakeholders, but also within stakeholder entities.

APC stresses the **principle of democratic global governance of the internet**. Building legitimacy of global internet-related policy spaces and mechanisms is a complex process that requires the acknowledgment of power dynamics, diverse interests and the political climate. Future internet governance mechanisms must engage **stakeholders on an equal footing and ensure they are effectively represented**.

APC further requests that as a forum for multi-stakeholder dialogue on internet policy, established as an outcome of the World Summit on Information Society, the Internet Governance Forum (IGF) **establish a multi-stakeholder working group on unresolved issues related to 'enhancing cooperation'** in internet governance. The Tunis Agenda states very clearly that taking enhanced cooperation forward is central to the mandate given to the IGF.

“71. The process towards enhanced cooperation, to be started by the UN Secretary-General, involving all relevant organizations by the end of the first quarter of 2006, will involve all stakeholders in their respective roles, will proceed as quickly as possible consistent with legal process, and will be responsive to innovation. Relevant organizations should commence a process towards enhanced cooperation involving all stakeholders, proceeding as quickly as possible and responsive to innovation. The same relevant organizations shall be requested to provide annual performance reports.

“72. We ask the UN Secretary-General, in an open and inclusive process, to convene, by the second quarter of 2006, a meeting of the new forum for multi-stakeholder policy dialogue—called the *Internet Governance Forum* (IGF).”

The text of the Tunis Agenda then continues to describe in greater detail what this open and inclusive process should achieve in order to forward enhanced cooperation, and, in paragraph 73 it proposes how this should be done:

- “73. The Internet Governance Forum, in its working and function, will be multilateral, multi-stakeholder, democratic and transparent. To that end, the proposed IGF could:
- a. Build on the existing structures of Internet governance, with special emphasis on the complementarity between all stakeholders involved in this process - governments, business entities, civil society and intergovernmental organizations.

- b. Have a lightweight and decentralized structure that would be subject to periodic review.
- c. Meet periodically, as required. IGF meetings, in principle, may be held in parallel with major relevant UN conferences, *inter alia*, to use logistical support¹.”

Participation and cooperation in internet governance has increased dramatically since 2005. It is important that these gains are not lost. As pointed out by Joy Liddicoat, coordinator of APC's Internet Rights are Human Rights project, there is particular value in “... the system of [internet governance] remaining dependent on the collection of individuals and organisations and the system of mutual recognition and cooperation which have, so far, enabled the internet to function without significant problems. Such a system provides a compelling framework within which contests for control have sufficient counterweights to ensure no single person or organisation has total autonomy.”

At the same time, many imbalances and constraints remain and new challenges are posed by the rapid development of the internet and its increased relevance as more people, particularly people who are excluded from social, economic and political power, gain access.

Unresolved issues include real constraints for effective participation in internet governance decision-shaping and decision-making such as, but not exclusive to, financial resources, capacity, knowledge and understanding of issues and implications. These constraints do not apply only to civil society, but also to governments, the technical community and the private sector. They apply primarily, but not exclusively to stakeholders from developing countries.

For cooperation between stakeholders in internet governance to be further enhanced, these imbalances need to be acknowledged, and addressed. They exist between countries: governments from North America and Europe are generally more engaged in IG, and have more influence; between companies, with large, globalised companies often being disproportionately influential as they are powerful in open processes in their own right, and through the influence they have on governments.

Imbalances also exist in the participation of civil society in internet governance: within civil society (with only a small sub-section of civil society participating regularly), and, between civil society and governments as well as other non-governmental stakeholders such as business and the technical community.

The Association for Progressive Communications sees 'enhanced cooperation' as a responsibility of the Internet Governance Forum (IGF). The advances towards a potential consensus among stakeholders that have been made since 2005 can and must evolve into concrete and sustainable mechanisms that facilitate not just multi-stakeholder participation, but also multi-stakeholder decision-making in internet governance.

Based on our experience with global public policy issues pertaining to the internet, we are today in a position to say that we are not in favour of a new UN body to govern the Internet. This does not imply that we do not place great value on the UN system and the important role it plays in facilitating international cooperation. Nor do we subscribe to the manner in which governance of internet resources is currently being done. We are also unhappy with the degree to which current arrangements only partially implement a multi-stakeholder model. We believe that civil society and the citizens of the world will be best served by an internet governance setting that relies on 'enhanced cooperation' among equals. For these reasons we call on all stakeholders to renew and reinvigorate efforts to ensure existing mechanisms demonstrate enhanced cooperation and improved internet

¹ From the Tunis Agenda, <http://www.itu.int/wsis/docs2/tunis/off/6rev1.html>

governance, and to explore the establishment of new mechanisms that can effectively deepen cooperation between all stakeholders.

In our collective efforts to ensure that global governance of the internet relies on enhanced cooperation among equals, developing a set of principles and procedures to guide the way in which multi-stakeholder collaboration can practically translate into EC is necessary. Accordingly, APC proposes that an IGF working group on enhanced cooperation be established, drawing on the modalities used to constitute the Working Group on Internet Governance in the build-up to the second phase of the WSIS in Tunis. It should be multi-stakeholder with all stakeholders able to participate on an equal footing.

We propose that the goal of this working group should be to develop a 'Multi-stakeholder Declaration on Enhanced Cooperation in Internet Governance' that, in line with the Tunis Agenda, captures consensus positions on basic principles, modalities for enhanced cooperation. It should also consider proceedings of the United Nations Human Right Council in relation to the internet and human rights. This group can consider proposals for enhancing cooperation made in the last few years, such as, for example, the IBSA (India Brazil South Africa) and CIRP (Committee for Internet Related Policies) proposals as well as the proceedings of the General Assembly sessions that dealt with enhanced cooperation.

APC recognises the importance of specifically underscoring one of the largest examples of existing imbalance in internet governance, as mentioned above: the geopolitical influence of the United States and Europe. However, the power of other forces and drivers (governmental and non-governmental) should not be underestimated. APC executive director Anriette Esterhuysen adds, "it would be a mistake to assume that shifting the current balance of geopolitical influence away from the US and Europe would guarantee that the public interest, as opposed to narrower business and government interests, will become the main driver for IG. It is also no guarantee for a stronger voice for civil society."

APC will continue working with a rights-based and public interest principles approach towards its vision of an internet that is governed by a clear set of guiding principles and procedures grounded in human rights declarations. This should be the concrete goal of 'enhanced cooperation' and this is certainly what APC will be actively pursuing.

16 May 2012

This statement has been developed by the Association for Progressive Communications (APC) Communications and Information Policy Programme. The Association for Progressive Communications (APC) is an network and non-profit organisation founded in 1990 that wants everyone to have access to a free and open Internet to improve lives and create a more just world. www.apc.org

END

Context

- Tunis Agenda (WSIS, 2005) <http://www.itu.int/wsis/docs2/tunis/off/6rev1.html>
- Report of the Secretary-General : Enhanced cooperation on public policy issues pertaining to the Internet (UN Economic and Social Council, 2009) <http://unpan1.un.org/intradoc/groups/public/documents/UN-DPADM/UNPAN039046.pdf>
- CSTD meeting on enhanced cooperation on public policy issues pertaining to the Internet (May 18 2012) <http://www.unctad.org/en/Pages/MeetingDetails.aspx?meetingid=61>
- APC Contribution to the UN CSTD five year review of progress concerning WSIS outcomes http://www.apc.org/en/system/files/APC_CSTDquestionnaire_WSISFollowUp.pdf