

Questionnaire on the Convening the Internet Governance Forum (IGF)

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This questionnaire addresses some issues that came up following the Tunis Summit. It is meant to stimulate the discussions in the open consultations on the convening of the IGF on 16 and 17 February and help clarify some open questions with regard to the functioning of the IGF. The questionnaire aims to provide an open framework for discussion – additional remarks, comments or questions are welcome and should be sent to wgig@unog.ch. You may write your comments on any of the questions directly into the form or submit more general comments separately. Please provide your full name, the entity which you represent and where you are based. If you are responding in your personal capacity please state so and describe your involvement in Internet Governance issues. Responses will be published on this website.*

1 The Tunis Agenda sets out various functions for the forum. Paragraph 72 (g) indicates that a possible outcome of its meetings could be recommendations (“where appropriate”). Paragraph 72 (l) asks the IGF to produce a report (“to publish its proceedings”) as its output.

(a) *What outcome would you expect from an IGF meeting?*

- (i) Overview about current and future trends and problems with regard to Internet Governance
- (ii) Recommendations for actions to stakeholders, including international organisations
- (iii) Sharing of international best practices on internet governance / regulations
- (iv) Strategy and Action Plan for Full participation of all stakeholders from developing countries
- (v) Proactive approach to the governance problem that could impact the Internet in the future.
- (vi) Review of the working of the existing Internet Institutions
- (vii) The IGF should be DEVELOPMENT oriented but should not convert into a DEVELOPMENT forum. Care should be taken to differentiate between Internet Governance and I4D activities.

(b) *Should there be any other output apart from the report?*

Documentation of the KNOWLEDGE produced in the meetings is extremely important. Similarly KNOWLEDGE management is also crucial. Ideas, discussions, Interaction, emerging out of the IGF Meetings and also the regional and thematic meetings should be made available on the website.

Apart from Report there should be appropriate recommendations to stakeholders, Internet Institutions, IGOs, Specific Action plans, Model Policies, Model laws and regulations should be outcome of the IGF Meetings.

2 The Tunis Agenda describes the IGF as “multilateral, multi-stakeholder, democratic and transparent” (para 73) and sets out many functions it should assume (see paras 72 and 77). However, it leaves open questions of participation as well as periodicity, duration and type of IGF meetings, including on-line aspects and virtual collaboration and participation. Several delegations endorsed the proposal contained in the WGIG Report, i.e. to create a Forum that should be modelled on the WGIG open consultations, where all stakeholders participated on an equal footing.

(a) *Could the WGIG open consultations constitute a possible model for the IGF?*

Yes, definitely. The IGF should follow the principles of openness and inclusiveness set by the WGIG. Infact it should go further and include more subject matter experts from developing countries who have been actively involved in the Internet Governance issues. But the IGF should have a more focused agenda and could work also in subgroups on special issues, related to the main subject of the forum.

Live Web Telecast, Videoconferencing, having Videoconferencing centres set up regionally and nationally which would help the national experts and those who are not physically present to provide interventions in real time.

Use Consultation papers and advertise them to the maximum for more participation.

Use Online surveys as much as possible, Online Voting, Online Polling however with authentication processes so that some interested party may not Hijack the whole process through a mass voting software.

(b) How often should the Forum meet?

Internet is very dynamic and changes so quickly that one meeting every year will be inadequate. If not more there should be atleast 2 meetings per year. To avoid burden on the IGF financially and logistically the meetings can be organised along with some already planned event which has synergies with the IGF Meetings. The meetings can be held once at Geneva (or wherever the secretariat of IGF is located) and the second meeting can be in a developing country.

(c) How long should its meetings be?

4-5 DAYS for the IGF Meetings.

(d) Should meetings be considered subject to UN rules, such as accreditation, rules of procedure or languages?

The IGF Rules of Procedures should be based on the first principle of the WSIS Geneva Declaration (2003), that is “multistakeholderism” with full and equal involvement of all stakeholders: governments, private sector, civil society. Accreditation for IGF should be different from WSIS as this is a much focussed subject. Not everybody who was interested in WSIS would have the same interest in IGF. Only Registration should be adequate. Accreditation if any should be very light. It is relevant to mention here that Accreditation should be a continuous process. Further a mechanism should be involved so that views of experts who are not accredited may also be considered.

It may take some time but the IGF should have a blue book of its own procedures

(e) How could the IGF make best possible use of ICTs and promote virtual interaction?

- (i) The proceedings of the forum should be fully accessible online with opportunities for remote participants to intervene in real time. All presentations and discussions should be transcribed and made available online, if possible in real time.
- (ii) Use online surveys, polls, consultation papers.
- (iii) Furthermore there should be open online discussion groups around individual subjects between the IGFs. All postings should be documented and made available online.
- (iv) However at the same time it should be kept in mind that the Internet has still not penetrated in the developing countries in a big way and thus conducting national and regional sub - meetings is very important. And also facilitating the participation of experts from developing country is important.
- (v) Video Conferencing should be used to allow real time intervention, Resource centres like libraries, business consulates, embassies, worldbank offices, NGOs, Businesses can help in becoming contact centres allowing their infrastructure to be used by people who want to participate but are not able to physically present in the meetings.
- (vi) IGF should partner with regional, national level organisations working on ICT Policies , LAWS and regulations who can act as an outreach arm of the IGF.
- (vii) Regional ICT Policy websites can be partnered with for increased outreach, participation and consultation at the regional and level level.

- 3 The Tunis Agenda has a strong development focus. It raises questions related to access to the Internet (para 72(e)) as well as to developing country participation in Internet Governance mechanisms (para 72 (f)). It also emphasizes that the IGF needs “to contribute to capacity-building for Internet Governance in developing countries, drawing fully on local sources of knowledge and expertise” (para 72 (h)).

- (a) *How should the IGF approach access issues (“availability and affordability of the Internet”)?*
- a. Discuss and recommend ICT policies, laws and regulations that increase competition.
 - b. Encourage Internet exchanges, Look into international best practices, legislations, policies
- (b) *Para 72 (f) indicates that special measures ought to be taken to facilitate developing country participation in the IGF itself. What should be done?*
- a. Conducting regional and national level sub-meetings which can feed into the main meetings.
 - b. Providing financial and logistic support to the interested and active experts in developing countries to participate in the IGF Meetings. It needs to be pointed out here that for the purpose of support, there should not be any discrimination between LDCs and Developing countries. It can be seen from the WSIS experience that though LDCs like Nepal and Bangladesh had very good participation in meetings, however private sector and civil society people from countries like India and Pakistan could not attend because of high costs involved
 - c. Providing support to the organisations in developing countries (not only LDCs) who are interested in conducting outreach programmes, surveys, research on the issues surrounding Internet Governance.
 - d. Organizing IGF meetings in developing countries
 - e. Developing innovative mechanisms for remote online participation
 - f. Use of Video conferencing and Contact centres can be established at the existing libraries, worldbank offices, private sector, embassies business consulates etc.
- (c) *What should be the focus of capacity-building initiatives?*
- (i) Partnering with regional and national Capacity building and research agencies who are involved in the issues of Internet Policies, ICT Policy, Communications Law and support them to strengthen their work. Care should be identifying such agencies / organisations because Internet Governance Capacity Building cannot be equated to IT Capacity building or Development activities or bridging the digital divide activities etc. Internet Governance is more of Legal, Policy and regulatory issues surrounding the Internet taking into regard the national and international perspectives.
 - (ii) Providing financial and logistic support to non government experts from Developing countries (not only LDCs) so that they can participate in the IGF Meetings
 - (iii) Providing support to the organisations in developing countries (not only LDCs) who are interested in conducting outreach programmes, surveys, research, local consultations on the issues surrounding Internet Governance.
 - (iv) It is observed that in the case of developing countries there is not much awareness about the IGF and the issues surround IG. For instance the “Centre for Communications Law & Policy Research” conducted an online survey targeted to the Internet Companies, Internet Users, Academic institutions and found that out of the 200 odd responses received only less than 20% were aware of IG or WSIS or WGIG. Therefore it is very important to make the people aware of Internet Governance before they can actually participate.
 - (v) Conducting special workshops for the participants from developing countries on the IG issues so that they are able to participate in a much better way and just not be mere spectators.
 - (vi) Establishing a think tank on the basis of WGIG who will focus on increasing participation from the developing countries. However the majority of the members should be non governmental people from developing countries because they know the circumstances in developing countries in much better way.

- (vii) Supporting local consultations on the issues of Internet Governance. Generally governments give their own views / response at WSIS or WGIG or similar forums. IGF should support local consultations with private sector, Civil Society organisations, legal experts.
 - (viii) Facilitating national level multistakeholder processes (such as the Internet Governance Task Force in Japan) who can then feed into the international IG Forum meetings
 - (ix) Fellowships are not enough. Technical Capacity building is very important.
 - (x) Help develop existing websites on capacity building such as www.internetpolicy.net ; www.ictpolicy.org etc
- 4 Para 78 (b) calls on the Secretary-General to “establish an effective and cost-efficient bureau to support the IGF, ensuring multi-stakeholder participation”.

(a) *Does this para refer to a bureau as it is normally used in an intergovernmental context, such as the WSIS bureau?*

The model should be like the Working Group on Internet Governance which has done an excellent work under the Chairmanship of Mr. Nitin Desai and Mr. Markus Kummer being the Executive Co-ordinator of the WGIG Secretariat.

The bureau or the secretariat is expected to be established with “multistakeholder participation”. CCLPR proposes that a joint initiative by the Business association, Non profit organisation, government, should be invited to establish the Secretariat / bureau.

(b) *Would it be a bureau to deal with organizational issues and prepare agenda and programme of the IGF meetings?*

The Secretariat / Bureau should be mainly responsible for the organizational and logistical issues . It should be could be assisted by a Multistakeholder Programme Committee (IGF-PC). This IGF-PC would comprise of subject level experts, people actively participating in the IG Processes, proper representation from developing countries should be ensured. People who have been involved in organising similar programs or ICT Policy processes. The PC will be responsible for the identification of sub-subjects, speakers and moderators for the IGF Meetings.

(c) *If so, how should it be composed?*

The IGF - PC should be comprised of not more than 40 representations from the Government, Private sector, Civil Society Organisations and experts (academic and technical community).

Special attention should be given for nominating non government expert members from Developing countries.

(d) *Alternatively, could it be a high-level senior advisory body to provide overall direction and shape to the IGF meetings?*

Yes the same as the IGF – PC

Special attention should be given for nominating non government expert members from Developing countries.

(e) *If so, how should it be composed?*

Yes the same as the IGF – PC

Special attention should be given for nominating non government expert members from Developing countries.

- 5 Para 78 (b) can also be interpreted as referring to a secretariat function.

- (a) *Could this function be assumed by existing institutions, which could take turns in providing the secretariat for the IGF?*

No, the IGF should not be linked directly to an existing institution. Infact special care should be taken not to appoint people likely to have bias towards existing institutions.

- (b) *Alternatively, is there need for an independent secretariat?*

WGIG should be extended to be the Secretariat for IGF. Alternatively joint proposals should be invited from the stakeholders to set up the secretariat. The joint proposal can have representation from all the stakeholders. This will reduce the burden on IGF considerably.

- (c) *If a secretariat is established,*
(i) *Where should it be based?*

The secretariat should be based in a neutral location like Geneva.

However because of certain logistics problem faced by developing countries and because of the exorbitantly high costs it is proposed that the location of the Secretariat can alternatively be located in Paris. This way the participants or the visitors will not have to bother about 2 different VISAs (Swiss and Shengen). Generally people from asia or other developing countries have to travel through Paris or other European country to get into Geneva.

Paris is comparatively cheaper than Geneva and have a host of International Organisations, Business associations, Non Profit Organisations. It is closer to Geneva so the permanent missions don't have any problems either.

- (ii) *What should be its linkage to the United Nations Secretary-General?*

Informal. It would send the Annual Report to the UN SG. The UN SG would provide logistical and financial assistance, when needed.

- 6 Para 73 addresses aspects related to the structure of the IGF, which should be "lightweight and decentralised" and build on "existing structures of Internet governance, with special emphasis on the complementarity between all stakeholders involved in this process".

What does this mean in practice?

- (a) *Does the decentralized structure refer to a support structure (secretariat) or the Forum itself, or both?*

It refers to both the IGF and the Secretariat

- (b) *Does it point to additional expert meetings and / or programme committees, which could report back to the IGF and help prepare its meetings? Should possible sub-structures be supported by organizations with the relevant expertise?*

Yes it points to additional expert meetings and programme committees. An Advisory Committee and working groups may also be set up in addition to the above.

- 7 The Tunis Agenda does not elaborate on aspects related to the funding of the IGF.

How do you think the IGF should be financed?

A Professional fund raising agency / consultant should be involved.

The financing of the IGF process (including the secretariat) should by based an a wide variety of sources, Donor Agencies, Foundations, voluntary(unconditional donations) of involved organisations, institutions, governments and corporations.

Further innovative funding can be secured by publishing the proceedings, documents, research etc. produced during the IGF Meetings, produced through efforts of IGF.

IGF can become registry of .INT

- 8 Para 74 mentions the “proven competencies of all stakeholders in Internet governance and the need to ensure their full involvement”.

What steps should be taken to identify and engage all stakeholders and what needs to be done to make best possible use of their competencies?

- (i) Efforts should be made to identify Multi disciplinary People who have participated actively in the Internet Governance process. Those who know about the ICT Policy environment at the national and regional level and are also actively engaged in the IG Process.
- (ii) Efforts should be made to identify stakeholders specially, Civil Society organisations, working on Internet Policies, ICT Policy, Law and Regulations at the national and regional level. It should be kept in mind that Internet Governance is different from I4D activities. WSIS Accredited organisations are mostly those working on I4D activities on the ground. Though their work is appreciable, they lack in expert knowledge and experience on Internet Governance, ICT Policy, laws and regulations. Moreover their participation has been minimal in the IG debate. They have been mostly participating in the I4D exhibition with the objective of fund raising, which is fine but that may not benefit the IG Process and debate. Most of these organisations are ADVOCATES of a particular point of view.
- (iii) Efforts should be made to identify those stakeholders who have been involved in capacity building, surveys, researches, and education pertaining to Internet Governance process.
- (iv) Involve the ICT Policy, Internet policy, law, experts who understand the Development issues / or who have been involved in ICTPolicy reforms locally and regionally (specially in the developing countries) in the formation of IGF, in the Program Committee, in the thematic groups of IGF, in the working groups of IGF.
- (v) Invite stakeholders / experts / Civil Society organisations who are engaged in the issues related to SPAM, Consumer protection, Privacy, VoIP policy and regulation issues.
- (vi) Invite law and policy experts who are involved with the formation of and running of non profit internet exchanges, national ccTLDs (Country Code Top Level Domains), communications law research. Such people would be aware of the Internet policies, regulations and laws surrounding the Internet and would also be involved in the development of Internet.
- (vii) Invite professionals who have surveyed or assessed the ICT and Internet Penetration in remote areas, small cities, and know about the policy and law problems being faced by small Internet Service Providers, ICT Companies etc.
- (viii) However care should be taken to invite those who will be able to devote time. People who are not involved in the Development sector or Non Profit Sector may not be able to actively devote time. We have experienced in the past in the WGIG Meetings that people from the developing countries who were involved could not devote much time because of their pre-occupation in their business, professional activities and non involvement in the Development sector

- 9 Para 74 also encourages the Secretary-General “to examine a range of options for the convening of the Forum”.

Are there any other options not addressed in the questions above? What are these options as you understand them?

N.A

- 10 Paragraph 72 (a) of the Tunis Agenda gives the IGF the mandate 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”.

(a) *What are these issues?*

The WGIG Report should be a guideline for the issues to be covered in IGF, however at the same time the issues should be evolving with technology.

(b) *Are they all the issues mentioned in the Chapter on Internet Governance in the Tunis Agenda?*

See 10a

(c) *Which issues should be treated as priorities?*

- (i) Ensuring fullest participation / representation of the stakeholders from the developing countries.
- (ii) Security and Stability of the Internet / fighting spam, cybercrime, phishing, pharming etc.
- (iii) Human Rights (freedom of expression, privacy), Data protection, Consumer Rights, Rights to Communication, Protecting reputation of individual on the Internet - defamation
- (iv) Content Policy - Dealing with the evil of voyeurism to produce pornographic material on the Internet which is ruining the lives of innocent people. Similarly Child pornography is an ever growing menace which needs to be urgently dealt with.
- (v) Ensuring Universal access and Bridging the digital divide through legislative, regulatory, policy approach
- (vi) eCommerce (IPR, regulatory frameworks)
- (vii) Voice over IP , Video over IP, Public Policy Issues brought about by the Convergence of technologies
- (viii) Cyber terrorism

Could these issues constitute a work programme for the coming years?

Yes, however, there can be many more issues which can come in the future because Internet is a dynamic medium. The Program should be of an evolving nature and should be the responsibility of the Program Committee of IGF. The Program Committee will set the agenda and the Program after adequate consultation with the stakeholders

11 The first meeting of the Internet Governance Forum should take place “no later than 2006”

(a) *When would be the best time for the meeting?*

Last quarter of 2006

(b) **What should be on its agenda?**

- (i) Strategy and Action Plan to facilitate fullest participation of stakeholders, specially from developing countries
- (ii) Funding mechanism
- (iii) Combating the evil of SPAM – it is urgent to tackle the evil of spam because it makes a lot of cost burden on users specially in developing countries. Moreover SPAM makes the Internet very unpopular among the users in developing countries. It is feared that people will resist adopting the Internet as a development tool because of the fear of spam. SPAM also encourages the evil of phishing, cybercrime, viruses. A solution to SPAM will bring down many of the issues being faced by Internet Users.
- (iv) If time and resources permit the IGF should also on a priority basis deal with the evil of voyeurism being used in producing pornography and ruining the lives of innocent people. Privacy and data protection needs special attention in the interest of the common man.

(c) *Should it focus on one or at the most two issues that would be dealt with in depth, or should it discuss a wide range of issues?*

IGF has a tremendous challenge to have a system of governance which keeps pace with the growth in technology.

Efforts should be made to deal with a number of issues because Internet is dynamic and changes rapidly and so will the issues involved in Internet Governance. If we are so slow and deal with one or two issues in a year, we will be piling up the number of issues in hand to be discussed. As it is IGF does not have a deciding mandate. The mandate is to discuss and debate which should be done very fast. Also already experts have done tremendous amount of work on the issues which will be debated at IGF.

If this is not possible in all possibilities at least two main issues should be dealt with in depth. There should be one day to deal with urgent issues also because Internet being a very dynamic medium will be faced with urgent issues for which we cannot wait for the next year. One session should also be devoted to give orientation to the next year's dialogue .

(d) How should its programme be designed (time-management plan, organizational aspects)?

The Programme should be designed by the Programme committee in consultation with the key stakeholders and subject level experts

The programmes should be very interactive and the agenda and relevant papers should be released well in advance so that the participants have a chance to analyse, prepare and respond to the papers.

12 Any other comments, suggestions or questions that should be addressed?

WGIG and the IGF are of International nature – then why are they not using the .INT domain ?

We would like to see www.wgig.int and www.intgovforum.int

Please let us know your views on any other issues that ought to be addressed.

** Please send all submissions in .rtf, text or .pdf via email.*