

## **Questionnaire on the Convening the Internet Governance Forum (IGF)**

*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](mailto: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?*
  - (b) *Should there be any other output apart from the report?*

The following outcomes are feasible:

- Identification of issues and problems
- Options for dealing with them
- Specific recommendations where there is sufficient consensus with the institutions, groups, etc. who are expected to consider these recommendations clearly identified
- Identifying the agendas of decision making organisations and processes they are involved in so as to engage meaningfully with them.
- Track follow up and implementation related to IGF recommendations which emerged from previous meetings

There should be a certain flexibility regarding recommendations. In many cases, it may not be possible to go further than identifying the key options available for action on any particular issue, but to spell out the logic and implications of each option and in the process show the underlying rationale and stakeholder support the option enjoys.

When it is necessary to achieve agreement between stakeholders on any issue before the Plenary, the Chair should have the discretion to rule on when there is sufficient consensus to take a recommendation forward.

- 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?*

We feel that it is important to, from the outset, think of the IGF as a process, punctuated by an annual meeting. Further, that all aspects of the IGF process, its structures, processes and ways of working be open to the participation of all stakeholders on an equal footing, transparent in terms of its processes and information/communication flows and implement innovative means of participation, both on and offline.

In that sense, the WGIG open consultation process could constitute one element of the process, and should form the basis of the annual meeting itself.

We propose that the IGF consist of an open Plenary, a Chair and Secretariat, multi-stakeholder programme committee and Working Groups on particular issues, created with the support of the Plenary.

- (b) *How often should the Forum meet?*

Once a year

- (c) *How long should its meetings be?*

Three days

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

Yes, with the difference that any decisions, for example, on recommendations of the Forum should be made on a ruling of the Chair that there is sufficient consensus ('rough consensus?') in the plenary meeting rather than the UN rule of complete consensus by all national governments present. This is a more appropriate way of conducting a multi-stakeholder forum. In the case of a dissenting minority position to any set of recommendations, they should be able to append a dissenting minority view to the recommendations.

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

- 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")?*

This is one of the most challenging elements of the IGF's mandate and attempts to delegate it to other bodies or processes should be resisted. If only 5.3% of the developing world has access to the internet<sup>1</sup>, then getting the other 95% connected is an urgent matter, which the IGF needs to take seriously as a global

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<sup>1</sup> Yoshio Utsumi: Connect the World Official Launch, ITU, 16 June 2005

public policy issue.

APC's belief is that the work of the IGF should be informed by a rights-based approach. This will involve different types of rights, and the rights to access, and the freedoms to make use of that access must feature in the work of the IGF.

- Access

**Access to the internet is an important civil and political right** in that it empowers people to access knowledge and information not only at the local level but also in terms of the global polity and global civil society. In a period of rapid globalisation, **access to the internet is also a socio-economic right**, in that it is a means to participate in local economies as well as the global economy.

Although access is an important component of Information and Communications for Development (ICD) it should also be integrated in other areas of work, e.g. the work done by UNESCO on cultural diversity, the access to knowledge movement, and also the the IGF. Including access to the internet as an issue on the IGF's agenda and paying it close attention will enable the IGF to engage with existing institutions and initiatives such as the ITU and the proposed Global Alliance for ICTD on the issue from a rights perspective. The IGF will also be able to use its soft power with governments, the private sector, donors and civil society to prioritise internet access on the global agenda. Paragraph 72(e) explicitly mandates the IGF to 'advise all stakeholders in proposing ways and means to accelerate the availability and affordability of the Internet in the developing world.'

There is also a pragmatic reason for the IGF to consider access. Shifts in the number of people using the internet the diversity of these users (in terms of capacity, language, location, political and technical contexts etc.) will impact on internet governance. If the IGF is to approach IG from a long term perspective it needs to factor these changes into its work.

- Rights and freedoms to make use of access

Freedom of expression is an empty concept if the overwhelming majority of people in the developing world lack basic access to the global means of communication that is the internet. We are talking here of 4 to 5 billion people, if one extrapolates from the ITU figures on internet access in Mr Utsumi's presentation on the Connect the World initiative. If developing countries are to participate meaningfully in the IGF, then it would make sense to take their core issue of concern – internet access – seriously. that is not being addressed anywhere else. Keep in mind that when we refer to internet access we imply access to TCP/IP based networks that can support public internet access, telephony, broadcasting, and other emerging forms of networking.

We believe that if the IGF does not take the emerging multi-platform and utility nature of the internet into account it could 'paint itself into a corner'.

We strongly recommend that one of the priority issues on the IGF's inaugural agenda should be universal internet access as a human right, related to freedom of expression and that a working group on internet access should be established to explore and make recommendations in the IGF's first policy cycle.

Specific issues would include:

- universal access to the internet on an affordable basis
- internet interconnection costs as a subset of universal access

- recommendations on the governance of universal access funds as a means to promote universal internet access and not simply telecommunications access
- open access models for extending the internet in developing countries.

(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?*

This point, and point (c) below are closely linked.

A key finding of the 'Louder Voices' Study was that - although there are undoubtedly problems for developing country delegates in the way international institutions worked, for example holding meetings in high-cost locations, scheduling meetings in concurrent sessions, providing inadequate information on issue and procedures - these were less significant in limiting developing country participation than weaknesses in national policy making processes.

Resources are a critical question, but resources alone, in terms of fellowships, are not enough. A multi-pronged approach must be taken to facilitate developing country participation in the IGF including:

1. **Capacity building**
2. **Support for national and or subregional/regional multi-stakeholder IGF coalitions and networks**
3. **Assess barriers to and implement measures that address barriers to participation** in face to face meetings (such as high-cost locations, scheduling concurrent sessions) and complement with significant use of online tools throughout the annual cycle of the IGF, and during face to face meetings.

1. Capacity building: Capacity-building should be seen, not just as a matter of training, but as requiring the availability of high-quality accessible information for both existing and would-be participants. This has the potential both to extend participation to a broader community and to improve the quality of dialogue, discussion and development of Internet governance and wider ICT policy.

Participants from the recent DIPLO conference authored a proposal to address 5 capacity building needs that would enhance meaningful participation in the IGF process. That paper:

**“INFORMATION RESOURCES TO ENHANCE DIVERSE PARTICIPATION IN INTERNET GOVERNANCE AND ICT POLICY DISCUSSION:A PROPOSAL”**

has been submitted to the IGF secretariat, will be available in hard copy during the consultations and can be viewed online here:  
<http://rights.apc.org/documents/igfcb-proposal.pdf>

2. Support for national and or subregional/regional multi-stakeholder IGF coalitions and networks

The first mechanism to consider is how to make participation in internet governance deliberations meaningful at a national level. We propose that the IGF

- support the creation of national and or subregional/regional level Multi-stakeholder IGF coalitions or networks in developing countries, and developed countries
- identify representatives from affected stakeholders to participate in particular IGF issues/cycles
- leverage research support by linking with local, non local and clearing house research institutions and departments
- build in research integrators (translators-bridges) to make the information more manageable

(c) *What should be the focus of capacity-building initiatives?*

The IGF should support capacity building activities undertaken by IGF participants through:

- providing a clearing house for gathering research and capacity building needs and matching them with appropriate providers.
- providing a focal point for bringing together different capacity building initiatives to share information, identify capacity building needs, deliver capacity building
- creating a multi-stakeholder working group to manage the process
- building the capacity of IG actors in developed countries to understand and address the challenges of internet development and regulation in developing countries

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?*
- (b) *Would it be a bureau to deal with organizational issues and prepare agenda and programme of the IGF meetings?*
- (c) *If so, how should it be composed?*
- (d) *Alternatively, could it be a high-level senior advisory body to provide overall direction and shape to the IGF meetings?*
- (e) *If so, how should it be composed?*

We see no need for a ‘bureau’ in the context of the WSIS or other UN processes. We feel bureaus raise questions of representivity that will be difficult to address in the context of the IGF.

We feel a trusted Chair and resourced Secretariat, with the support of a multi-stakeholder programme committee, advisory groups and working groups, can manage the processes of agenda setting, and provide overall direction and shape to the IGF.

The Chair can request input on agenda setting, consult stakeholders and working groups and have some discretion. We strongly oppose the construction of any ‘bureau’, Friends of the Chair in-group or elitist high level senior advisory panel

around the position of the Chair. That would have the effect of creating an insider/outsider divide that an open Forum should discourage. It would also go against the obligation in the Tunis agenda to keep the IGF lightweight.

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?*
- (b) *Alternatively, is there need for an independent secretariat?*
- (c) *If a secretariat is established,*
  - (i) *Where should it be based?*
  - (ii) *What should be its linkage to the United Nations Secretary-General?*

We interpret 78(b) as referring to a Secretariat.

That being the case, we suggest a distributed model (analogous with Geneva and Tunis during the WSIS process) and consider Geneva and Nairobi as appropriate locations for the secretariat during the 5 year cycle of the IGF.

Geneva is an appropriate location in terms of general continuity and considering the prevalence of other relevant IGOs (such as the ITU and WIPO etc) whilst Nairobi provides an appropriate location in terms of mobilising developing country participation and as a focal point for capacity building in internet governance related issues.

The annual meeting of the IGF should revolve between developed and developing country venues, again, using the WSIS model, with the proviso that no country should be eligible to host the IGF if it does not adhere to human rights principles as outlined in the UDHR, with particular reference to adherence to rights of expression, association and opinion.

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?*
- (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?*

We don't believe it relates so much to the secretariat function as the nature of the IGF itself.

If we take as the starting point, that the IGF is a process, punctuated with a milestone annual meeting, and, that it be supported by a structure of programme committees and issue based working groups – then the notion of 'lightweight and decentralised' could refer to thematic or national/regional meetings – the outcomes of which feed into the annual IGF meeting.

It could mean (in relation to the IGF) something like the IETF, where the IGF is the root server, and the working groups, regional/national, thematic meetings etc

are the nodes, which report into and out of the root zone.

The IGF programme committee(s) and working groups would address specific issues within a particular cycle. A cycle could run between formal meetings of the IGF and include a process of research, analysis, capacity building, discussion and consultation leading to a report and recommendations to be put before the Plenary at the end of a cycle of six to twelve months.

Therefore, the Plenary, Chair and Secretariat would be centralised (with the possibility of some decentralised elements) and Working Groups would be decentralised and could make their own arrangements for drawing on expertise and organisational support. Some level of resourcing should be provided to the Working Groups with regard to seconded decentralised secretarial functions and a research budget.

With regard to the secretariat, we understand the permanent secretariat to be lightweight with certain decentralised rotational elements as mentioned in Q5.

**In relation to: *Should possible sub-structures be supported by organizations with the relevant expertise?***

Yes, with the proviso that supporting organisations do not control the chair or agenda of the Working Group and fully embrace in policy and practice, the embodiment of WSIS principles in Internet Governance processes. Involving a supporting organisation may be a way of ensuring some level of resourcing and continuity between cycles.

- 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?*

The Chair should be mandated to fundraise for the IGF with the support of the Secretariat. One member of the Secretariat should be an experienced fundraiser.

- 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?*

#### Systemic stakeholder identification

There needs to be a systematic process of stakeholder identification and analysis of their competencies in relation to any given issue undertaken by the IGF. For any given issue, efforts need to be made to identify stakeholders who are engaged in the process (WSIS participants, for example), but also those who are only tangentially engaged (take the example of librarians when looking at questions of freedom of expression) or not engaged at all (the groups working on innovative ways to bring connectivity to communities at the local level – telecentre networks, community access networks etc)

One methodology could be for the Chair to commission research for a mapping of key stakeholder groupings on any issue, much like the various pieces of work we have seen which have mapped institutional involvement in internet governance.

### Innovative means for participation

It may be that certain stakeholders who are important to engage, are not interested in debate, discussion or working groups for example, but are important voices in the debate. Innovative formats may be needed for working groups on particular issues to hold real time and virtual hearings on their findings and recommendations/options on any issue.

The IGF could form Multi-stakeholder panels to hold formal hearings on issues based on reports from Working Groups, rather like regulatory proceedings. This would allow the IGF to make tested recommendations without having to reach universal consensus on all recommendations.

The responsibility could be delegated to a Multi-stakeholder panel concerned, which could be given a set of procedural and deliberative guidelines to adhere to, before finalising the recommendations.

- 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?*

No.

- 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?*

- human rights (in particular privacy and freedom of expression)
- universal access (including international interconnection costs)
- spam
- principles for the management of critical internet resources

In addition, we feel it very important that the IGF process champion the promotion and assessment, on an ongoing basis, of the embodiment of WSIS principles in Internet Governance processes.

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

To a greater or lesser extent, yes.

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

All four issues are a priority but for reasons referred in Q3, Universal Access and Human rights are the top two priorities.

*(d) Could these issues constitute a work programme for the coming years?*

Yes.

- 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?*

We believe the meeting date of October 24-26 2006 is already agreed, and this date is fine.

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

- The inauguration of the IGF and its constitution, terms of reference and initial cycle.
- The results and recommendations of the Chair’s research into identifying stakeholders, promoting developing country participation and capacity building.
- The four priority issues
- The establishment of Four Working Groups to take these issues forward in the first policy cycle.

(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?*

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

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

*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.*