



IT for Change's input into the open round of consultations on 23 May 2007 to discuss program and agenda for the second meeting of the IGF in Rio de Janeiro.

IGF 1 at Athens was a success in terms of a tentative beginning with a new global governance format for an infrastructure which in many ways is paradigmatic to the emerging information society. However, it left many people wondering whether IGF will be able to meet the mandate set out for it by the Tunis Agenda of the WSIS. IGF 2 must build on the success of IGF 1 in terms of 'process', to move towards more substantial tasks of carrying out its full mandate under paragraph 72 of the Tunis Agenda. Absent this, IGF would only have exacerbated the global governance deficit which has become even more acute in the information society arena, rather than it being plugged because a connected world needs more and better governance at the global level than ever before.

IT for Change's contribution to the agenda for the second meeting of the IGF at Rio is informed by this motivation and logic. In fact, if we are able to agree on the basic principles regarding the need to use the IGF to clarify global public policy issues in IG, and help build structures and processes adequate to the task of developing such policies in a legitimate and representative manner, towards the WSIS vision of 'a people-centred, development-oriented and inclusive information society', the task of setting the agenda for IGF 2 at Rio does not remain very difficult.

Agenda for the Main Sessions

We support the submission by the Civil Society Internet Governance Caucus (see annexure) for having main sessions at Rio around four themes; (1) Global Internet Public Policy - Issues and Institutions, (2) Core Internet Resources and their Current Governance Institutions, (3) Global Internet policies Impacting Access to and Effective Use of the Internet by Disadvantaged People and Groups - The Development Agenda in IG, and (4) The Role and Mandate of the IGF.

These issues derive directly from what is uppermost in most people's mind today in terms of global Internet public policy, and it is our responsibility to recognize these issues and represent them at global policy discussions. These were also the key issues at the WSIS, and the discussions on them need to be carried forward in the IGF. Issues of access, openness, security and diversity remain important, and are basic values that need to underpin global Internet policies, but an open ended discussion on these issues is not necessarily the best way to further these values. It is our view that these values, in the

present context, will be served much better by discussing the above issues, suggested by the IG Caucus for the main sessions.

We are encouraged by the fact that the ‘draft program outline’ circulated by the secretariat mentions that it is, ‘focusing more on structure than content’ and that it is a rolling document. We hope that the actual agenda of IGF 2 is shaped in consultation with all stakeholders and that the selection of themes for the main sessions is not presented as a *fait accompli*.

As for the format of the main sessions, we are happy to note that the ‘draft program outline’ speaks of smaller panels, with moderators. We will also like to see moderators who are subject matter experts, and not journalists.

As for the content part of the ‘draft program outline’ where specific issues under the access/ openness/ security/ diversity themes are sought to be fleshed out, we find that this is informed by a narrow – we dare say, ideologically one-sided – view of these issues. For instance, in ‘access’ competition and markets are mentioned quite prominently, but what is ignored is the fact that universal access is something which is now being strongly promoted as a public infrastructure (Municipality WiFi programs, and other governmental programs of public broadband infrastructure in developed as well as developing countries) and Tunis Agenda too speaks of the role of public finance in reaching access. Similarly, in the ‘openness’ theme, there seems to be much greater accent on negative rights like FoE than social and economic rights, requiring positive interventions. To give an specific example of what should be an important issue to be taken up; the recent decision at WIPO to “consider the preservation of the public domain within WIPO’s normative processes and deepen the analysis of the implication and benefits of a rich and accessible public domain” is one of the most important issue to consider in terms of the nature of the Internet’s architecture, its governance structures and policies that have implications for a ‘rich and accessible public domain’.

Other Issues regarding the agenda and program of IGF 2

We also support the move to provide space to all major organizations dealing with issues related to Internet governance to hold open forums, and IGF should actively encourage these organizations to engage with various constituencies and stakeholders that otherwise may have difficulty in accessing these organizations.

IT for Change had submitted some suggestions for changes in IGF’s structures and working during the February consultations in response to a questionnaire. Some of these points are relevant for present consultations as well, and are being repeated below:

1. All major IG related organizations, like the ICANN, US government, ITU, WIPO/WTO etc, should be invited to hold open forums at the annual IGF meeting to enable a stakeholder dialogue, as also ‘facilitating discourse between (among) them’ (Tunis Agenda).

2. The IGF must be able to develop elaborate papers and reports on various important themes of IG, employing experts, especially in under-researched areas like developmental aspects of IG. This must be an ongoing exercise. (To cite an example, similar work was done by the UN ICT Task Force.) This will enable the IGF to fulfill its mandate in respect of many of the above listed areas.
3. At its annual meeting, and in the in-between periods, IGF should be able to hold workshops of its own (other than those held by various stakeholders) on key themes – for example, on the issue of promoting and assessing ‘the embodiment of WSIS principles in Internet governance processes’ and on development issues in IG. These workshops should also be held in the regional and national contexts.
4. To be able to undertake the above activities, and to fulfill other required responsibilities, IGF must seek to establish a more substantial structure. This requires adequate funding for which a strong case should be made out and the issue taken up with various possible sources of funds. This includes governments who may be interested in promoting fair, open and representative global public policy structures for IG.

Reaching out to under-represented interests and constituencies

We will like to add that IGF must take pro-active measures to reach out beyond the typical groups and constituencies that engage with IG at present. We know that Internet, and the associated ICTs, today impact everyone and every institution, and the constituencies represented in discussions regarding Internet governance should be made more broad-based. For this (1) IGF must be able to fund greater participation from developing countries, especially the civil society from these countries involved in development activities, and, (2) engage with organizations like UNDP, UNESCO etc, inviting them to the IGF, and seeking their inputs into Internet governance and policies.

Annexure

Civil Society Internet Governance Caucus's input into the open round of consultations on 23 May 2007 to discuss program and agenda for the second meeting of the IGF in Rio de Janeiro.

In view of their central importance to the current discourse on Internet Governance, the Civil Society Internet Governance Caucus will like the following themes addressed in the main sessions at the second meeting of the IGF in Rio de Janeiro.

(1) Global Internet Public Policy - Issues and Institutions

A call to "discuss public policy issues related to key elements of Internet governance" is the first point in the IGF mandate in the Tunis agenda. The Agenda deals at length with the question of new global public policy issues regarding IG, the possibility of new frameworks and structures, and the role of existing ones (e.g, paragraphs 61, 69). We therefore believe that an IGF main session should explore the following topics:

- a) What is "public policy" on the Internet and when do we need to use global institutions to establish it? The Tunis Agenda distinguishes between "technical" and "public policy" issues, and between public policy and the "day-to-day technical and operational matters." What makes an Internet governance issue a "public policy" issue, and what happens when policy concerns are closely linked to technical administration?
- b) What was intended by the Tunis Agenda's call for the "development of globally-applicable principles on public policy issues associated with the coordination and management of critical Internet resources" and how can this goal be pursued?

(2) Core Internet Resources and their Current Governance Institutions

Policy toward "critical Internet resources" is a major topic in the Tunis Agenda and the mandate for the IGF. Currently, name and number resources are administered by ICANN and the Regional Internet Registries. This main session should discuss the policy issues and policy making processes in these institutions. In particular, ICANN's status as an international organization, its representation of various constituencies and stakeholders, and the changing role of the GAC within ICANN should be discussed.

(3) Global Internet policies Impacting Access to and Effective Use of the Internet by Disadvantaged People and Groups - The Development Agenda in IG

A main session should be devoted to the topic, how can global Internet governance policies and practices have an impact on disadvantaged peoples' access to, and effective use of, the Internet, and their access to knowledge? This session would try to identify and

explore the specific policies, institutional mechanisms, resource allocation processes, property rights regimes and financing mechanisms that are international in scope and can have a real affect on access to, and effective use of, the Internet by disadvantaged people and groups.

(4) The Role and Mandate of the IGF

The Tunis Agenda mandated that the IGF should, inter alia, facilitate discourse between bodies dealing with different cross-cutting international public policies and issues that do not fall within the scope of any existing body; interface with appropriate inter-governmental organizations and other institutions on matters under their purview; identify emerging issues, bring them to the attention of the relevant bodies and the general public, and, where appropriate, make recommendations; and promote and assess, on an ongoing basis, the embodiment of WSIS principles in Internet governance processes. Since these critically important, value-adding functions cannot be performed by any existing Internet governance mechanism, nor by annual conferences built around plenary presentations from invited speakers, the purpose of this main session would be to foster an open and inclusive dialogue on how the IGF could fulfill these and other elements of its mandate.