ASSOCIATION FOR PROGRESSIVE COMMUNICATIONS

Input following the Structure of the Report on Improvements to the IGF (Internet Governance Forum)

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These comments are compiled from various earlier submissions made by the APC with some additional input based on the proceedings of the first meeting of the Working Group on IGF Improvements held in Montreux on 25 and 26 February 2011.

APC's overall assessment of the IGF is that it has come a long way towards fulfilling its mandate. There are some areas that it needs to pay more attention to.

Overall we believe it has been an invaluable space for facilitating policy dialogue among a wide range of stakeholders, and that this has influenced policy-makers. It has made unique and historical contributions to the ecosystem of international governance in three primary areas:
   – its method of the programme being designed and shaped by participants who have a sense of ownership of the agenda and the event
   – its commitment to the inclusion of different stakeholders
   – its achievements in facilitating remote participation

1.   **Review of the IGF vis-à-vis Tunis Agenda – paragraphs 72 to 80**

With regard to paragraphs 73 to 80 we believe that the IGF has mostly done well in adhering to its mandate. Paragraph 80 does need more consideration. It states:

   • **80. We encourage the development of multi-stakeholder processes at the national, regional and international levels to discuss and**

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collaborate on the expansion and diffusion of the Internet as a means to support development efforts to achieve internationally agreed development goals and objectives, including the Millennium Development Goals.

Regional and national IGFs have emerged, and are growing from strength to strength, but they should make a more concerted effort to reflect on how the internet can support development efforts. The IGF has avoided being a forum that deals with "ICTs for development". It tried to limit its discussion of development to "internet governance for development", a topic that is very difficult to define. We propose a broader approach.

In reflecting on **paragraph 72** of the Tunis Agenda our view is that the IGF has been effective in the following aspects of its mandate:

- **72 a - "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".**

This is evident from discussions in workshop, and main sessions during the first 5 IGFs.

- **72d - "Facilitate the exchange of information and best practices, and in this regard make full use of the expertise of the academic, scientific and technical communities".**

IGF sessions, including workshops, best practice forums, round tables and main sessions, and speakers and participants at these sessions reflect a huge degree of expertise from the above-mentioned communities. The convening of the annual conference of the academic internet network (Giganet) before every IGF every year is further evidence of the IGF's success in implementing this aspect of its mandate.

- **72j -"Discuss, inter alia, issues relating to critical Internet resources"**

While this discussion has not been exhausted, we do feel that the IGF has, particularly since the Hyderabad IGF, created space for such discussion. Some of the more controversial aspects of this topic, such as the respective roles of governments, business, and other stakeholders in the management of critical internet resources, needs more exploration.

- **72l -"Publish its proceedings".**

We commend the secretariat for its excellent work in publishing the proceedings of each IGF, and for using different approaches to the publication every year. However, we think that there is a need for a more concise document that summarises proceedings, and that consolidates key messages that emerges from each IGF. This would make it easier for newcomers to the IGF to have a sense of what was covered at previous IGFs. This is discussed further below.

Aspects of the IGF's mandate which we believe have not been implemented effectively enough are:

- **72b - "Facilitate discourse between bodies dealing with different cross-cutting international public policies regarding the Internet and discuss issues that do not fall within the scope of any existing body".**

This has been achieved in part, but not fully. To do so more policy-making bodies need to participate. The IGF also needs to recognise that in the context of the internet:

- there is increasing overlap between international public policies and and national public policies and the IGF needs to respond to this. An example of this would be policies that impact on access to internet infrastructure, and the freedom of information, expression and association on the internet. Recent shutdowns of the internet ordered by national governments also demonstrates this overlap.
- the definition of the range of public policies which fit into the broad category of 'internet governance' should not be too narrow, otherwise it will exclude important emerging issues.

- **72e - "Advise all stakeholders in proposing ways and means to accelerate the availability and affordability of the Internet in the developing world"**.

The IGF has facilitated excellent dialogue on extending access, but not enough policy-makers from developing countries have participated in these discussions. The IGF should consider how it can reach and 'advise' developing country policy-makers (and other stakeholders who can influence access) effectively. Providing advice requires more than dialogue and debate. The IGF should generate advice in the form of messages targeted at the various stakeholders, and policy forums, that can influence access, for example, messages directed at the ITU, at national communications regulators, at mobile telephony and internet service providers, at national governments.

Issues such as public access facilities (in community centres, libraries, schools, etc.) should also be discussed.

The IGF has tended to approach access from a supply perspective, rather than a demand perspective. It needs to considers the public policies that can impact on both demand and supply.

- 72f - "Strengthen and enhance the engagement of stakeholders in existing and/or future Internet governance mechanisms, particularly those from developing countries".

Achieving the above is not easy. The MAG has endeavoured to do so through various means, including through introducing 'development' as a main session in the 2010 IGF. But this is not enough, participation from developing countries requires investment of effort many actors, including developing country governments.

We propose that the secretariat and the MAG initiates discussions with developing country governments very early on in the preparation for each IGF. It can use its base in Geneva to invite missions from developing country governments to briefing sessions on the IGF, and on how developing country governments can participate in shaping the agenda through the open consultation and MAG process, and the submission of workshop proposals.

Focused discussions with developing country stakeholders should become part of the preparatory process. To some extent this is happening, e.g. in the case of Latin American countries where there is usually a multi-stakeholder discussion among participants from Latin America present at an open

consultation. Other developing regions should copy this model.

Financial support for participants from developing regions need to be increased, and administered in a transparent manner.

We propose in particular that an amount is budgeted to support speakers from developing countries.

A notable success in achieving this mandate has been through regional IGFs in East Africa and Latin America.

- 72g - "Identify emerging issues, bring them to the attention of the relevant bodies and the general public, and, where appropriate, make recommendations".

The IGF has done well in identifying emerging issues but we would like the MAG to be more pro-active in this area. We also believe that the MAG should find a way of making recommendations for follow up on some of these emerging issues. We propose using working groups to develop recommendations on emerging issues that need to be brought to the attention of the general public and relevant bodies.

72h - "Contribute to capacity building for Internet governance in developing countries, drawing fully on local sources of knowledge and expertise".

The IGF has made a commendable start in supporting the development of regional and national IGFs which have had a strong capacity building dimension. However, this task has not been systematically addressed and has a rather ad hoc air to it.

- 72i -"Promote and assess, on an ongoing basis, the embodiment of WSIS principles in Internet governance processes".

It has embodied the WSIS principles in its own practices but, in spite of several IGF stakeholders organising workshops on this topic, it has not been addressed sufficiently.

For example, human rights, central to the WSIS principles, remains a sensitive issue at the IGF.

Meaningful multi-stakeholder participation (through, for example, shaping the agendas and outcomes of internet governance processes) in internet governance and public policy processes also needs more focus. Simply having people from civil society, government, parliaments, international organisations, business, and the technical community in one room is just a beginning. A good beginning, but still just a beginning.

- 72k - "Help to find solutions to the issues arising from the use and misuse of the Internet, of particular concern to everyday users".

Excellent progress have been made in some areas, for example in addressing issues such as child protection and online safety. Spam however, has not been significantly discussed since the first IGF. The IGF could also be an important venue to deepen discussion and debate around freedom of expression and freedom of association on the internet, net neutrality, commercialisation of the publicness of the internet, and the impact of intellectual property regimes and trade agreements - such as ACTA (Anti-Counterfeiting Trade Agreement) on access to knowledge, among other

issues.

2. **Improving the IGF with a view to linking it to the broader dialogue on global Internet governance as directed by the UN General Assembly Resolution on "Information and communications technologies for development" (adopted on 24 November 2010)**

As the internet increasingly impacts all facets of our lives, our discussions must increasingly include a broader set of stakeholders. As such, the IGF should have a clear liaison role with regard to international processes and institutions that deal with internet governance, AND with ICTs for development. Examples would be regional UN economic commissions, international organisations such as the ITU, WIPO, and the WTO (to mention a few).

3. **How to enhance the contribution of IGF to socio-economic development and towards IADGs including enhancing participation of developing countries**

APC has consistently argued that it is essential to include development in IGF discussions.

Broadening participation

Developing countries
Introducing a plenary session on Internet Governance for Development in the 2010 IGF provided an increased incentive for participants from developing countries to attend and participate in the IGF. So did identifying speakers and facilitators from developing countries for main sessions.

But APC believes that the IGF community - which includes current participants - still needs to make more concerted efforts to include the participation of developing country stakeholders and include development issues and developing country concerns in the agenda. Internet governance for development is more than 'development of internet governance' or even 'internet governance in developing countries'.

Development community
Other policy communities, particularly those involved in development policy, environmental policy, trade, access to knowledge, human rights, democratisation and governance should be invited into the IGF process.

Exploring the relation between internet governance and development is to think about how internet policy impacts on, and responds to, social, economic and human development. These impacts can be positive or negative. To explore them will involve the IGF facilitating dialogue between the internet community and development policy-makers and practitioners, many of whom are not currently engaged with internet governance and policy.

A sustainable development perspective
To consolidate a development agenda in the IGF effectively, APC believes that an IGF development agenda should embrace the concept of sustainable development. Sustainable development involves consideration of human, economic, and social development, and the impact of development on the natural environment. Growth is not always sustainable. Economic growth alone can entrench existing inequalities in access to power and resources, and create new ones, or it can challenge those inequalities: neither is inevitable.

APC understands that the IGF is still evolving in how to treat development, and learning how to do it effectively, and believes that it requires more substantive consideration of how internet policy and regulation can either enable or disable development.

Documenting IGF discussion, and messages, the relate to development is one way of profiling this issue, and discussing it in a way that can have greater impact. E.g., a document at the end of each IGF with a topic such as: Reflections and suggestions from the XXX IGF relevant to meeting internationally agreed development goals.

4. **Shaping the outcome of IGF meetings**

A more 'outcome' oriented approach
The IGF should be allowed to evolve as a forum that can produce outputs and outcomes beyond those of a space purely of policy dialogue and deliberation. APC would like to see the outcomes of the dialogue extracted succinctly and made more visible in a format that can facilitate uptake by actors involved in internet governance and development. We believe this can be done without compromising the non-binding, non decision-making nature of deliberations as it does not imply negotiated agreements which we do not believe is the role of the IGF. We would like to see the IGF evolve away from its annual event format into a year-round process that allows multi-stakeholder dialogue to inform policy-makers and that effectively facilitates interaction between this dialogue and the forums and institutions where internet governance and policy decisions are made.

IGF messages
A change in the format of the IGF that leans strongly towards documenting the outcomes and conclusions of workshops and main sessions in the form of "IGF messages" can be of benefit to participants who are not physically present and could lead to more straight forward collaborative action of stakeholders that attend the event. If the IGF can distil messages, or suggestions for further discussion, or even concrete advice, it will facilitate follow up interaction between stakeholders and it could consolidate and elevate its impact.

Capacity building
This is one of the key outcomes of the event. Finding ways to report on the capacity building outcomes in a consolidated way could be of value in maximising this outcome in future IGFs.

5. **Outreach to and cooperation with other organisations and fora dealing with IG issues**

Outreach and cooperation with other organisations and institutions in the internet governance ecosystem will be more effective if the IGF generates messages, or outcomes that are easier to communicate than the current chair's summary, or IGF proceedings.

Another way to increase outreach could be to pilot thematic IGFs. Thematic IGFs can provide fora for individuals with the appropriate expertise from different stakeholder groups to engage specific issues in greater depth and then communicate the outcomes their discussions to the global IGF and to relevant other IG bodies.

As with pre-events, thematic events can help to deepen the understanding of complex issues.

Regional and national IGFs can also provide fora for stakeholders from developing countries to engage with the IGF processes and issues. There is a general consensus that regional and national processes should be strengthened and that their link with the global space should be flexible rather than formal, allowing these processes to follow their own dynamics and respond to their regional or national priorities. The MAG should, however, encourage national and regional IGF related processes to contribute to the open consultations to ensure that the priorities identified at those levels are taken into account when building the global IGF agenda. We propose that the Secretariat facilitates periodic meetings between conveners of national and regional IGFs and provide avenues for the exchange of information. We urge national and regional IGFs to be as inclusive as possible and to respect the WSIS principles at all times. We also suggest that conveners of national and regional IGFs produce reports which feed the main session on regional perspectives and be tabled in pre-events, workshops and other sessions.

6. **Inclusiveness of the IGF process and of participation at the IGF meetings (in particular with regard to stakeholders from developing countries)**

We have already addressed participation from developing countries earlier in this document. It remains one of the two most critical challenges that need to be faced to make the IGF more inclusive.

It must involve participation of stakeholders dealing with internet governance, AND stakeholders dealing with development if we want to achieve a creative intersection between development and internet governance.

The other key issue is the participation of non-governmental stakeholders.

We propose i**ncreasing the number members in the MAG that are drawn from civil society.** Civil society stakeholders are diverse and come from networks and/or institutions or associations that are very different in how they are constituted. We believe that the Civil Society Internet Governance Caucus (IGC) has effective and transparent mechanisms for nominating civil society candidates from within its ranks. This process makes an important contribution to the nomination process.

However, there are important civil society stakeholders who are not present or active in the IGF space, or, who have their own representative structures through which they could also nominate non-governmental members for the MAG. This will be particularly important if we want to include stakeholders who should be involved in the IGF but who do not yet participate actively. Such as human rights organisations, groups working for the interests of people living with disabilities, linguistic and cultural diversity advocates, organisations working on economic development and trade justice, women's rights and development groups, and groups working on climate change and renewable energy. We recommend that the IGF actively reaches out to such groups and include them in the MAG.

We propose that the current number of civil society spaces in the MAG is doubled, with half of these seats being allocated to civil society organisations working specifically in internet policy and governance, and the other half drawn from a wider range of civil society organisation that have

an interest in the internet, but who do not focus only on internet policy.

Remote participation
We encourage the Secretariat and workshop organisers to make greater use of speakers and presenters who participate virtually. We recommend that at least one of the two annual open consultations held to prepare for the IGF be held as online consultations. We suggest thinking of remote participation as "enhanced participation" as a means of achieving a more participative IGF process as a whole.

We believe that somewhat more structured formats can assist with this, e.g. the use of rapporteurs in workshops and main sessions, and the consolidation by the rapporteur of any messages that the workshop or main session would like to convey to other internet governance fora and institutions.

7. **Working methods of the IGF, in particular improving the preparation process modalities**

    7.1. **Current modalities: open consultation and MAG**

Open consultations
We believe that at least one of the annual open consultations should be held virtually to enable all stakeholders to participate equally, irrespective of whether they are in Geneva or not. It should include both synchronous and asynchronous discussions. We also believe that instead of one day of open consultation and two days of semi-open consultations there should be, at the Geneva meetings, two open days and one day of the MAG meeting on its own.

Facilitation roles within the MAG
We recommend that the Secretariat assigns a coordinator to work with the MAG, that the MAG develop a work-plan which includes distributing its work more evenly
throughout the year, and that the MAG elects a small coordinating group from among its own members to help facilitate its work. This group could assist the chair and the executive coordinator in facilitating the work of the MAG. The positions in this group could be pre-defined e.g. a liaison for fund-raising, for regional meetings, remote participation, for evaluation and feedback to stakeholders. The IGF Secretariat should direct more resources towards facilitating the work of the MAG so that it realises its full potential.

More on-site support from MAG members during the annual fora would contribute for more effective sessions and workshops. We would like the MAG to be more proactive in identifying emerging issues. The MAG should find a way of making recommendations for follow up on some of those emerging issues.

Increased use of ICTs by MAG members
We recommend that the MAG makes use of online platforms for meetings in between face-to-face meetings in addition to their existing use of a mailing list.

Rotation and renewal of mandate
Clear annual or bi-annual rotation and mandate renewal process should be in place to ensure greater representational parity between different stakeholders.

Nomination of MAG chair
Terms of reference and criteria should be developed for this position and a non-com process instituted to propose names for the SG to appoint a chair. One idea could be to have co-chairs (or a chair and a vice-chair) with one position chosen by the UN and the other by the MAG itself. This would be consistent with the IGF leading the way in terms of process at the UN, and it would also support continual communication between MAG members, the Secretariat and the chairs.

7.2.   IGF Secretariat

We believe that the IGF secretariat needs to operate with flexibility, but remain independent, but broadly under a UN umbrella. However, it does need to be sufficiently resourced, and have enough human capacity.

The IGF secretariat should have a base in Geneva, and maximise benefit from the close proximity of other UN bodies based there.

This does not mean it could not make use of remote workers/interns or volunteers. Being in the same location on a permanent basis is not necessary for all secretariat staff.

It is critically important, to preserve the multi-stakeholder nature of the IGF, and its adherence to the WSIS principles. Therefore we believe that the secretariat should be accountable to a multi-stakeholder body of some kind, and not to an intergovernmental body.

The MAG has been supposed to play this role, but, we feel it has not been effective enough, in spite of the effort made by many of its members and the co-chairs.

8. Format of the IGF meetings

Main sessions and new formats
We recommend that the IGF continue to explore innovative and creative meeting formats as well as effective facilitation methods to involve remote participants in sessions and workshops. We suggest that at least 50% of the facilitators are from developing countries.

We believe that workshops should link more effectively to main sessions, and propose a mechanism for achieving this below.

Pre-events
Pre-events are good opportunities to focus on a given theme and they should be encouraged as a format that can contribute to the IGF discourse. They can offer added value and attract participants that might not normally attend an IGF meeting. We recommend that ways to provide more support for organising pre-events should be found, particularly at the level of logistics and the necessary assistance for its effective realisation. It would be very useful for both the IGF Secretariat and the Host Country to appoint contact persons with regard to the organisation of pre-events.

Workshops

Application of the multi-stakeholder format in workshops
The current mechanism for ensuring multi-stakeholder participation in workshops has become too formulaic. Organisers scramble around chaotically in the months leading up to the event to make sure that they

have "a civil society speaker" and "a government panellist". Is this tokenism, or is it succeeding in building stakeholder engagement? We believe that MAG should ask this question at its upcoming consultation. Workshops would benefit from ensuring that they include speakers who are stakeholders in the topic under discussion in the sense that they *have a stake in it*, rather than simply being representatives from different sectors. It could also be useful to create a space for workshops that address the challenges of particular stakeholders, e.g. problems faced by government, regulator, by business, or civil society.

Number and merging of workshops
The agendas of many workshops at Vilnius seemed incoherent. When asked, organisers reported that they had been asked to merge with other workshops making it difficult to maintain a common, coherent thread. The increasing number of workshop proposals that are received every year is an indicator of success.

However, a balance has to be struck between trying to please everyone (with the possibility of diluting the quality of discussion and debate through multi-mergers), and making hard decisions based on stricter criteria (but thereby increasing the possibility of higher quality discussion and debate).

Number of speakers
Generally, workshops have too many speakers. The Secretariat and MAG should limit the number of speakers and inputs or strongly encourage workshop proponents to do so. The goal of the IGF is dialogue and debate and it is the organisers' responsibility to make sure that workshops enable this. Too many speakers results in monologues and disengagement. The MAG should carefully check this aspect at the proposal submission stage.

Proposal template and format
We recommend that the workshop proposal template be changed.

It should include a background document that frames the workshop topic.

The number of speakers should be limited and a minimum time allotment for discussion should be enforced.

A revised template would encourage people to plan their workshops in such a way that enough time is left for discussion.

Participant evaluations of workshops and main sessions
We propose that the IGF secretariat introduce a simple online evaluation form for each workshop and main session which participants can complete online. The results of these evaluations will provide useful input to workshop organisers, the Secretariat and the MAG.

Linking to main sessions
We propose a format that consists of two days of workshops followed by two days of main sessions interspersed with round tables and best practice forums. The main sessions can then more effectively respond to and build on discussion that took place in workshops.

9. Financing the Forum (exploring further options for financing)

9.1. Review of the current situation

We believe that two principles should be adhered to in all financing of the

IGF: transparency and independence (ensuring that financial contributors do not have specific influence on agenda setting). The IGF secretariat needs independence from any form of undue influence. We propose that a terms of reference for donations could be put in place to protect the IGF secretariat's independence. In addition, there should be a travel fund for speakers from developing countries that is accessible and transparently managed by a multi-stakeholder group, in order to prevent a single stakeholder exerting undue influence over the selection of funded participants in the IGF. Sponsors from the private sector could be encouraged to contribute to this fund.

9.2. Options for ensuring predictability, transparency and accountability in financing IGF

The secretariat should produce a detailed publicly available annual financial report income and expenditure, including grant contributions and donations. In-kind support from host governments and other partners (e.g. those contributing interns, or financing participation of groups of people) should be recognised in this annual report.

Terms of reference for donations could be put in place to protect the IGF secretariat's independence and to make it clear that financial support does not enable the giver to influence the IGF's agenda. This is important in relation to contributions from governments, and from the private sector. However, contributors should be allowed to identify which aspect of the IGF budget they want to contribute to.

Contributors should be encouraged to make longer term commitments. The UN's financial and in-kind contribution should be reflected in the annual financial report.