Analysis of the Responses to the Questionnaire of the UN Commission on Science and Technology for Development

Working Group on Enhanced Cooperation (WGEC)

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1. Structure of the Respondents

There were 69 replies to the questionnaire, representing all stakeholder groups. The majority of the replies – 29 – came from governmental institutions. The lowest number of replies – eight – came from the business community. The civil society organizations did send 23 replies and the academic and technical community did send eleven replies. More than half of the responses came from stakeholders from developing countries.

Taking into account, that the Internet Governance Eco-System consists of hundreds of active organizations and that the UN has 193 member states, one has to state that the issue of enhanced cooperation in Internet Governance - as described by the Tunis agenda from the year 2005 - is obviously not a first priority policy issue on the agenda of Internet stakeholders and the UN member states in the year 2013. That means that the conclusions, which can be drawn from the replies to the questionnaire, cannot be seen – from an academic sociological point of view - as fully representative for the whole Internet Community, including the governments of UN member states.

However the result of the questionnaire represents a fair and interesting mix of the various political positions of engaged stakeholders in the process. And regardless of its limitations, the material, which could be accumulated thanks to the questionnaire, mirrors quite realistically the practical problems, controversies and conflicts related to the Tunis Agenda based process of enhanced cooperation in Internet Governance. Insofar the exercise was very useful.

Without overestimating the value of the outcome of the questioning phase, the summary of the replies to the WGEC Questionnaire may constitute a useful basis for further discussion among the member of the UNCSTD Working Group on Enhanced Cooperation and the whole Internet community. It has produced a number of innovative ideas and many replies can be seen as a source of inspiration which will enable the members of the WGEC to make reasonable recommendations to the UNCSTD and stimulate further discussion both within the UN General Assembly as well as in the global Internet Governance Eco-System.

2 Replies to the Questions

The replies to the 18 questions of the questionnaire can be put into five groups

a. Replies related to the implementation of the Tunis Agenda (Questions 2 and 3)
b. Replies related to public policy issue and possible mechanisms (Questions 4, 8 and 9)
c. Replies to the role of stakeholders (Questions 5, 6, 7, 14 and 17)
d. Replies to the role of developing countries (Questions 10 and 15)
e. Replies to barriers for participation in enhanced cooperation (Questions 11, 12, 13 and 16)

2.1. Replies related to the implementation of the Tunis Agenda (Questions 2 and 3)

The replies to the Questions 2 and 3 can be mainly sorted into three baskets: A number of respondents say that the Tunis Agenda has not been implemented. Another group argues that the implementation of enhanced cooperation has been evolved rather successful in the last eight years and has to be seen mainly as a gradual process. And a third group sees some progress but recognizes deficiencies, weaknesses and gaps. With regard to the significance, purpose and scope of the Tunis agenda some respondents are more backward looking, other are looking forward and draft agendas for further actions.

Implementation: No vs. Yes

"Enhanced cooperation as described in the Tunis Agenda has not been implemented", says the one government from a developing country. "No structure has been put in place to ensure Governments can fulfill their role and responsibility to address public policy challenges pertaining to the Internet." The *Mission of India to the UN* also argues that "enhanced cooperation has not been realized. There is no multilateral, transparent and democratic global platform where governments can, on an equal footing, decide the full range of international public policies related to the Internet, in a holistic manner". In a similar way the *Communication and Information Technology Commission (CITC) from Saudi Arabia* states that the "enhanced cooperation process has not been implemented." CITC recognizes the reports which have been produced, inter alia, by the UN, but it states that this "does not constitute enhanced cooperation since it does not represent a process aimed at enabling governments to carry out their roles and responsibilities." CITC sees in the ITU Council Working Group on International Internet related Public Policy the "closest implementation" of the process of enhanced cooperation.

The *Russian government* argues that enhanced cooperation "has not been implemented yet to the full extent". It also refers to the ITU and its resolution 1334 and concludes that "Summits in the WSIS format are the highest level of the enhanced cooperation implementation". Those approaches are mirrored by *IT for Change*, a civil society group from India, which states that the process of enhanced cooperation "has not been implemented at all." For IT for Change the significant areas of non-implementation are (1) lack of a globally democratic space for dealing with the full range of international public policies related to the Internet in a holistic and cross-cutting manner and (2) lack of internationalization of oversight over organizations dealing with critical Internet resources."

On the other side, a large number of respondents see progress in the process of enhanced cooperation. For the *Finish government* the process "has in fact been successfully implemented both in its broad and narrow sense". However there is still "room for continued dialogue". The *Swedish Ministry of Foreign Affairs* says "that enhanced cooperation is already present in many different ways" and it refers to the higher level of multistakeholder collaboration within ICANN , GAC, IETF, RIRs, OECD, UNESCO, ITU, ISOC and the IGFs "where stakeholders from all countries have the possibility to engage on equal footing in discussions on issues related to Internet Governance." The *Department for Culture, Media and Sport of the Government of the United Kingdom* argues "that prior to 2005 many of the organizations and innovators involved in the development of the Internet worked in isolation from policymakers, civil society and user groups. Since then the global

information economy has been transformed by greater openness, inclusivity and communication amongst stakeholders." The UK government sees also the IGF as a catalyst for enhanced cooperation.

The *Japanese governments* states, that thanks to the IGF "the cooperation required in solving challenges concerning international public policy issues pertaining to the Internet has been making progress" and it refers also to capacity building measures undertaken by ITU, UNESCO, WIPO and ICANN. In a similar way *Netnod from Sweden* sees to the IGF and its regional and local versions as the best practice examples and states that "enhanced cooperation has been successfully implemented". The *Japanese Network Information Center* sees also the IGF as "the core process for enhanced cooperation".

The *American Registry for Internet Numbers (ARIN)* observes since Tunis 2005 "a greater involvement in policy development processes resulting in increased collaboration with governments, civil society and business". Similar arguments are coming from two other Regional Internet Registries, *RIPE NCC and LACNIC,* which refer to a new quality of "significant interaction" among the various stakeholder groups, including governments. A concrete outcome for LACNIC is now its participation in intergovernmental organizations as CITEL, OAS, ITU, MERCOSUR, COMTELCA and the Summit of Americas.

Many see enhanced cooperation primarily as a process and not as a concrete project or mechanism. For the *OFCOM from the Swiss government*, the process of enhanced cooperation is "an ongoing process which has no end". Cooperation "has significantly increased since 2005." Also for the *Latvian governmen*t enhanced cooperation is primarily "an ongoing process" which has been implemented "with variable intensity". The *Washington based Center for Democracy and Technology (CDT)* states that "enhanced cooperation is not a binary event that either has or has not happened. It is an ongoing process that occurs in a diversity of forms and in a diversity of issues." Similar argues the *International Chamber of Commerce (ICC):* "Enhanced cooperation is not a mandate; it is a method of operation and a culture of cooperation between stakeholders, including relevant organizations." For ICANN, enhanced cooperation "is an ongoing effort" and it refers to its multistakeholder and decentralized permanent review process under the Affirmation of Commitments, and here in particular the work of the Accountability and Transparency Review Team (ATRT)

Middle of the Way Approach

Between those two basic approaches, a number of respondents take a more middle of the way approach. The *Russian Coordination Center* states "that progress in fostering enhanced cooperation can be construed in different and somewhat conflicting ways". It recognizes some progress in the practical cooperation among stakeholders but sees also a lot of weaknesses in the present mechanisms. However it concludes that "a new central body under the auspices of the UN, to control the Internet development issues, appears a fairly controversial stance that does not meet the spirit of the Tunis agenda nor does it match best IG practices and consequently, if implemented, will effectively derail the enhanced cooperation process. ".

The *Ministry of External Relations of the government of Brazil* sees also a number "of positive developments" by recognizing that "much progress and improvements are needed". The weakness of the existing system are, according to the Brazilian governments as follows: "1. There is no "locus" for decision making (or at least for the formation of consensus) on some important issues requiring international public policies including emerging issues such as the debate between security and

privacy; 2. There is no global platform where governments can, on an equal footing, address the full range of international public policy issues related to the Internet in a holistic and cross cutting manner and 3. There is no mechanism at the international level with a mandate to oversee the work of organizations dealing with critical Internet resources."

For a number of civil society organizations the "enhanced cooperation mandate is yet to be implemented" but it recognizes that "progress has been made". Anja Kovacs from the *Internet Democracy Project in India* also sees progress but warns for a "strong drive towards a monopolization of Internet related public policy making by governments.

The *US based Internet Governance Project (IGP*) sees the fact, that "little has been done to implement enhanced cooperation" as a good thing. It warns for a greater role of governments by referring to the new role of the GAC within ICANN "where the GAC repeatedly claims that governments can override bottom up multistakeholder policy development by claiming that they have the final word on public policy issues". A similar approach is taken by *DIGILEXIS from the Ivory Coast* which argues that "the enhanced cooperation mandate is yet to be implemented". But it adds that "an intergovernmental treaty is not the right way to begin implementing the enhanced cooperation imperative."

A special remark comes from civil society organization from the Pacific region which criticizes the International Telecommunication Union (ITU) for having done nothing to implement its resolutions 101, 103 and 133 from the ITU Plenipotentiary Conference in Guadalajara (2010) which invited the ITU to enhance collaboration with ICANN, IETF, RIRs, ISOC and other non-governmental technical Internet institutions.

Purpose and Scope of the Tunis Agenda

With regard to the **purpose and scope of the Tunis Agenda** a number of interesting proposals are made by different respondents.

Netnod argues that Internet is no longer managed by one entity and no longer provided by one group. "The main purpose is not to force stakeholders groups to change their respective decision making processes but instead to exchange information to that decisions made are more informed". Also the *Russian Association for Electronic Communications* recognizes that "increased international cooperation of ALL stakeholders is the only way to ensure the transparent and democratic Internet Governance." The *ICT Action Network from Kenya* sees the significance of enhanced cooperation in ensuring "that all deliberations and outcomes of Internet Governance policy issues are consensus based and all stakeholders feel their input has been considered. The Swedish government underlines the fact that there is a need "to enable" stakeholders to participate on an equal footing in enhanced cooperation which leads calls for more capacity building, in particular in developing countries.

The *Russian government* also asks for measure to enable governments to play an equal role in Internet policy development and for "ensuring stability, security and continuity of the Internet." In a similar statement, the *Russian Federal Assembly* underlines the need for "transnational regulation" to improve "cybersecurity and to observe human rights." The *Digitale Gesellschaft Schweiz*, a civil society group, sees a special responsibility of government "to enable people to enjoy all of internationally recognized human rights."

The *IGP* refers to the need "to denationalize Internet Governance even further by getting the US to step back from its special role." *Bytes for All Pakistan,* another civil society group calls for "transparency and accountability" and the internationalization of Internet oversight beyond the United States. And the Brazilian Center for Technology and Society underlines that the fact, that many cross cutting international public policy issues are not adequately addressed is now intensified "in the context where the implementation of mechanisms of State surveillance among nations using the Internet infrastructure are pushing governments for dangerous state centric responses."

The *Walt Disney Corporation* describes the Internet Eco-System as "complex and interconnected" to such an extent "that only through joint cooperative action between all participants of the ecosystem real progress can be achieved". And the *US government* argues "that the purpose of enhanced cooperation was not to create new Internet Governance bodies or to transfer responsibilities of any Internet stakeholder to other parties". However there was a need for an "improvement of the existing arrangements through robust and enhanced cooperation" and this is what happened in the last eight years.

2.2 Replies related to public policy issue and possible mechanisms (Questions 4, 8 and 9)

The majority of the respondents refer to the WGIG Report, the Tunis Agenda and the ITU Council Resolution 1305 which list a broad number of **international public policy issues.** However, a majority shares also the view, that the international public policy issues listed in those three documents are only a beginning.

In the eyes of the *Russian Coordination Center*, "the Tunis Agenda has fallen short of clearly identifying an exhaustive list of relevant public policy issues thereby having left an ample room for interpretation and speculations." For the *Internet Society (ISOC)* "the Internet policy space is a constantly evolving field, influenced by technological innovations and emerging issues". In a similar way the *Brazilian government* underlines that any list "risks becoming quickly outdated as the Internet is characterizes by start dynamism and continuous innovation which increases the difficulty of anticipating emerging issues". And also for *ICANN* the identification of Internet policy issues is obviously "an ongoing effort as the Internet continues to evolve". The *Finish Government* takes also the WGIG and WSIS Framework as a starting point, but refers to the fact that in 2005 issues like search engines, social media, cloud services and big data where not yet available in a way that they would have raised public policy concerns. *LACNIC* recognizes that "since the Tunis Agenda there was a dramatic growth of public policy issues." Insofar the "Tunis Agenda" cannot be more than a starting point and a light orientation which needs a permanent update.

This growing number of emerging issues is reflected in a number of replies. The *Saudi Arabian CITC* lists 13 items, Igor Milashevsky, adviser to *the Russian IT Ministry* 22 items. The longest list comes from the B*est Bits Group* which includes a large number of civil society organizations from around the world, mainly from developing countries. Their list has 49 items which are grouped under headings like "Human Rights, Access, Critical Internet Resource Management and Oversight, Security and Law Enforcement and Trade and Commerce". Another comprehensive list was delivered by the *Brazilian*

government, which included 42 items.[1] The *Swiss government* underlines that "no issue should be excluded from discussion a priori". And Ellen Blackler from the *Walt Disney Corporation* states that "there is hardly a public policy issue that is not touched by the Internet".

Decision Making Procedures

With regard to **decision making procedures,** for *Netnod* "the existing processes are functioning and that Internet policy issues are managed well." Problems can arise as a result of "different cultures" as the "Internet brings globalization and globalization leads towards harmonization." *IGP* rejects the notion of "international public policy issues" and argues "that the public policy issues related to the Internet are not international, they are transnational. The virtual space created by the Internet is not a concentration of separate national spaces, but an integrated global space made up of thousands of independently managed autonomous systems, most of which are in the private sector" which finally leads to a situation that most of the Internet policy issues are "independent of national borders and boundaries".

Bissera Zankowa, adviser to the *Bulgarian Ministry of Transport, IT and Communication* argues "that we cannot make public policy without understanding the technological, social and economic shifts associated with the Internet." And the *Swedish government* "stresses the importance of refraining from delineating Internet related issues into rigid structures". Efforts "to set a definition of international public policy issues will necessarily be disconnected from the fast shifting realities of technological innovation." *RIPE NCC* adds the need to understand "the impact of different regulatory approaches on the Internet´s underlying architecture and administration."

Mechanisms

With regard to **Internet Governance mechanisms** dealing with enhanced cooperation it is interesting to note that the majority of the respondents value the existing decentralized Internet Governance Eco-System – which includes more than 150 international governmental and non-governmental, private and technical organizations - as a rather effective mechanism which is able to accommodate in a flexible way the interests of all stakeholders as well as the emergence of new issues. But a substantial group of respondents is also open to consider the launch of new mechanisms, if new developments demonstrate that for new emerging issues there is no natural institutional home in the existing Internet Governance Eco-System. However, in any case every new mechanism has to be

[1] From the Brazilian Response: "For the sake of having a reference, we would like to quote below a very comprehensive (although certainly non-exhaustive) list of relevant public policy issues pertaining to the Internet. • Administration of the root zone files and system • Interconnection costs • Internet stability, security and cybercrime • Allocation of domain names • IP addressing • Intellectual property rights (IPR) • Freedom of Expression • Data protection and privacy rights • Consumer rights • Multilingualism • Trade and e-commerce • Applicable jurisdiction, cross border coordination • Internet service providers (ISPs) and third party liabilities • Harmonization of national policies and regulations • Affordable and universal access • Cultural diversity • Technical standards, and technology choices • Multilingualization of the Internet including Internationalized (multilingual) Domain Names • International Internet Connectivity • Management of critical resources • Security, safety, continuity, sustainability, and robustness of the Internet • Combating cybercrime • Dealing effectively with spam • Issues pertaining to the use and misuse of the Internet • Availability, affordability, reliability, and quality of service • Capacity building for Internet governance • Developmental aspects of the Internet • Respect for privacy and the protection of personal information and data • Protecting children and young people from abuse and exploitation • Cloud computing • Cross border Internet flows • Tax allocation among different jurisdictions with regard to global e-commerce • Economics of personal data • Net neutrality • Search neutrality • Media convergence and next generation networks • Access to knowledge and free information flows • Accessibility policies for the disabled • Development of local content, local application, local e-services, and local/ domestic Internet businesses • Protection of vulnerable populations • E-government.

designed according to the multistakeholder model and base on open, transparent, inclusive and bottom up policy development processes. At the same time the need for a permanent review of the efficiency and the accountability of the existing mechanisms is underlined.

In contrast to proposals which put options for new mechanisms more into an evolutionary and organic growth of the Internet Governance Eco-System, there are also proposal which repeat the "Status Quo PlusPlus" model from the WGIG report. A government from a developing country repeats its proposal from 2005 and calls again for "a new UN agency to take on the responsibility of the coordination of an inclusive intergovernmental process".

Even further goes *IT for Change,* which is supported by a number of other ECOSOC accredited NGOs by calling for the establishment of two new concrete Internet Governance mechanisms: 1. the establishment of an UN body for Internet related public policy issues and 2. a new "Internet Technical Oversight and Advisory Body". Additionally a "Framework Convention" in form of an intergovernmental treaty under international law is proposed. The UN body should be organized as a special UN Agency or a committee attached to the UN General Assembly. This intergovernmental Internet body should get advisory groups from non-governmental stakeholders. Its function would be to develop international Internet public policies, harmonize national laws, facilitate international agreements, treaties and conventions and coordinate Internet issues with other UN organizations as UNESCO, ITU, WTO, WIPO, UNDP, UNCTAD and others. The "Internet Technical Oversight and Advisory Board" should oversee ICANN. The board should have 15 members, three from each geographical region. It would operate under international law and on the basis of a host country agreement with the US. It would also overtake the oversight over the root server system and authorize the publication of zone files in the "authoritative root". The IETF should continue as an independent technical body. A "Framework Convention", negotiated by government, would define the status of the two bodies similar to the "Framework Convention on Climate Change". The funding for both organizations should come from the registrations fees for domain names.

In contrast to this proposal, most of the respondents deny the need for new expensive bureaucracies and legally binding treaties. The *Democratic Republic of Congo* argues that the existing Internet Governance Eco-System is after years of learning now slowly understood and valued by African stakeholders. "Too many mechanisms kill the mechanism. We just have to redefine the mission of the existing mechanisms". This is echoed by the *Russian Coordination Center* which also underlines the need for a revision of the existing networks but does not propose new mechanisms.

APC proposes a very careful reality check before moving towards new mechanisms. New mechanisms could be justified, if the analysis shows that "emerging and orphaned issues have no other global home". But APC warns to do this within the UN. "Although the logical home for such a framework or mechanism would be the UN we acknowledge many weaknesses in UN processes, including transparency and very uneven support for the inclusion of civil society." But with more and more emerging issues there is, in the eyes of APC, a need to consider the launch of at least one new mechanism, which should be built on the basis of the multistakeholder model and in close cooperation with the IGF. The *Brazilian Center for Technology and Society (CST)* also rejects the idea of an UN organization for the Internet. "Existing traditional intergovernmental institutions have faced shortcomings to combine multilateral and multistakeholder participation using the term "multistakeholderism" with the absence of its original meaning." But also CTS considers the establishment of something like a multistakeholder "Internet Council" and proposes a very detailed

and creative system for "co-decision making" by such a council. In a similar way *DIGILEXIS from the Ivory Coast* calls for "institutional innovation". And *Consumer International, based in Malaysia*, considers the feasibility of the establishment of a new "Multistakeholder Internet Policy Council" (MIPC) under the auspices of the IGF.

The *Brazilian government* sees also the need for a new single convergent space or platform for dealing with various new international public policy issues related to the Internet. Such a platform could be incorporated or embedded into a "framework of mechanism" which would not substitute existing bodies but fill an identified gap in the existing Internet Governance Eco-System. The *Finish government* is on favor of more pluralism. "It is a question of many mechanisms, not one. The issues in question are different in nature, importance and urgency and the mechanisms have to take this diversity and complexity into account…. Internet Governance involves many dimensions and layers of cooperation with diverse forms of stakeholder consultations suited to different types of policy innovation and need for consistency with due legal process."

The *India based organization SFLC.IN* is against a "top heavy model" and argues that there "cannot be one single mechanism or one single entity to implement enhanced cooperation". And *Anja Kovacs* believes "that the way forward to implement enhanced cooperation lies in the constitution of a system of distributed Internet Governance. Mark Cavell for the *UK Governments* refers to the organic process of the Internet evolution and development which has produced already new mechanism in previous years, driven by market needs and user demands as the Messaging Anti-Abuse Working Group (MAAWG) or the London Action Plan (LAP) against Spam. Also the *US government* lists a number of new mechanisms which has been emerged in a bottom up process in recent years as the Asian Pacific Computer Emergency Response Team (AO/CERT), the Forum of Incident Response Security Teams (FIRST) and others. Some respondents call on existing intergovernmental organizations, including ITU and WIPO, to become more open and transparent and to allow multistakeholder participation in policy development processes on equal footing

For *CDT* it is more important to discuss first modalities before moving to new institutions. *ICANN* argues that all processes which will probably emerge have to be "open, inclusive and allow the participation of all stakeholders on equal footing." The Walt Disney Corporation refers to the costs of new mechanisms: "As a general rule we believe that the direct and indirect costs of creating new entities should be avoided and that the existing flexible mechanisms of cooperation and knowledge available to and gather by all stakeholders can be leveraged even further to advance the issue".

Role of the IGF

In this process the **role of the IGF** is seen as a central element. For the majority of the respondents the IGF is seen as the most natural place to discuss and implement enhanced cooperation. *The Japanese Network Center (JPNIC)* sees the IGF as "the core process for the promotion of enhanced cooperation". For *ARIN* the IGF is "the catalyst for enhanced cooperation", for the *Swedish government* it is a "good example of how efficient enhanced cooperation is taking place. Other respondents see the IGF as "the key organ for furthering enhanced cooperation" (*RIPE NCC & LACNIC*), a "testing ground for enhanced cooperation" (*SFCL.IN*), a "locus for the realization of enhanced cooperation and its further deliberations" *CDT*), the place "for implementation of enhanced cooperation" (*Japanese government*), a "unique forum for fostering enhanced cooperation between all stakeholders" *(Swiss Government)*, "the key locus of enhanced cooperation" (*Finish*

government), "the catalyst for enhanced cooperation" (*ICC*). "a successful manifestation of enhanced cooperation" (*Government of Latvia*), "on top in the mechanisms for Global Internet Governance" (*Bulgarian Academy of Science)*, "the main space for agenda setting on the Internet Governance regime where emerging issues and policy gaps are identified" *(Brazilian Center for Technology and Society*), "a clearing house" (*Anja Kovacs*) and an "*expert platform*" (Russian Parliament).

ICANN states that "the IGF and the process towards enhanced cooperation can be seen as two separate outcomes of the WSIS process, the IGF has served as a platform for enhanced cooperation. It has been effective in bringing all stakeholders, including governments, together to engage openly and freely in discussions around various Internet governance issues". The *US government* states that the IGF is "the epitome of the multi-stakeholder processes that have made the Internet an engine of economic growth, innovation and empowerment of individual citizens around the world…because it fosters enhanced multistakeholder cooperation."

However many respondents make a distinction between the IGF and enhanced cooperation, referring also to the relevant resolutions, adopted by the UN General Assembly in 2010, 2011 and 2012. *CITC from Saudi Arabia* states that IGF and enhanced cooperation "are two distinct processes which may be interrelated". For the *Mission of India to the UN* "enhanced cooperation is a mechanism for policy development whereas the IGF is a forum for policy dialogue". *Digitale Gesellschaft from Switzerland* argues "The IGF is about open discussion, enhanced cooperation is about taking action."

The *Brazilian Government* sees the IGF and enhanced cooperation as two distinct processes. "Both entities are completely different in nature and purpose. Enhanced cooperation is meant to be a "policy making space" with IGF is a "policy dialogue space". It can be argued that IGF discussions could provide the basis for further discussions under enhanced cooperation. However it must be recognized that IGF could not, and should not, replace enhanced cooperation as envisaged in the Tunis Agenda".

The *ISOC* acknowledges that both processes were designed to be separated in the Tunis Agenda of 2005, but it "observes an increasing convergence between the two processes". And for the *Bulgarian government* "enhanced cooperation is the broader and general framework of all ICT related issues for reaching global goals." The *Russian Association for Electronic Communications* sees both processes as "mutually complementary activities". The *Kenya ICT Action Network (KICTANet)* states that "enhanced cooperation is a process that in the end integrates into the Internet Governance Forum". For *APC* "the IGF complements enhanced cooperation but as it stands now, it does not fulfill its mandate". However, argues APC, "there is a potential for a significantly strengthened IGF to host a new framework or mechanism to facilitate the development of global applicable principles on public policy issues through a multistakeholder process of enhanced cooperation."

The *IGP* sees the distinction made in the Tunis Agenda a "tremendous mistake". In the eyes of the IGP, using the IGF to enhance cooperation "requires two major changes in the Internet Governance environment: 1. abandoning the Tunis agenda´s definition of stakeholder roles and 2. allowing the IGF to make recommendations." *IT for Change* calls for an IGF reform "to address the dominance of Northern corporatist interests in current working".

2.3 Replies to the role of stakeholders (Questions 5, 6, 7, 14 and 17)

A lot of replies refer to para. 35 of the Tunis Agenda, which describes the role of stakeholders, however many respondents have a rather critical view to this paragraph. Para. 35 would put stakeholders in isolated silos by giving them special not interrelated tasks instead of promoting real interaction among the stakeholders and moving forward through collaborative practical and policy making activities. But regardless of the overwhelming support for the multistakeholder model by the majority of the respondents, it also becomes visible that different approaches based on different understandings are supported. Basically one can distinct two different concepts behind the replies: One group sees Multistakehoderism as a hierarchical system with governments at the top, other see the new model more as a network where no single stakeholder can make a decision without intensive communication and collaboration - on equal footing - with the other stakeholders.

The Multistkeholder Model: Hierarchy or Network?

ICANN, referring to its own practical experiences for multistakeholder collaboration argues "that the role and responsibilities of stakeholders will vary depending on the processes and organizations involved" but those processes have to meet some basic requirements, including the capacity and willingness for consensus and compromise. "It is simply not tenable in any multistakeholder process for one party to believe they have the absolute right for only their views to be accepted." According to *ARIN* the roles "can be defined individually but their impact should be viewed holistically" and there is a need for each individual stakeholders "to understand the roles and responsibilities of other stakeholder groups". For *RIPE NCC* Internet policy is not done in a vacuum and "policy that meet the needs of one stakeholder group has to take into account the perspectives of other stakeholder groups".

The *Swedish Government* says that such roles cannot be "narrowly defined due to the rapid pace of innovation" and "must not be imposed from the outside but rather evolve from within the Internet Governance system itself." Additionally, the *INTEL Corp.* states "that roles and responsibilities will necessary vary with circumstances as different entities bring different core competences". In this context the *Swiss government* adds that there are issues "where governments need to have a leading role and other issues where private sector has a leading role." But in all issues, "all stakeholders should have the opportunity to make their valuable contribution to the process."

ISOC believes that stakeholder cooperation functions only "with the engagement of all relevant stakeholders on their respective areas of responsibility and expertise." In the present Internet Eco-System participation in most cases is based on "knowledge and need rather than formal membership. This encourages broad participation and reduces barriers to Internet technical and policy development processes."

For the *government of Latvia* "the most important responsibility of each stakeholder group is to demonstrate the will and determination on engaging with other stakeholders in addressing challenges that bring evolution to the Internet." Marc Cavell from the *UK government* underlines the need "for mutual recognition of the respective roles, responsibilities and competences of all stakeholders" who also must be ensured "fair and consistent legal frameworks by making clear that the law applies equally online as it does offline." It is important "to maintain a neutral space for everyone" argues the *Kenya ICT Action Network*.

However some respondents make clear distinctions among the different stakeholders. The *Bangladesh Forum* argues that "Government must regulate Internet, stakeholders shoulder responsibilities to check the implementation." The *Russian government* sees the government in the driver´s seat having the main responsibility for legislation and cybersecurity. *IT for Change* follows this and states that "national governmental representatives working through the UN based multilateral system constitute the most legitimate actors". For IT for Change "legitimizing any kind of non-governmental representation is an extremely tricky issue". And it concludes that "only government based representation is verifiable and can be validated."

APC is not satisfied with the description of the role of civil society in para. 35 of the Tunis Agenda. To give civil society an important role at community level only "is particular unhelpful. Civil society is contributing to the development of global public policy principles, has a key role to play in representing a rather broad group of Internet users and to fight for human rights, education and capacity building". In the same direction the *Best Bits Group* is arguing when it states that "we do not think that the allocation of roles between the stakeholders in the Tunis Agenda should be taken as definitive." It is difficult to fix precisely the role and responsibility of stakeholders because they "depend on the type of process and the specific interests involved". This is echoed by *SFLC.IN from India* which states that "the role of various stakeholders cannot fit into water tight compartments because they are interrelated."

The *CTS* refers to the role of stakeholders in the new discussion process about online surveillance. And the *CDT* states that "the classification of stakeholders into distinct categories is artificially constraining and only reinforces the inaccurate notion that different stakeholders should be pigeonholed into particular roles." In this context the *Indian Mission to the UN* proposed to define the role very broadly.

For the *US government* "it may be counterproductive to narrowly prescribe set roles and responsibilities to the respective stakeholders, including governments." Enhanced cooperation "requires collaboration amongst the stakeholders and active and robust consultations even in actions that are considered the purview of government in public policy making."

The *Centre African d´Éxchange* misses a definition of the concept of multistakeholderism. The *Bulgarian government* mentions that the term "Internet stakeholders" has neither been defined. "That makes it extremely difficult to prescribe specific roles to each category of stakeholders." *Imaging Internet from the USA* warns that a group or sector classification can also lead to nationalism. And in a general way *INTLNET from France* says that "there is no predetermined general role or responsibility for any stakeholder other than be its own self and respect others along with the subsidiary mechanism."

Interaction among Stakeholders

With regard to the **interaction among stakeholders** some respondents make proposals how to promote informal or formal procedures.

IGP proposes "that all stakeholders have the "same" role in policy formulation". For *Keidaran* "it is more important than anything else that each stakeholder needs to define the range of their representees, roles and positions". The *Swedish government* encourages "synergies" to get the "best possible policy outcomes. Transparency, inclusiveness and deepened dialogue between stakeholders

are crucial to achieve this." And the *British government* refers to the emergence of new coalitions as concrete outcomes from such synergies as the Commonwealth Cybercrime Initiative or the Commonwealth IGF. The *US government* refers UNESCO as a good example how interaction among stakeholders has been promoted and produced "more creative and flexible policy solutions that any one party can achieve working alone. "

APC sees this is an opportunity to bring "governments closer to other stakeholders and the other stakeholders closer to governments." This does not mean, adds *Anja Kovacs*, that "civil society or any other stakeholder will usurp governments´ role and responsibility". But such interactions will help governments and enable them to play their role much more efficient.

ICANN refers to the difference between a multilateral and a multistakeholder model: "In a pure multilateral top down environment a civil society representative can make representations but without any confidence that they will be taken into account, whilst in an effective multistakeholder process such representations should be assessed and considered with other views. A multistakeholder environment is very different from a simple consultation mechanism. The type of formal or informal Committee mechanism where governments call for input and then make up their minds is not a multistakeholder process.

For the *Czech government* "it is important to say that's it´s crucial to start at the national level". Education and professional training is an important precondition that stakeholders can play their roles argues a private company from Eastern Europe. Also for LACNIC; "capacity building efforts are more important than ever". The *CTS* refers to the "asymmetries of resources". The *Bulgarian Law and Internet Foundation* calls for "regular meetings and constant exchange of information". Best Bits supports remote participation and more concrete actions to enable in particular stakeholders from developing countries to participate on equal footing in enhanced cooperation processes.

In contrast *IT for Change* states: "Trying to dump all stakeholders as equals in policy making process defies democratic logic and is highly regressive for our social and political progress."

The **legal dimension** plays also an important role. The *Russian government* argues: "Now some countries have their own national legislation and some have no legislation pertaining to the Internet. Such approach can result in the violation of the integrity of the Internet, its fragmentation and concerns in the collaboration between countries." In a similar way the *Russian Parliament* calls for the elimination of barriers in the legal field "which currently exists between international standards and national law." The statement refers to the Council of Europe Cybercrime Convention which is not ratified by the Russian parliament because "one of its articles obliges the government to create mechanisms for the disclosure of information about investigation of cybercrime which is contrary to Russian law."

Role of Governments

The **role of governments** plays a central role in many replies. Also here one can see two different approaches. For one group of respondents governments play the leading role above other stakeholders on top of a hierarchical vertical structure. For others, governments are part of a more horizontal network structure and should play a more collaborative role within their special responsibility, inter alia, as law maker.

"Governments on an equal footing can carry out their roles and responsibilities only within the framework of intergovernmental organizations where they have equal rights and responsibilities" says the *Russian government.* "Russia believes that the ITU is such an organization." For *CITC from Saudi Arabia* it is important that "final policy decisions have to be made by Member States."

APC "acknowledges that governments remain the main representative structure for international public policy development", which takes place traditionally through the multilateral UN system. "But on Internet related public policy issues there are transnational interests and impacts that governments cannot adequately take into account without the full participation of other stakeholders." APC also stresses the need for actions on the national level. *Anja Kovacs* prefers a "distributed form of governance". The Internet, she argues is not "an issue" but "a space" and Internet boundaries are different from those in the offline world. The mistake, so Anja Kovacs, is to think that only "one body or one set of experts could possibly be responsible for effective policy making in all Internet related matters."

"Governments remain the stakeholder group who is primarily responsible for international policy development" underlines the *Brazilian government.* "However, in accordance with the Tunis Agenda "this role needs to be carried out with an even closer involvement of all stakeholders. This diverse participation is fundamental to enhance the toolbox for policy development as self-regulation, MoUs, codes of conduct, market incentives, technological choices and programming code."

Netnod recognizes that governments "do have a special role as they do decide on regulation". But they can "not have a final say on everything." For *IGP* "governments have no special or unique role in Internet Governance" They should participate "on an equal-status basis with all other participants".

Enhanced cooperation is not a mechanism for governments alone, says *CDT*. "While certain policy decisions making responsibility remains with governments if a given policy must be backed by legislation, the legitimacy of decision making becomes quickly suspect if it is not informed by all stakeholders." *RIPE NCC* stresses that "it is vital to ensuring that governments, acting in their legitimate public policy making role, do not duplicate or ignore the community driven, bottom up policy making mechanisms that have been effectively facilitated the development of today´s Internet". RIPE NCC recommends governments to draw on their policy making "on the knowledge and expertise of other stakeholders to minimize conflict between different policy layers."

For the *Walt Disney Corporation* it is important that governments be "informed by increased collaboration, increased understanding on the factors that have allowed the Internet to flourish to date and a strong understanding of how national actions affect the broader system." In a similar way *Intel Corp.* argues that "the most effective way for government to enhance its cooperation on public policy issues is to participate in the relevant organizations." And it adds: "Normal bureaucratic and budgetary processes can lock governments into or exclude them from participating in new or changing organizations." In this context the *Bulgarian Law and Internet Foundation* proposes regular meetings among governments and non-governmental stakeholders "to enable governments to carry out their roles and responsibilities in international public policy issued pertaining to the Internet."

Some respondents see not only rights but also duties for government. *Keidaram* sees a major role of governments "in leading multistakeholder in policy making, policy evaluation and its improvement." The *South-South Opportunity from Cameroon* adds that "governments have a responsibility to help to

reduce the digital divide." *LACNINC* sees a special role of governments for the promotion of broadband access, public and private partnerships and Internet Exchange points.

"Governments should be the vanguard of the process" says *Bissera Zankova from the Bulgarian government*. "They have to put Internet governance high on their priority lists of public policy issues and must show commitments, also in participating in relevant meetings of Internet organizations. *ISOC* refers to a broad range of fellowship programs, supported by ISOC, IETF and ICANN to provide support for governments from developing countries and to enable them to participate on an equal footing in global Internet discussions. Also the *Russian Parliament* proposed "to invite delegations from countries which do not yet participate in the international dialogue on regulation of the Internet."

In a similar way, the *ICC* encourages "continued efforts to facilitate the participation of governments from around the world in the existing processes and forums at national, regional and international level. "Governments acting in a multistakeholder environment should contribute according to their mandates and competences. However they cannot act alone in implementing policy."

Kenya ICT Action Network sees the role of governments critical. "Governments already wield a lot of power in Internet policy issues. They dictate the tone and pace of emerging issues like privacy and rights of access. Governments are already much enabled. What is required is for them to allow other stakeholders have a vote in implementation of policy." And also for *Nnenna Nwakanma* "governments are not the only stakeholder who needs to be enabled"

ICANN and GAC

Marc Cavell from the UK government refers to the new role of the Governmental Advisory Committee (GAC) and the new independent Review process (with governmental participation) under the Affirmation of Commitment (AoC) which ensures "that ICANN benefits from proper scrutiny and recommendations for improvement in the global political interest."

The *Finish government* sees the GAC as "a vehicle for the governments influence on matters relating to the technical coordination of the unique identifiers of the Internet." And the *government of Latvia* remembers the context under which the Tunis Agenda was drafted. "In 2005 ICANN had an agreement with the US government and was asked to report annually on implementation of the provisions of this agreement. Since 2005 the MoU has been replace by an Affirmation of Commitment (2009) which removed unilateral oversight of the US government over ICANN. "All governments are working on equal footing on the GAC."

ICANN itself refers to its positive experiences with the new role the GAC with now 128 member states and 28 intergovernmental observers. The GAC plays a crucial role "in developing, drafting and deciding on Internet policies related to the management of critical internet resources. Critical here is the notion of the global governance of a shared resource where no single entity has a unique responsibility."

However a Swiss Civil Society organization sees in the special role of the US government an obstacle.

The National Levels

The majority of the respondents agree that enhanced cooperation and good Internet Governance starts at home. National multistakeholder platforms and nationals IGFs are seen as useful instruments to promote open, transparent, inclusive and bottom up policy development processes to strengthen national capacities and to make countries fit for a participation in global Internet policy making on equal footing.

ICANN argues in favor of "open, inclusive structure and accountable consultation processes at the national level." This would help to understand that "top down regulatory and policy approaches encounter clear limits in the ability to capture the fast moving reality." And it refers to cases like Sweden, Brazil and India, where national multi-stakeholder processes and platforms have been developed. The establishment of "national frameworks" is important for the *Government of Latvia*. For the *Swiss government* "open and free debates on national level is the basis for trust building between all stakeholders on Internet related public policy issues on the international level". And the *Brazilian government* refers to the Brazilian Steering Committee of CGI.br "as a good practice that enables relevant participation of all stakeholders, implementation of e-government tools, fostering the development of local technologies and local content."

For *RIPE NCC* a national IGF event should serve "as the starting point" and could lead to "multistakeholder task forces and advisory groups dealing with special public policy Internet related issues at the national level. "Greater participation by national governments at the global IGF would lead to more pragmatic local solutions" says a civil society organization from the South.

A number of respondents recommend a more active role of governments as a key stakeholder. The *UK government* says that "governments have a particular responsibility for openness, transparency and a commitment to the rule of law and should make every effort to include all stakeholders in their decision making." And the *US government* underlines that "national governments can play a key role in maintaining and extending the multistakeholder approach by reaching out to stakeholders." It refers to US experiences where multistakeholder processes have emerged as a result of governmental activities as the US Department of State´s International Telecommunication Advisory Committee (TAC), the multistakeholder consultative approach to the president´s cybersecurity strategy which resulted in an executive order and will lead to a Cybersecurity Framework. NTIA´s US Department of Commerce has initiated a multistakholder process towards privacy to investigate, inter alia, how principles in the US Consumer Privacy Bill of Rights apply in specific business contexts.

The *Russian Coordination Center* raises the issue of improving the level of awareness and knowledge within governments and proposes the creation of Internet Governance academic research networks, curricula for Internet Governance courses at high schools and universities and special training programs for senior policy makers. *Nnena Nwakama* underlines that it is "government officials who need education". *Finland* remembers the good experiences many governments have made by including non-governmental stakeholders in national delegations attending intergovernmental conferences as the WCIT in Dubai in December 2012.

The *Mission of India to the UN* makes five proposals: "1.setting up of centers of excellence on Internet Governance; 2. establishment of R&D centers, 3. introduction of academic courses; 4. introduction an training and awareness raising programs; 5. creation of an Online Knowledge Repository Portal on Internet Governance. A technical group from Brazil lists ten issues: "Internet

technical infrastructure, broadband, legal frameworks, content, public awareness, capacity building, research, net neutrality, privacy and new gTLDs.

Local Language Content

With regard to the **role of stakeholders in the development of local language content** there is a full consensus that mutilingualization of the Internet and the production of content in local languages is a key for bridging the digital divide and to enable everyone to participate in a people centric information society. For some respondents the major responsibility is here with the governments, others see a more distributed and shared responsibility among all stakeholders.

"Local language content provides the vehicle for more natural understanding of the issues around public policy development in the multistakeholder environment", says a civil society organization from the South. *ICANN* sees "local content as a "clear example of enhanced ooperation as many stakeholders have a role to play in this area". *SFCL.IN* refers to para. 53 of the Tunis Agenda and remembers that all stakeholders have a responsibility to work towards "multilnigualism" and it acknowledges that ICANN, UNESCO, the free software movement and the Wikimedia community have been in the forefront in the recent years. ISOC sees "local content as a key enabler of Internet development and economic growth. Societies have a rich heritage and knowledge base that should be recognized, recorded and shared for the benefits throughout the world. However, much of world´s content remains inaccessible even to the local population.

For the *Russian Coordination Center* government "has an upper hand as far as local content is concerned". *Keidaren* distributes responsibilities among stakeholder: "Governments are responsible in developing environments to foster local content by promoting Internet literacy education. Industry will work in distributing high value local content and to develop the markets in digital content while collaborating with governments to prevent piracy and counterfeiting. In addition, citizens and Internet users need to cooperate and actively participate in developing and using local content." A similar approach is proposed by the *Mission of India to the UN*. Also *CITC from Saudi Arabia* sees a distributed mechanism of shared responsibilities for all involved stakeholders.

The *US government* mentions the need "to scan and digitize local content on key historical and educational material" and refers to "commercial language translation tools." *ICC* points to private sector activities to promote local content as within the framework of the "Arabic Web Days." *ISOC* refers to the role of local Internet Exchange Points. "Local Internet infrastructure provides a foundation for local language content which in turn drives further demand for advanced services and local innovation."

Referring to the economic dimension respondents quote the joint ISOC/OECD/UNESCO study "The relationship between Local Content, Internet Development and Access Prices". The study concludes that "there is a strong correlation between the development of network infrastructure and the growth of local content and a connection between the development of local Internet markets and lower reported prices for international bandwidth ". *Netnod from Sweden* also concludes "Growth of local content and lower access prices feed each other." And *Ellen Blackler* underlines "Users will adopt broadband when they can access content they find relevant. Governments can encourage the needed investment with policies of liberalized markets encouraging private sector competition and avoiding over regulation as well as encouraging development of local Internet Exchange points, caching and hosting capabilities, and e-commerce infrastructure based on trust, privacy protection

for creators and users, consumer protection infrastructure, payment platforms and intellectual property protection."

INTLNET asks the question:" Who is going to lead the linguistic evolution: people or semantic processor designers, developers and their sponsors?" INTLNET warns for "protocol limitations" by IETF activities and proposes "a linguistic exception clause as an extension of the WTO French required Cultural Exception".

The introduction of internationalized domain names by ICANN is seen by many respondents as a big implementation step. Technical aspects are highlighted by *LACNIC.* It is important to avoid that local traffic "is connected overseas, especially when the traffic is trying to find local content." However, for LACNIC, this "has little connection with the development of the Internet and is more related to cultural matters." *IGP* and the *Brazilian Government* argue that this issue should not be in the focus of the WGEC.

2.4 Replies to the role of developing countries (Questions 10, 12 and 15)

There is a full consensus that the role of developing countries in Internet Governance has to be enhanced, broadened and deepened. At the global level, developing countries are rather underrepresented in Internet Governance policy making processes. At the national level, Internet Governance is not a top priority at the local policy agenda. Numerous issues are raised and proposals are made how to improve the situation both from respondents from developed and developing countries. A number of respondents from developed countries argue that one should not take a paternalistic approach and listen more to what developing countries themselves have to tell and how they want to play their role in enhanced Internet Governance cooperation mechanisms. The urgency is raised by the *US Council for International Business*: "The next billion Internet users likely will come from developing countries and they will play important roles in driving and shaping the development of the Information society and the digital economy.

The *Walt Disney Corporation* says"we look forward to hearing from stakeholders from developing countries about how their participation in the dialogue on international public policy issues pertaining to the Internet can best be promoted." However *Ian Peter from the Internet Governance Caucus* refers to the responsibility of developed countries and states that the involvement of developing countries can be made more effective "by a willingness of more powerful voices to give them a role". This is echoed by the *Bulgarian Law and Internet Foundation*. "It is simple: Give them a voice"

Local IGFs and platforms

Local and regional IGFs are seen by the majority of the respondents as a very effective way to build bridges for a greater participation of developing countries in global discussions. As the *Czech government* and *CDT* puts it: "Participation in global Internet Governance has to begin at home." This is shared by *Nnenna Nwakanma* when she argues that "global makes no sense when national does not exist." The *African Cultural Exchange Center from the Democratic Republic of Congo* proposes the establishment of "national platforms". *APC* underlines the need to launch "mechanisms at national and regional level." Developing countries "should define Internet Governance as one of the policy

priorities and build the necessary capacity to contribute to the international debate" recommends the *Government of Latvia.* The *Cameroon bases South-South Opportunity* recommends that national public regulatory policies must deal first with local public policies seeking to protect the interests of local operators and secondly with the expectation of local users".

The *Bangladesh Forum* values training and advice from the developed world but prefers "cooperation among neighboring countries". *Netnod* sees a great potential in sharing experience. Developing countries "can both look at good and bad examples" so that they understand that "they are not alone and they are not the first ones that do whatever they do."

INTLNET proposes that "developing countries should become Internet development countries providing paperwork-havens to paperless businesses. The main limitation to economic development in the digital area is developed countries´ bureaucracy. Network businesses do not need bureaucracy or tax haven. They need bureaucracy free virtual zones with an online bank account that they and their own government can trust". INTLNET proposes "low cost digital architectonic Bar Camps" in developing countries

A Russian Academic institute calls for more ITU engagement. *ISOC* refers to fellowship and ambassador programs to enhance the participation of representatives from all stakeholder groups from developing countries in global Internet meetings as IGF and ICANN. However, as *ARIN* puts it "it is not just about attending meetings. It is important to form "own alliances with other like-minded countries" and to deal with key issues at the regional level". Sharing information is the most efficient and cheapest investment.

ICANN mentions its "Regional Strategies" and underlines the need to develop open, inclusive, transparent and bottom up processes at the regional level for issues like IPv6, DNSSEC and new gTLDs. For *RIPE NCC,* the experiences of the RIR community – which has helped to build LACNIC and AFRINIC as regional Internet Registries for African and Latin America in recent years - offers some useful approaches to consider. Policies have to focus on the specific concerns of stakeholders in those regions. RIPE NCC also made the point that against the background of limited resources it is important to raise the level of inter-organizational dialogue and feedback to ensure that concerns raised in one organizational context are not ignored by policy makers working in other organization."

With regard to the global level, the *Kenya´s ICF Action Network* encourages "companies from developing countries to participate in such forums. It is not fair that the USA and western companies dominate the Internet Governance." A technical group from Brazil sees a "serious democratic deficit in global Internet policy making that leaves developing countries almost completely out… Developing countries need to seek global agreements that ensure respect for existing territorial jurisdiction in Internet related issues."

APC argues that "developing countries have taken recourse to the ITU because they feel that they are not otherwise represented in the existing global Internet Governance arrangements. There is a need to give developing countries a greater role in the existing mechanisms as in the I*-community. "However, that alone will not be enough. Developing countries are excluded at so many different levels and they self-exclude themselves. So addressing the issue is not at all trivial." APC proposes more "critical thinking at national and regional level with involvement of non-governmental stakeholders."

Technical cooperation, best practice sharing, awareness raising and literacy programs are seen also by the *Japanese government* as an important element in a global strategy to enhance the participation of developing countries in global Internet policy making. For the *US government* it is critical to close the digital divide. In the eyes of the US this requires "financial investment for infrastructure, education and other human capacity building". There are no blueprints because every country is different. But it is important that "lessons learned from pace-setters are being shared". Global Internet meetings should take place more often in developing countries, important are translations during meetings, remote participation capabilities, scholarships and exchange programs which should be promoted by philanthropic private companies, foundations, international development banks and national organizations as the USAID.

The *Russian parliament* sees a need to broaden the participation of governments from developing countries in international Internet regulation and proposes three steps: 1. Joint the ongoing dialogue on cybersecurity, 2. Develop national legislation of cybersecurity for internal safety, 3. Ratify existing convention for cybersecurity.

Training, Education and Capacity Building

It is very natural that the majority of respondents see in capacity building, training, education and awareness raising a key factor. The *Russian Coordination Center* refers to the "Summer Schools on Internet Governance" which help to prepare individuals from developing countries to play a greater role in Internet Governance policy making at the national and global level but calls for more such projects, better funding and a higher level of coordination, probably through the IGF. The *Finish government* wants that capacity building activities as done by ICANN, ISOC, Diplo Foundation, Summer Schools, Studienkreis etc. should continue, better coordinated and funded. It proposes a "one stop-shop track for capacity building" developed within the IGF for the benefit of participants who are not able to attend meetings". *SFLC.IN* calls for "a balance resource allocation based on a categorization of countries."

ICC sees "significant progress" in the last years. It is now needed to build on the progress by moving forward. For the ICC, regional and local IGFs are of key importance. Important instruments are information sharing, access to data banks, knowledge distribution, fellowship programs and remote participation, webcasting, audiocasts and transcripts for global Internet Governance gatherings." A similar approach is recommended by *ISOC* which adds that regional intergovernmental organizations as CITEL, ATI, APT and other become more inclusive to non-governmental stakeholders from civil society who cannot participate in global meetings. ISOC has national chapters in more than 50 developing countries.

However, while capacity building efforts can indeed be very helpful argues *Anja Kovacs*, "we believe that this is not the primary reason why such countries do not get involved more closely in Internet Governance." She refers to the WTPF and continues to argue "that Internet Governance processes at present are not tailored sufficiently to deal with the problem of these governments and are not sufficiently clear about their aims, purpose and intended outcome." Governments would "allocate limited resources to processes in which there is at least a reasonable chance of a likely benefit to their own priorities and works. It is needed to offer them "avenues of participation that have an immediate and clear value with this value outweighing any costs."

IT for Change calls for mechanisms "in which all countries can participate as equals. It requires discontinuing with the model whereby default policies for the "global Internet" get made either by one country where most big Internet business are located, or by exclusive clubs of rich countries like the OECD. *CITC from Saudi Arabia* refers to ITU Resolution 1305 and proposes three points: 1. Capacity building, 2. financial support and 3. willingness of developed countries to cede part of their control

However one should not underestimate local barriers. "There are fears, so *South-South Opportunity* that disruptive technologies will deepen the digital dive and lead "to new levels of unemployment and widening the gap between the skilled and those who have not received sufficient training."

Special Issues

With regard to **special issues** which are relevant for developing countries there is a mix of replies. On the one hand respondents argue that there not special issues for developing countries. There is one world, one Internet and the issues are not so different in the developed and developing world. Others identify special needs to developing countries and produce lists of "pressing issues"

Nenne Nwakanma has three priorities: Broadband, local content and user protection. A civil society organization from *New Zealand* lists connectivity, affordability and knowledge. For the *Bangladesh Forum* it is primarily human development, for other respondents it is "costs for connectivity and security", "provisions of security and robustness of the Internet critical infrastructure and associated issues of prevention, detection and suppression of unlawful activities as spam and online child abuse", and network neutrality and national cybersecurity policy as well as recent disclosure with regard to surveillance, wiretapping, monitoring of protesters and espionage.

ICC calls for an ecosystem that can support demand for broadband by attracting investment to promote its development and deployment." Additionally the ICC sees a need for enhanced cooperation between law enforcement and the private sector for cybersecurity" and it recommends the setting up of CERT´s and other response units. In the opinion of the *Russian Parliament* it is important to develop international norms and standards for personal data storage and investigation of cybercrime. It recommends "that developing countries monitor legal initiatives of other countries that will allow them to develop "unique national legislation which corresponds to international standards and practice."

ARIN wants to "lower the barrier" to entry to the address space. *LACNIC* lists next to broadband access, local digital content, international connectivity costs, freedom of expression and privacy also the lack of jurisdiction and the risk of fragmentation of the Internet. *Saudi-Arabia´s CITC* has five issues on its list: multilingualism, international Internet connectivity, IPv6 transition, capacity building and sustainable development. *Kenya´s ICT Action Network* has seven points: access, infrastructure, privacy, data protection, content, international trade policies and intellectual property rights. The *government of Bulgaria* puts "fund raising, affordable services, even distribution of Internet facilities and consumer protection at the forefront. The longest list comes from the *Brazilian government.*[2]

[2] • Interconnection charges/ regimes • Multilingualism • Applicable jurisdiction, cross border coordination • Competition policy, liberalization, privatization and regulations • Affordable and universal Access • Access to innovation • Prevalence of human rights, including freedom of expression and privacy • Incentives to local technologies and local content • Development of local technology • Cloud computing • Tax allocation among different jurisdictions with regard to global e-

For *INTLNET* the problems are not only of an economic but also of a "mental nature" which has to be addressed by building a "people centric information society" in developing countries. The *Swiss civil society organization GodlyGlobal.org* underlines the need to protect human rights of people in developing countries. The *IDP* specifies that this includes also social and cultural rights and refers to the global copyright regime. "Many of the initiatives that are being pushed by western countries, including through bilateral and multilateral trade agreements, are deeply inimical to the interests of developing countries and their citizens and significantly undermine the empowering potential that the Internet can have to them".

"In principle there should not be any distinction between international Internet related public policy issues that are relevant for developing countries and issues that are relevant for developed countries" says *ICANN.* Internet is an issue of global nature and all countries should have equal footing in such discussions. Rather than identifying issues that are of special relevance to developing countries we should focus on ensuring that their concerns are included and addressed".

ISOC´s formula for success is "based on partnerships that focus in human technical and governance infrastructure development." ISOC calls this "smart development" and refers to the great progress which has been achieved with the deployment of undersea cables. In 2000 there was one undersea cable connected to West Africa. Now there are 13 major undersea connecting the whole continent of Africa. "However, the cost of interconnection of international traffic remains prohibitive high in many regions." It needs more Internet Exchange Points and cost effective routing and network management techniques to bring costs down. The African Peering and Interconnection Forum (AfPIF) is seen as a good example. ISOC concludes that we cannot underscore enough the importance of these "human trust networks" that drive collaboration, network connections and stronger multistkeholder governance models."

2.5 Replies to barriers for participation in enhanced cooperation (Questions 11, 12, 13 and 16)

To overcome barriers is seen by everybody as a precondition to enable all stakeholder to participate in enhanced cooperation on an equal footing. The range of barriers, identified by respondents, is rather broad and can be grouped into political barriers, economic barriers, technical barriers, cultural barriers, language barriers and mental barriers. Various strategies are proposed how to remove the barriers and broaden and deepen enhanced multistakeholder cooperation.

On the political level one key barrier, in the eyes of *Ian Peter from the Internet Governance Caucus,* is that "those in power do not want to give it up." *IT for Change* argues in favor of what it calls "positive discrimination". It would not enough to create open space for enhanced cooperation, says IT for Change. "Open spaces get quickly dominated by people and organizations from developed countries" which leads to a domination "by the global North". Saudi Arabia has identified the absence of an

commerce • Net neutrality • Search neutrality • Media convergence • Regulation of global Internet businesses • Access to knowledge and free information flows • Accessibility policies for the disabled • Development of, and protection to, local content, local application, local e-services, and local/ domestic Internet businesses • Protection of vulnerable populations (children, women, traditional communities etc) • Internet and health systems, education systems, governance systems.

"effective mechanism" as a barrier for governments to participate in the development of international Internet related public policy.

The *Russian government* sees a barrier for broader governmental engagement in the "absence of a global consensus on the role of governments in global Internet Governance". Also the digital divide, different levels of social-political development and non-transparent procedures for Internet Governance (including the management of critical Internet resources within the framework of ICANN) are identified by the Russian government as such barriers.

APC observes that a polarized political discussion has constituted barriers for progress: On the one hand, APC argues, there are groups which only see freedom of expression and market development. On the other side, there are countries which only want to see oversight and control. APC recommends building bridges, to deal with the various issues separately, not to create junctions and become engaged in enhanced multistakeholder cooperation which will help to promote better understanding of controversial positions.

The *US government* has identified the structure of some intergovernmental organizations as a barrier. It refers to the ITU where most of the meetings are restricted to (telecommunication) administrations. As an example the US government sees it as a critical barrier that proposals are made for the ITU-T "to assert ´pre-eminence´ for the standards they develop or even make some standards mandatory" which has led to unneeded frictions with other standardization bodies. "It is critical that telecommunication standards developed by the ITU-T remain voluntary in nature and not given superior status over standards, developed in other international bodies as the IETF".

The *Russian Coordination Center* lists, inter alia, as barriers insufficient capacity of stakeholders to become engaged, underperformance of academia, limited resources for civil society engagement, language and conceptual understanding of the muiltistakeholder model. "Barriers remain in terms of willingness and ability of all stakeholders to fully engaged across traditional stakeholder divisions" observes *RIPE NCC*. And *Kenya´s ITC Action Network* lists, inter alia, connectivity, accessibility, cultural diversity and net neutrality by adding that "governments wield a lot of power" and observing that "some stakeholders see themselves as outsiders and feel that they would rather participate from the sidelines".

ICC has identified a low level of knowledge as a barrier. "Some stakeholders are not aware of the processes and forums where they can contribute and have impact at national, regional and international level." *ISOC* also observes that the high number of "parallel processes and different modes of participation can be unsettling for newcomers." Efforts should be made "to make them easier to understand and be involved with." ISOC´s fellowship program for policy makers is presented as a good example. "Low infrastructure development, low level of market liberalization and low level of coordination and cooperation at the national level" are the key barriers for the *Czech government*.

ICANN has observed that for many countries the issues which are discussed in the technical Internet organizations are not seen as a first priority in national policy agendas. ICANNs tries to counter this weaknesses as the lack of universal and affordable access and language barriers by their regional strategies for developing countries, providing support for applicants from developing countries for the new gTLD program, offering fellowships and translation services and engagement in the development of new capacity building programs. *Ellen Blackler* adds "financial resources, adequate staff and understanding of issues under discussion" as barriers. "For developing country civil society

which frequently has to manage with limited resources both in term of money and people" argues *Anja Kovacs* and adds that "ill defined or last minute processes makes effective planning and participation impossible."

The *US government states* that one have to recognize "that barriers – real and imagined – will always remain. Not all stakeholders are willing or interested in engaging with the greater stakeholder community."

Barriers for social and economic development

Similar arguments are given by the respondents with regard to **barriers for social and economic development**. The discussion on enhanced multistakeholder cooperation should be linked to the UN discussion on the Millennium Development Goals (MDG). "Share ideas, work jointly and raise the voice in the regional and international fora" says the *Bangladesh Forum*. Also here, education, training, awareness raising and capacity building are seen as key.

The *Brazilian government* insists that any new mechanism for enhanced cooperation "must put a strong emphasis on pursuing the development oriented dimension of the information society as per para. 31 of the Tunis Agenda." The *Swedish government* refers to the WSIS 10+ process, the *Russian government* to para. 88 of the Tunis Agenda and the MDGs, the UK government proposes to concentrate to bridge the "digital divide". *ICANN* refers to its IDN program and the development of regional strategies which include also elements for a promotion of socio-economic development by strengthening local stakeholders, although, as the UK government has stated "there are still 50 governments which are not members of ICANN´s GAC".

"Ten years ago the Internet was nice to have, now it is a must" states the *Finish government*. Finland warns that one should not get lost in "conflicts between various interests: Silicon Valley vs. Hollywood; Telcos vs. Internet, spy vs. spy". For Finland enhanced cooperation is a chance to move towards more consensus oriented cooperation. The *Swiss government* recognizes that "there is no one size fits all solution" and it recommends "pragmatic and scalable solutions that create incentives to invest."

"Internet infrastructure drives demand for new services and new applications drive demand for faster and more affordable Internet infrastructure. The open Internet has provided an extremely fertile ground for innovation and economic development by removing barriers to the creation of groundbreaking services aimed at meeting the needs of users and customers" states *ISOC* and refers as an example to new applications in the e-Health sector which demonstrates that social development has benefitted from cooperation between all relevant stakeholders.

ICC underlines the need to enhance "the understanding how Internet contributes to economic development. Many studies are now available on the impact of content sector to national GDPs". *Keidanren from Japan* underlines "that it is essential that the freedom of the Internet is not restricted in a manner that impede business activities. And *IGP* states: "We do not think that empowering governments to control the Internet in a more centralized fashion will foster global socio-economic development."

Affordability

The affordability of the Internet in developing countries remains a big issue. Many respondents make many proposals how to move forward, but there is no "silver bullet."

The *Bangladesh Forum* states: "Make Internet connection available everywhere with minimal cost." *DIGILEXIOS from the Ivory Coast* expects that "the ITU should put the necessary effort into demonstrating to its membership that it is possible to reduce the cost of Internet access for the end user without the state necessary losing its revenue on the long run." Also the *CITC from Saudi Arabia* sees the responsibility here with the ITU and other intergovernmental organizations by, inter alia, possibly subsidizing if services. And the *Bulgarian Executive Agency for Electronic Communication, Networks and Information Systems* proposed the developing of "free Internet access zones".

However, the other side of the story is that "excessive profit taking or taxing of Internet and telephony remains is a major issue in the developing worlds," argues a civil society group from the Pacific. "Governments must recognize the requirements to have unregulated markets and subsidize last mile access where necessary". The highest cost today exists, says *Netnod from Sweden*, "where it is hard to deploy alternative transmission and alternative global transit providers". This is the case in countries with a lack of deregulation or over extensive licensing requirements for providers. The *Swedish government* stresses the need for "economically and socially sound policies and regulations that enable competition on a level market playing field with predictability and accountability, leading to better infrastructure, lower prices and increased international exchange". "Affordability can best be addressed by encouraging open competitive markets that will maximize private investment, leveraging the virtuous cycle of content, adopted and investment" adds *Ellen Blackler.*

The *UK government* has six proposals: 1. National regulatory frameworks which drive costs down, 2. competition among providers, 3. competitive mobile networks, 4. Internet exchange points, 5. sustainable markets for low cost devices; 6. engagement with industry and other stakeholders in national IGFs. *LACNIC* comes with eight points: "1. Broadband strategies, 2. regional coordination, 3. access for remote and disadvantaged locations, 4. management of the radio-frequency spectrum, 5. Internet exchange points, 6. IPv6 deployment; 7. promotion of the local digital content industry.

The *US government* proposed five points: 1. provide policy leadership for investment, 2. open telecommunication markets to completion, 3. enable government services that will stimulate demand for and investment, 4. establish a universal service program; 5. encourage efficient and innovative mobile broadband practices. *ISOC* refers to its study from May 2013 on "Lifting Barriers to Internet Development in Africa: Suggestions for Improving Connectivity." The longest list with proposals comes from, the Permanent Mission of India to the UN.[3]

For *ICC* the best strategy is "to create an enabling environment that attracts investment, promotes innovation and fosters entrepreneurship". National broadband plans both for fixed and mobile broadband could be a way to outline the needed details for such a strategy. The *Russian Parliament*

[3] i. Co-location of content in geographically dispersed location along with Content Distribution Networks (CDNs) ii. Lowering of Interconnection costs iii. Internet Exchange Points with peering for routing local traffic and interconnection across borders iv. Location of Internet "host" computers in the country and/or region. v. Regional backbones that interlink countries in the region and which also link to international backbones vi. Location of the root server systems in these countries vii. Interoperability and Net Neutrality - In response to the limitation posed by propriety software, alternative products such as Free and Open Source Software (FOSS) and alternative licensing regimes (for example Creative Commons, Copy left etc.) to help reduce the costs and (legal) risks associated with proprietary software and content. viii. Multi-lingualization (Internationalized Domain Names and Local Language Content). ix. Affordability in accessing International internet connectivity.

proposes a strategy “to create a broad market of cheap computing devices and smart phones”. The *Finnish government* favor the removal of any restrictions for completion, however “if competition alone cannot produce affordable broadband connection universal service obligations might be needed”.

ICANN refers to the special role the ccTLD community plays in this field to enhanced DNS choice and affordability of domain names. ICANN´s regional strategies, the introduction of IDNs, the new gTLD program and the DNS Forum for Africa are examples, how ICANN addresses the weaknesses of the DNS sector.

Role of Marginalized People

There is also a consensus among all respondents that **marginalized people** need special support. Proposed are, inter alia, funding for enabling programs, content production, language promotion, education, access, broadband campaigns and remote participation in global Internet meetings.

APC puts access as the first priority. “Access to ICTs can empower marginalized people and create more inclusion” *Anja Kovacs* differentiates that “access includes both access to the Internet and access to knowledge and thus requires the free flow of information and network neutrality.”

The *Intel Corp*. expects “that this decade will create and extend computing technology to connect and enrich the life of every person on earth” and it calls for private sector corporations as Cisco, Google, Facebook and AT&T to work together in various for as the Broadband Commission and others to make this happen. But *Kenya ICT Action Network* puts some water into the wine: “Most marginalized people will not participate in information society debates because their immediate needs are basic amenities and Internet is a luxury.”

In this context, *the Swiss Governments* underlines that the ”empowerment of all people is key to an inclusive information society.” And the *Finish government* refers to the new opportunities of the mobile Internet which can make “a difference in the lives of people who used to be marginalized from the Bangladesh fisherman to phone ladies in African villages.” This trend should continue, not as a charity but as an innovative win-win process.”

The *Russian government* proposes that “governments and involved public organizations should develop both national and international programs, strategies and mechanisms which provide ICTs affordability for those population groups that are still marginalized.”

ICANN offers a six point plan: “1. invest in remote participation tools and remote hubs, 2. foster more capacity building activities, 3. develop information literacy programs, 4. develop simple and affordable applications, 5. create inclusive multi-stakeholder processes, 6. ensure that issues related to marginalized people are put on the agenda for global Internet meetings and link it to the Millennium Development Goals process.

RIPE NCC says that “no single strategy will address all of the challenges” and refers to the diverse Internet Governance Eco-System which offers various opportunities for enhanced multistakeholder cooperation on the basis of shared responsibilities. *INTLNET from France* refers to a number of RFC from the IETF which could be relevant: “RFC 1122/Robustness principle; RFC 1958/ the principle of constant change; RFC3439/the principle of simplicity and RFC 5895/ the principle of subsidiarity.

The *US government* prefers “targeted awareness programs”. But *SFCL.IN from India* observes an “imbalance between policy making and implementation stages”.