

Draft recommendations WGEC 2013-14

This document contains the draft recommendations of the working group on enhanced cooperation 2013-14 and is presented for information.

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Agreed recommendations and recommendations to be revisited

GROUP A: Implementation of the Tunis Agenda (Questions 2 and 3)

1. Draft recommendations submitted by Japan (7 February 2014)

Maintains [the] [the WSIS] [democratic] multi-stakeholder approach [~~initiated by WSIS~~], encourages [~~as many~~] stakeholders [, taking into consideration their varying and evolving roles and responsibilities,] [within their respective roles and responsibilities ~~as possible~~] to participate from a wide range of fields, promotes further international cooperation and [including] collaboration between the stakeholders, and facilitates the inclusive access to and development of the Internet, for implementation of enhanced cooperation (revisit).

[All stakeholders should continue to implement the Tunis Agenda in a multi-stakeholder manner] **recommendation by Sweden (if Sweden agrees with Japan, Sweden will withdraw its recommendation).**

(We will revisit again)

Alt0: To fully implement enhanced cooperation as envisaged in Tunis Agenda.

Alt1: To continue [to strengthen and improve the implementation] [~~further strengthen~~] [fully] [~~continue to fully~~] [further] implement [of the process of] enhanced cooperation as envisaged in Tunis Agenda. [~~in a multistakeholder manner~~] multilateral, and multistakeholder transparent, democratic, representative, manner] [~~with/by international cooperation and collaboration between all stakeholders~~]

Alt2. To continue the process [towards] [of] enhanced cooperation to fully implement [the mandate of Tunis Agenda involving all stakeholders]. [in their respective roles and responsibilities] [the Tunis Agenda in a transparent multistakeholder manner].

We will continue after coffee break

2. Draft recommendation submitted by Ms. Avri Doria

[~~As the purpose of enhancing cooperation is [implementing][improving] and [democratizing] the governance of the internet, at all levels~~], therefore its implementation is continuous.[and *needs to be [enhanced] [evaluated][assessed] on an ongoing basis* throughout the Internet governance ecosystem] (revisit).

(we will revisit this after lunch)

Alt: To [periodically] [continuously][regularly] assess the [ongoing] implementation of the enhanced cooperation [*on an ongoing basis*] [in a multilateral, transparent, democratic, representative, and multistakeholder manner]

3. Draft recommendation submitted by Mexico (24 February 2014)

Recommends to identify and utilize existing ~~find and achieve~~ effective cooperation mechanisms in which stakeholders apply global principles created through multistakeholder ~~international~~ dialogue and negotiation, ~~without implying the consolidation of a new international body or forum~~ (revisit).

Alt: To identify best practices of other cooperation mechanisms in other fields to fully implement enhanced cooperation.

4. Draft recommendation submitted by USA (25 February 2014)

[This ~~distributed~~ multistakeholder (approach) ~~system~~ (is and) *should continue to evolve as* (be) ~~remain~~ (improved in order to remain) a critical component of ~~the~~ Internet governance (and contribute *further* to enhanced cooperation*in the future*) ~~ecosystem~~.] The WGEC recommends that organizations continue to evolve alongside changing technologies to meet the needs of all stakeholders and to address emerging opportunities and challenges (first part revisit, second part agreed).

GROUP B: Public policy issue and possible mechanisms (Questions 4, 8 and 9)

1. Revised recommendations submitted by Joy Liddicoat (25 February 2014)

Recommendation 1

All stakeholders should commit to the continued development of a distributed form of Internet governance at national, regional and global levels, in which stakeholders with relevant expertise collaborate with governments to develop internet-related public policies that fall within their specific domain (revisit).

Recommendation 3

All processes initiated to develop Internet-related international public policy should be multistakeholder, democratic, inclusive, transparent and accountable, with sufficient and timely notice and background being provided to all stakeholders on modalities, aim/purpose and significance (revisit).

Recommendation 4

Global public policy processes require representation across regions (revisit).

2. Recommendation submitted by Mexico (24 February 2014)

[Recommendation 18: In regards to the issue of resource management [it is recommended that all resources required to enhance the expansion of the Internet ecosystem [and to maintain sustained and stable operation of the Internet, it is necessary that all stakeholders, expand their support to] the evolution and improvement of [existing] organizations involved by enhancing transparency and accountability. ~~establishing better mechanisms for transparency and accountability~~](revisit)

Proposal by US on this recommendation:¹

Alt. In regards to the issue of resource management it is recommended that all resources required to enhance the expansion of the Internet ecosystem [and to maintain sustained and stable operation of the Internet], it is necessary that all stakeholders expand (work within relevant organizations to) support to their evolution and improvement and by to enhancing transparency and accountability.

3. Recommendation submitted by Sweden (25 February 2014)

Recommendation 20: All stakeholders are encouraged to further discuss and address the public policy issues pertaining to the internet in an open, inclusive and democratic and multistakeholder fashion (**agreed**).

4. US revisited IGFs recommendations (Compilation proposed by the United States of America based on the IGFs recommendations)

The Working Group recommends that the IGF be extended from 2015 so that it continues to contribute in meeting the objectives of the Tunis Agenda , including serving as a bottom-up platform for continuing public debate, open stakeholder engagement, consultation and discussion around the world on equal footing, as well as providing resources and recommendations on timely Internet issues and Internet governance proceedings among the international Internet community and, thereby fostering enhanced cooperation (revisit).

Recommendation 21: The Working Group recommends that all stakeholders should continue efforts to improve the IGF, including through implementation of the recommendations provided in the CSTD Report on Improvements to the IGF by strengthening the organization, its preparatory process, and its operations; growing global participation, especially from developing countries and Internet governance and management institutions; and enhancing its outputs for use by the global stakeholder community and policy makers (revisit).

¹ Comment by the author of this recommendation (extract from email):

"Also, on recommendation 18 (from Mexico) we were discussing yesterday, we can agree with the edit in the following shown in () and small edits for grammar.

I'm not sure the status of the text in square brackets, but we have no objections to it. Also, it may need slight edits for consistency with recommendation format."

GROUP C: Role of stakeholders (Questions 5, 6, 7, 14 and 17)

All organizations including Intergovernmental organizations should strengthen their programs to enhance participation in discussions, increase awareness raising efforts and capacity building programmes related to international Internet Public Policy Issues particularly in the developing and least developed countries and inclusive of all stakeholders including government, private sector organization, civil society, technical and academic communities (move this recommendation to other section) **(agreed)**.

1. Common Proposal of the Russian Federation, Japan and Ms. Avri Doria:

Recommends further multi-stakeholder discussion to clarify and understand each other's roles and responsibilities of which may depend on the issue, process or task at hand, in multi-stakeholder processes with special regard to enhanced cooperation (revisit).

2. Draft recommendations from Brazil, Mexico, Sweden, and United Kingdom submitted by Mr. Per Linner (17 February 2014):

Amended recommendation:

In implementing enhanced cooperation Governments should have the/a/[the essential] {sovereign right} role /of/ in addressing international public policies, empowering internet users and ensuring a fair and consistent [legislative] (legal) {global as well as national} frameworks that are} is transparent, accountable, equitable and ensures respect for human rights online, fosters a robust internet infrastructure and supports multistakeholder processes and partnerships (revisit).

GROUP D: Developing countries (Questions 10 and 15)

1. Draft recommendations submitted by the United States of America (9 November 2013)

(All intergovernmental, ~~as well as~~ multilateral and [*multistakeholder*] #multistakeholder organizations dealing with %International public policy issues pertaining to the internet ~~Internet related issues%~~ in addition to) International (and regional) Internet organizations# should continue to evolve to meet the needs {~~*and facilitate the participation*~~} of \all stakeholders, (~~especially those~~) from developing countries\ /developing countries *and their stakeholders* all stakeholders (including particularly those from developing countries)/ {and facilitate the

participation in their collaborative mechanisms in these institutions ~~the and stakeholders from all groups are encouraged to engage in those Internet institutions~~ to further realize the benefits of their participation. ~~*Where participation may be hampered by lack of awareness, educational opportunity, political priority or financial resources, the Internet governance community should endeavor to help find ways to enable such participation*~~

Alternative 1 to last sentence: ~~Where participation may be hampered, the aforementioned (Internet governance) organizations community should endeavor to help find ways to enable such participation (revisit).~~

2. Draft recommendations submitted by the Russian Federation (12 December 2013)

- (All stakeholders should ~~*#cooperate in an be#*~~ ~~*accountable and responsible*~~ ~~#manner#~~ to endeavor to ensure that the ~~Notes the importance that~~ Internet (should) remain an open /secure, universally accessible, ~~(accountable, responsible)/~~ and un-fragmented. ~~*global [facility available to the public] [resource] with fair and truly international \multistakeholder\ governance, which should be able to engender trust [through an environment of accountability], \equal capabilities\ for [social and] economic development and confidence for everyone;-(revisit)*~~

- Governments and other stakeholders in their respective roles of developing countries and ~~other their stakeholders in their respective roles~~ should be ~~(supported enabled)~~ ~~are invited~~ ~~[in their efforts]~~ to play more effective role in international Internet governance (in relation to ~~for ensuring~~) openness, stability, security, and continuity of the Internet, promoting their ~~interests~~(SA keep it, Iran keep it without openness), making the environment more attractive for investment into national broadband infrastructure and development of local content/services; (revisit).

- Notes the importance to eliminate all ~~(formal and informal)~~ barriers to the participation of ~~(governments all stakeholders)~~ in particular those of developing countries - in international public policy issues pertaining to internet-, to ensure ~~\equal possibility for\~~ economic development and capacity building ~~\of international telecommunication networks including Internet infrastructure in developing countries\~~ (revisit).

* * *

Statements and Opinions

GROUP A: Implementation of the Tunis Agenda (Questions 2 and 3)

Statements submitted by Ms. Avri Doria on behalf of by a group of WGEC Members and Observers (Avri Doria, Grace Githaiga, Lea Kaspar, and Joy Liddicoat) (12 February 2014)²

- Recognizes the IGF for its work in meeting its Tunis Agenda defined role in fostering Enhanced Cooperation
- Acknowledges that the Tunis Agenda, if it is to continue as a reference point for all stakeholders, should be considered as a living document which needs to be updated to reflect the roles and responsibilities of all participants;
- Acknowledges that Enhanced Cooperation is well underway as intended in Tunis Agenda paragraphs 67 through 75;
- Acknowledges that new mechanisms spring into existence organically as they are needed and that there is no need to create new single or centralized mechanisms in a top down manner;

2. Statement submitted by Mr. Parminder Jeet Singh (24 February)

The Tunis Agenda's mandate for enhanced cooperation given in the relevant sections of the Tunis agenda has not been fulfilled, since there is no global platform to enable governments on an equal footing to fulfill their roles in terms of international Internet-related public policies. From the time of writing the Tunis agenda the number, importance and urgency with regard to international Internet-related public policies has gone up tremendously. It today constitutes one of most important and urgent sets of issues pertaining to protecting and promoting global public interest. Urgent and adequate action is therefore required in this regard, which is the mandate of this working group to come up with.

GROUP B: Public policy issue and possible mechanisms (Questions 4, 8 and 9)

1. Statement submitted by Saudi Arabia (20 February 2014)

- B1. A number of international public policy issues were identified by WGIG. These and others were reflected in the Tunis Agenda and many were summarized in ITU Council Resolution 1305. Subsequently, transition to IPv6 has emerged as an important issue. It is difficult to prioritize issues, but they can be placed into tiers of roughly comparable priority. The

² This is based on the original set of bullets submitted by a group of WGEC members and observers during the second WGEC meetings. It has been updated to conform to the temporary draft framework suggested by the Chair of the WGEC.

following list is not all-encompassing but can form the basis for the start of an agenda by the enhanced cooperation mechanism once it is established.

Tier 1:

- Administration of the root zone files and system.
- Security, safety, continuity, sustainability and robustness of the Internet (including the future internet, which may be an evolutionary or clean slate approach to the development of the Internet).
- Combating cybercrime.
- Dealing effectively with spam.
- Issues pertaining to the use and misuse of the Internet.
- Respect for privacy and protection of personal information and data.
- Protecting children and vulnerable people from abuse and exploitation.

Tier 2:

- Multilingualization of the Internet (including email, search engines and native capability).
- International Internet connectivity.
- IPv6 transition.

Tier 3:

- Contributing to capacity building for Internet governance in developing countries.
- Developmental aspects of the Internet.

2. Statements submitted by Mr. Parminder Jeet Singh (24 February)

- It is evident that there are a host of international Internet related public policy issues that need to be urgently addressed in global public interest. This was recognized by Tunis Agenda. The number and urgency of these issues keep increasing by the day. There are many more, and very urgent, international public policy issues pertaining to the Internet, than were at the time of writing the Tunis agenda.
- International public policy issues pertaining to the Internet can be divided into three groups. (1) Such issues that are partly being addressed in some globally democratic forum, but not adequately, and not in an Internet-specific manner, (2) such issues that have no existing home at all and therefore not being taken up at all, and (3) issues that are being dealt by bodies that are not globally democratic, and does not admit all governments on an equal footing, as expressly required by Tunis agenda.
- At another level, Internet-related public policy issues may be put into two groups (1) public policy issues that pertain to technical coordination and standards development processes, and (2) general public policy issues pertaining to a host of social, economic, political and cultural subjects.

GROUP C: Role of stakeholders (Questions 5, 6, 7, 14 and 17)

1. Statements submitted by the Russian Federation (12 December 2013)

Encourages Members to further clarify the role of each stakeholder, and especially governments, in multi-stakeholder implementation mechanisms; (8)

2. Statements submitted by Ms. Avri Doria on behalf of a group of WGEC Members and Observers (Avri Doria, Grace Githaiga, Lea Kaspar, and Joy Liddicoat) (12 February 2014)

- Affirms that the internet belongs to everyone: everyone can use it and everyone can improve it: this also applies to its governance;
- In general the roles and responsibilities of stakeholders in internet governance cannot be fixed. They will vary depending on the issue, process or task at hand.

GROUP E: Barriers for participation in enhanced cooperation (Questions 11, 12, 13 and 16)

1. Statement submitted by Saudi Arabia (20 February 2014)

E1. Following is a recommendation on how enhanced cooperation can address key issues toward global social and economic development.

Recommendation B2 describes how enhanced cooperation can be implemented via a Body and indicates that a number of very important formal processes and procedures will need to be developed to manage the functioning of this Body. The processes will address the details of how issues are introduced, studied, debated, agreed, disseminated, adopted and implemented.

The first key step is to establish the Body, its place in the UN family, funding, secretarial support and high-level processes. Additional details will follow from there.

* * *

As response to the invitation made by the Chair during the third WGEC meeting to submit opinions A and B on divergent views, below is the contribution received from Mr. Parminder Jeet Singh on 28 February 2014.

Opinion A

The Tunis Agenda's mandate for enhanced cooperation given in the relevant sections of the Tunis Agenda has not been fulfilled, since there is no global platform to enable governments on an equal footing to fulfill their roles in terms of international Internet-related public policies.

From the time of adoption of the Tunis agenda by UN General Assembly in 2005, the importance and urgency with regard to addressing an ever-increasing number of international Internet-related public policies has grown significantly. It today constitutes one of the most important and urgent sets of issues pertaining to protection and promotion of global public interest. Urgent and adequate action is therefore required in this regard.

Many important public policy issues pertaining to the Internet have no existing home for addressing them. A new body with all governments on an equal footing is required to address such issues. Some other issues are being dealt by existing multilateral bodies in a piece-meal manner. These issues pertaining to the Internet require a holistic and cross-cutting treatment. The proposed new body will provide such treatment and also facilitate and coordinate the Internet-related aspects of policy making by various such existing bodies.

This new body should be anchored in the UN system. Such anchorage can be with the UN General Assembly, particularly in view of the fact that specialized UN agencies such as ITU, have been associated with this area. All member states will engage on an equal footing in this body. The membership of the body will be open to all member states. Such a body should provide innovative processes for full engagement with all stakeholders, in their respective roles, in development of international Internet-related public policies.

This body will develop norms, policy frameworks, help coordinate and get coherence in cross-cutting Internet-related public policy issues, and, as required, facilitate negotiations of treaties, conventions and agreements in this area. It will take a holistic and cross-cutting approach to the concerned International Internet -related public policy issues, and will both refer matters, and its advice, recommendations, resolutions etc, to existing specialized bodies as well as receive them from these other bodies.

The internationalization of the oversight of critical Internet resources requires urgent development of globally-applicable principles on public policy issues associated with the coordination and management of critical Internet resources. The mechanism of oversight of critical Internet resources should involve all member states on an equal footing.

Internet governance being a complex and fast evolving field, there is a need for highly specialized Internet related knowledge for addressing international Internet related public policy issues. This consideration further justifies creating a new specialized body under the UN for dealing with such public policy issues. Such a body will need to be supported with adequate resources for providing regular research and analytical reports on various Internet-related public policy issues which can inform and help their resolution. At present, there is a great paucity of any such knowledge and information from an internationally representative body.

An innovative way of funding such a new body may be from the collection of fees for providing names and numbers or unique identifier services, as done at present by organizations dealing with these global governance activities.

Opinion submitted by Ms Avri Doria (6 May 2014)

The Opinion

This is the draft opinion of a group of Civil society participants including group members Avri Doria, Carlos Afonso, Grace Githaiga, Joy Liddicoat and of group Observers/volunteers Anja Kovacs, Deborah Brown, Joana Varon, Lea Kaspar

Definitions

Enhanced Cooperation: an ongoing multistakeholder and multilateral process where all stakeholders contribute according to their expertise and interests, to enable all other stakeholders to achieve full participation in order to improve and democratise the governance of the Internet at all levels.

Multistakeholder process: a form of participatory democracy where any person, alone or as part of a group, can contribute fully.

Equal footing: the recognition, enjoyment or exercise by all stakeholders, on the basis of equality and without discrimination, of the freedom to participate in multistakeholder processes. In Internet governance this is in line with stakeholders' roles and responsibilities, which should be interpreted in a flexible manner with reference to the issue under discussion. As with UN representation by governments, where all are equal regardless of size or wealth, contributions should be judged on their quality, and not by the number of people that a representative may claim.

Possible outcome:

There is support within civil society for establishing a multistakeholder mechanism, to promote the ongoing monitoring and analysis of Internet-governance developments, and the on-demand sharing of knowledge on policy issues, models and experiences that governments and stakeholders need to help them identify effective solutions. We view this as a first step, building on the work of the Correspondence Group of the Working Group on Enhanced Cooperation. There is also support within civil society for a second step of a multistakeholder coordination mechanism that would recommend the most appropriate venue or venues to develop further policy as required. This could be accomplished through existing institutions as appropriate.

This mechanism could be attached to an existing multistakeholder body such the IGF (per paragraph 72 b of the Tunis Agenda), to the UN Commission on Science and Technology for Development (CSTD), or to any comparable consistent with the guiding principles as established in the NETmundial Multistakeholder statement.

The discussions of the WGEC take their origin from the Tunis Agenda. The Tunis Agenda was a remarkable document for its time, that resulted from government discussions at WSIS. The Tunis Agenda laid a basis for ongoing discussions. The Tunis Agenda's great value was in giving an impetus to the development of the multistakeholder model in Internet governance. Over the intervening years, the variety of multistakeholder models have progressed beyond what could have been imagined in 2005, in line with technological evolution. Allowing the Tunis Agenda to remain a static document, as if it was written in stone, risks it becoming ever more irrelevant in today's world; Instead, we recommend that it be treated as a living document, a solid foundation upon which we can build our understanding of the enhanced cooperation of all stakeholders in the area of Internet governance.

Recommendations which did not enjoy consensus at the third meeting

GROUP A: Implementation of the Tunis Agenda (Questions 2 and 3)

1. Draft recommendations submitted by the Russian Federation (12 December 2013)

[Calls for the [continuing/full] implementation of-enhanced cooperation as referenced in the Tunis Agenda.]

Alt1[Calls for the [continuing/full] implementation of—the Tunis Agenda regarding enhanced cooperation as—to enable governments, on an equal footing, to carry out their responsibilities, in international public policy issues pertaining to [the Internet, while fully recognizing the roles of other

Alt2[Calls for the implementation of the Tunis Agenda regarding enhanced cooperation to enable governments, on an equal footing, to carry out their responsibilities, in international public policy issues pertaining to the Internet, but not to get into day-to-day technical and operational matters that do not impact the international public policy issues; with the full involvement of all stakeholders in their respective roles

(1)] (no consensus)

This recommendation will be redrafted by Iran, SA, MCade, and others.

Alt 3 Establish an enhanced cooperation mechanism which enables governments, on equal footing, to carry out their roles and responsibilities regarding policy authority for international public policy issues pertaining to the Internet. This should be an intergovernmental enhanced cooperation body under the UN umbrella preferably within ITU.

2. Draft recommendations submitted by Saudi Arabia (20 February 2014)

A1. Recognizes that the process for enhanced cooperation as mandated by Tunis Agenda has not been [fully] implemented (recommendation) (no consensus)

A6. Recognizes that Art 71 of the Tunis Agenda has not been fully implemented (recommendation) (no consensus)

India will provide text on TA issues.

(There will be one group discussing the issues on TA and will come back with a proposal after lunch)

A2. Since current arrangements have not evolved to support enhanced cooperation as mandated by the Tunis Agenda, there is a need to *create a framework and mechanisms* as per Art. 61. These should be under the UN umbrella and could be incorporated within the scope of an existing UN organization which has responsibility and experience with implementation of the WSIS outcomes, such as ITU. **Recommendation** (no consensus)

A3. From Art. 70, it follows that, once the enhanced cooperation mechanism is in place, enhanced cooperation *should include the development of globally-applicable principles on international public policy issues* associated with the coordination and management of critical Internet resources. Relevant international organizations responsible for essential tasks associated with the Internet were called upon to contribute to creating an environment that facilitates this development of public policy principles. **Recommendation** (no consensus)

A4. Recognizes that globally-applicable principles in international policy issues have not been developed (recommendation) (no consensus)

A5. Once the framework and mechanisms for enhanced cooperation have been established, the agenda *should include the development of globally-applicable principles on international public policy issues associated with the coordination and management of critical Internet resources*, in consultation with the relevant international organizations responsible for essential tasks associated with the Internet. **Recommendation** (no consensus)

A7. International public policy shall be developed in a manner that encourages innovation, openness and multistakeholder participation and the respect of all. The intent of such policy is to develop universally coordinated and consistent patterns to resolving Internet issues, to protect against unilateral control of Internet resources, and to ensure that decisions are made by Governments on equal footing of the benefit on mankind and not for the benefit of a few (recommendation) (no consensus).

3. Draft recommendation submitted by Parminder Jeet Singh (24 February)

Implementation of the relevant mandate from Tunis agenda *requires setting up a platform/body* which will enable governments on an equal footing to fulfill their roles in terms of international Internet-related public policies. Such a platform should be designed in a manner that there are adequate formal processes of engagement with all stakeholders in the processes of developing the required international public policies. Such a platform therefore should be innovative, open

and transparent, involving processes of deep engagement with all stakeholders, but without compromising on the basic democratic principle whereby legitimate representatives alone can have decision making power for public policy issues. **Recommendation (no consensus)**

(This recommendation will be included in the work of the small group)

GROUP B: Public policy issue and possible mechanisms (Questions 4, 8 and 9)

1. Recommendations submitted by the Russian Federation (12 December 2013)

Recommendation 0: ~~Notes the importance~~ to (universally accept) *Stakeholders should consider* ~~consider~~ the international character of decision-making processes regarding core functions of Internet, which (points to the) ~~is~~-need ~~to~~ for developing, /through multistakeholder processes,/ *as appropriate* (globally applicable principles on public policy issues associated with the coordination and management of critical internet resources) ~~international internet public policies.~~

[harmonize national laws, and facilitate international agreements, treaties and conventions; (9)]
(no consensus)

Recommendation 1: Calls upon ITU to establish the framework, which should take on the responsibility of the coordination of an inclusive intergovernmental process based on equal rights and responsibilities, which would allow full implementation of a model with multi-stakeholder participation when addressing international public policy issues pertaining to the Internet; (10)] (no consensus)

Recommendation 2: Encourages Summits in the WSIS format as the highest level of Enhanced Cooperation implementation; (11) (no consensus)

2. Draft recommendations submitted by Japan (7 February 2014)

[Recommendation 3: All stakeholders should respect (and further increase support to)(Priv sector) ~~the roles that~~ [work carried out related to public policy issues in] existing mechanisms should not be duplicated. {based on a multi-stakeholder approach}}{Joy not delete} [sweden] (that)(Privsect) have played in addressing Internet-related public policy issues.] (no consensus).

3. Draft recommendations submitted by Saudi Arabia (20 February 2014)

Recommendation 7: Enable enhanced cooperation via an intergovernmental Body under the UN umbrella and funded by the UN. ITU would be an appropriate host organization for this Body. Final policy decisions would be made by Member States. The Body should meet twice yearly (including remote participation). Standing committees studying particular issues should meet regularly via electronic means and physically as needed. Support the Body and committees by a permanent secretariat.

There should be balanced representation (by region, developed vs developing countries, and gender) for the vice-chairs, committee chairs and committee members.

There will be a need for a number of very important formal processes and procedures, but these can be defined and addressed once the basic decision has been made to establish the Body. (no consensus).

4. Resubmission Ms. Joy Liddicoat

Recommendation 2

Establish [within the CSTD] a platform, which includes all stakeholders, to build upon work already done (including within the WGEC) to seek, compile, review, research and analyze inputs on progress and gaps in international Internet related public policy and to recommend the most appropriate venue or venues to develop further policy as required (no consensus).

5. Draft Recommendation submitted by Mr. Parminder Jeet Singh (24 February)

Recommendation 9: a (mechanism) ~~globally democratic body~~ is required to look at these issues from all Internet-related angles and perspectives, especially with regard to how the Internet is developing, and how its different elements impact each other, across different policy areas. Taking such a holistic view of the concerned International Internet -related public policy issues, such a body will both refer matters, and its advice, recommendations, resolutions etc, to existing specialized bodies as well as receive them from these other bodies. (no consensus)

Recommendation 10: For those public policy issues that are being dealt by at present by bodies that are globally non democratic, either the concerned bodies should be made globally democratic or the remit of addressing the concerned international issues be moved to another globally democratic body, existing or a new one. Some instances of such issues are oversight over management of critical Internet resources, and various public policies issues being dealt 'on a global scale' by some pluri-lateral bodies. (no consensus)

Recommendation 11: Going by the division of issues as pertaining to CIRs and technical standards versus general public policy issues, in case of the CIR/ technical standards, sufficient care has to be taken to not interfere in "day-to-day technical and operational matters" (TA para 69). An arms length approach has to be taken in terms of oversight. This can be done by developing "globally-applicable principles on public policy issues associated with the coordination and management of critical Internet resources" (TA para 70). Compliance to these principles can be monitored and ensured with a duly well laid out rule-based process, conducted by a body with adequate technical expertise as well as political legitimacy. A special new body of such specific nature will need to set up for this purpose. (no consensus)

Recommendation 12: By a globally democratic body above is meant a body where governments are able to fulfill their public policy roles on an equal footing, and there is full consultative involvement of all stakeholders at all stages of the public policy making process. Due formal processes for such open, transparent and inclusive involvement of all stakeholders have to be built in all forums of developing international public policies pertaining to the Internet. (no consensus)

Recommendation 13: It can be considered if an existing UN based body can fulfill this function or a new UN-based or -anchored body is needed. Since the requirements of (1) structuring an appropriate relationship with other bodies that may have overlapping remits on public policy issues under consideration and (2) instituting formal processes of deep and continuous multistakeholder engagement, are new and relatively complex, it may be advisable to consider a new body under the UN GA for this purpose. At a later stage it can develop into a specialized UN

agency on lines of those dealing with issues like trade, intellectual property, and so on. (no consensus)

Recommendation 14: The need for highly specialized Internet related knowledge, which is a complex and fast evolving field, for addressing international Internet related public policy issues, adds to the justification of a new specialized body under the UN for dealing with such public policy issues. Such a body will need to be supported with adequate resources for providing regular research and analytical reports on various Internet-related public policy issues which can inform and help their resolution. There is a great paucity of any such knowledge and information from an internationally credible body at present. (no consensus)

Recommendation 15: An innovative way of funding such a new body may be considered from collection of fees for providing names and numbers or unique identifier services, as collected at present by organizations dealing with these global governance activities. (no consensus)

Recommendation 16: An immediate imperative for the new body will be to consider a 'Framework Convention on the Internet' that provides the framework principles and protocols for dealing with international Internet-related public policy issues. Such a Framework Convention can also formalise the institutional set up for a democratic global governance of the Internet, with distribution of mandates to different bodies and establishing the means of their collaboration and working together. (No consensus)

Recommendation 17: therefore is necessary to promote and strengthen international cooperation mechanisms in particular on issues such as public safety, ~~national security~~, protection of rights, privacy, freedom of expression and human rights (recognizing that no single body could address all those issues). ~~Thereby we should avoid creating a new body seeking to frame all issues related to Internet governance.~~ (no consensus).

6. Draft recommendation submitted by Sweden

Recommendation 19: Respect for human rights (and responsibilities) (RF) should always guide the discussions and development of international public policy issues pertaining to the internet (no consensus, issue contained in TA).

GROUP C: Role of stakeholders (Questions 5, 6, 7, 14 and 17)

7. Common recommendation proposal of Japan, Saudi Arabia and Iran:

Governments in developing international public policies pertaining to the Internet, are encouraged to make various stakeholders participate and cooperate, to reflect their opinions and to utilize their knowledge, experience and technology, for the implementation of enhanced cooperation, as appropriate, in their respective roles and responsibilities (no consensus)

1. Revised Recommendations proposed by Avri Doria, Lea Kapser, Grace Githaiga, Joy Liddicoat

Recommendation 1: Recognising that (Member) States have responsibilities /obligations/ under /applicable /international human rights law to respect and protect ~~and promote~~ human rights

relating to the Internet. They should also act in the ~~and to protect and promote~~ the public interest. (no consensus)

Recommendation 2: Recognising their responsibilities under international human rights law to respect, protect and promote human rights relating to Internet and to protect and promote the public interest, Member States should:

- i. Faithfully represent the diversity of civil society views and respect the role and responsibility of civil society, including in international fora;
- iii. Recognise that the Internet is for everyone and convene and support inclusive multi-stakeholder internet governance processes at all levels;
- iv. Bring sufficient political will so that cooperation emerging from these processes continues to flourish;
- v. Establish or improve transparency and accountability to enable public awareness of their decisions and positions on internet governance.
- vi. Take steps to ensure that businesses meet human rights standards, inter alia, in accordance with (the United Nations guidelines on human rights and business).

(no consensus)

2. Draft recommendations submitted by Saudi Arabia (20 February 2014)

C1. Following is a recommendation regarding the roles and responsibilities of the different stakeholders, including governments, in implementation of the various aspects of enhanced cooperation. The stakeholder groups and their roles are those defined in the Tunis Agenda, which is the guiding document in the mandate of the WGEC.

A platform for global public policy and oversight is the responsibility of intergovernmental organizations. We have specifically suggested that this be ITU.

Development of the processes related to the functioning of the enhanced cooperation mechanism is the responsibility of governments.

Final international public policy decisions are the responsibility of governments.

Implementation of international public policy decisions is the responsibility of all stakeholders

(no consensus)

C2. A recommendation for implementing enhanced cooperation to enable governments, on an equal footing, to carry out their roles and responsibilities in international public policy issues pertaining to the Internet is provided in Recommendation B2. (no consensus).

3. Draft recommendations submitted by Mexico (24 February 2014)

The report of the Working Group on Internet Governance, established by the Secretary General of the United Nations presented, submitted on August 4, 2005 gives an important approach to the definition of the role and responsibilities of key stakeholders, as governments, private sector, civil society and even the academic and technical communities, as stated in paragraph 35 of the Tunis Agenda. In this regard, the efforts of enhanced cooperation should aim at building an equal participatory environment, one that ~~balances~~ (maximizes) the participation and role of key stakeholders from the various sectors in Internet governance (no consensus).

4. Draft recommendation submitted by Nigeria (24 February 2014)

That the ongoing inclusive national, regional and international cooperation on internet matters be sustained among all stakeholders with governments, private sector, civil society, technical and academic community actively playing /optimizing/ their respective roles (no consensus).

Resubmission by Nigeria (1 May 2014)

- Encourages an inclusive national, regional and international multistakeholder cooperation on Internet governance with governments, private sector, civil society, technical and academic community actively playing their respective roles.

5. Draft recommendations submitted by Sweden (25 February 2014)

Stakeholders themselves should be allowed to *participate in defining* ~~define~~ their role in the international internet eco-system within existing frameworks (no consensus).

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Recommendations discussed in 4th WGEC meeting under categories D and E

GROUP D: Developing countries (Questions 10 and 15)

1. Revised recommendation submitted by Australia, Japan, Iran, US, and others

Strengthen active participation and involvement (physically and remotely) of all stakeholders from developing countries in Internet governance including through financial and technical support and;

Undertake capacity building, share best practices and create an enabling environment (inter alia, training and education) in order for developing countries to meaningfully participate and contribute to global Internet governance, in particular, development of international Internet public policy issues including but not limited to ensuring accessibility, availability, and affordability with the view to enhancing use of the Internet by all, and fostering local adaptation and innovation in relation to internet services **(agreed)**.

2. Revised recommendation submitted by Ms. Avri Doria on behalf of a group of WGEC Members and Observers

Recommends that existing mechanisms for public policy related Internet issues take into account existing multistakeholder approaches to Internet governance.

Recommends that existing multilateral and multistakeholder mechanisms be used to support Enhanced Cooperation among all stakeholders including governments on an equal footing.

Encourages the UN and the global Internet community to identify mechanisms that can facilitate the collection of financial contributions to support the participation/engagement of all stakeholders from developing countries, to ensure that developing countries have equal leadership with developed countries in development of internet policy globally.

Encourages and enables developing countries, including both governmental and non-governmental stakeholders, to play a more effective role in global Internet governance by developing multistakeholder mechanisms at national and regional level and by democratisation at all levels including the global level.

(We did not discuss this revised recommendation during the meeting)

3. Draft recommendations from Brazil, Mexico, Sweden, and United Kingdom submitted by Mr. Per Linner (17 February 2014):

- Members should explore ways to strengthen participation of all stakeholders from developing countries in existing global internet governance fora including through funding mechanisms and alternative working methods such as remote participation.

- Members should work with developing countries to create a fair and consistent domestic framework that stimulates competition and creates affordable access for all stakeholders.

Mexico will work on these recommendations with others than would like to join them (SA, Iran, Sweden)

4. Draft recommendations submitted by Saudi Arabia (20 February 2014)

The role of developing countries is, in fact, one of the public policy issues reflected in Recommendation B1. It boils down to three critical factors and it is their implementation that will likely be the primary focus of the public policy formulation and debate:

- Providing a platform (the enhanced cooperation mechanism) for developing countries to participate in global Internet governance on an equal footing.
- Capacity building via training, education and technical support.
- Financial support for capacity building, internal development related to the Internet, and participation in Internet governance (including remote participation).

Recommendation B2 has suggested UN funding, remote participation and balanced representation for the vice-chairs, committee chairs and committee members in the enhanced cooperation Body.

(A group integrated by Mexico, M. Cade, SA, Iran, RF, US, Sweden, JP and others will revise this recommendation and the others that are similar).

GROUP E: Barriers for participation in enhanced cooperation (Questions 11, 12, 13 and 16)

1. Draft recommendations submitted by the Russian Federation (12 December 2013)

- Notes the importance of further [internationalization] **globalization** of the [oversight management] [**stewardship**] of critical Internet resources in the direction of the environment, which ensures equality amongst [**stakeholders**] [citizens of all countries,] [represented by their governments' participation on an equal footing];

- Encourages [~~governments Members all stakeholders~~] **the development of** innovative ~~procedures and mechanisms~~ **methods** to address emerging issues in the field of Internet governance that are relevant to public policy, through [**participation of different stakeholders within their respective roles and responsibilities**] multi-stakeholder processes, ~~procedures and mechanisms~~, that will reinforce the existing Internet governance arrangements to improve the legitimacy, effectiveness and sustainability; (7)

- RF, Iran, MCade, and US will work on text for these recommendations.

Resubmission M Cade and others on this recommendation:

First Para has two options. not fully agreed to either. Second para is agreed in small group:

ICANN, US, Russia, IRAN, and business.

E.1:

To pursue further globalization/internationalization of Internet governance in particular in relation to the stewardship of the critical Internet resources (CIR) in a multistakeholder approach, taking into account the role and responsibilities of governments with respect to Internet Public Policy issues, to ensure [adequate and full] [equality of]

involvement for all countries .

ALT E.1:

To pursue further transition of CIR functions to the global stakeholder communities within their respective roles and responsibilities.

SECOND PARA.

To encourage all stakeholders including governments to develop innovative procedures and mechanisms to address emerging issues in Internet governance that are relevant to Internet public policy issues, in order to reinforce the existing Internet governance arrangements to strengthen their legitimacy, effectiveness and sustainability.

(We did not discussed these revised recommendations during the meeting)

2. Draft recommendations submitted by Japan (7 February 2014)

Resubmission by Japan Group (Japan, Iran and ITU, RHill)

Facilitate sharing information on issues contributing to enhanced cooperation by utilizing and applying various methods and media as available for further participation of all.

Encourage relevant international organizations, as appropriate, to be adequately transparent, to promote ICT-enabled remote participation, to introduce audio streaming and captioning, and to call for comments from all stakeholders, where appropriate and practicable and in line with their respective financial regulations and limitations, and also rules and procedures in force.

(We did not discussed this revised recommendation during the meeting)

3. Draft recommendation submitted by Ms. Avri Doria on behalf of a group of WGEC Members and Observers (Avri Doria, Grace Githaiga, Lea Kaspar, and Joy Liddicoat) (12 February 2014)

Re-submission Avri on these recommendations:

- Within the framework of multistakeholder approach explore ways and means in which the stakeholders' engagement could be enhanced taking into account the following:
 - The development of national bottom-up strategies which use local expertise and focus on telecommunications and internet infrastructure, enabling policies, incentives and education for all;
 - Reduce interconnections costs for developing countries including reduction of the cost on Internet access for users in those countries
 - Work with marginalized communities to develop local content in their own language that meet their needs in order to assist them in safe online access as well as raising general awareness of the online threats and the discrimination that these communities face by sharing their experiences;
 - ⊖ To include, as appropriate, on the work programme of internet governance processes the relevant issues of marginalized communities.
 - Promote, gender balance in terms of meaningful and effective-participation of women in internet governance spaces and take concrete action to achieve this goal.
 - [Encourages the establishment of [regional and] national multistakeholder forums and processes for dealing with IG and internet policy issues, and ensuring that these include marginalised voices.]
- (We will come back to this after the break)

4. Draft recommendations from Brazil, Mexico, Sweden, and United Kingdom submitted by Mr. Per Linner (17 February 2014):

- [Members should] [To] increase efforts to empower stakeholders to participate through capacity building, including but not limited to, training programs, awareness raising, best practice sharing.
- (This will be cross-referenced)

Recommendation re-submitted by Iran, Mexico and US

Further develop cooperation mechanisms adaptable to local and regional environment with a view to minimize barriers to participation of developing countries in the development of international Internet related public policy issues [**agreed**].

(agreed with the notion we are going to discuss the other issues and come back).

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