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1. Which stakeholder category do you belong to?

Non-Government

If non-government, please indicate:

Civil society

If non-government, please indicate if you are:**2. What do you think is the significance, purpose and scope of enhanced cooperation as per the Tunis Agenda? a) Significance b) Purpose c) Scope****a) Significance**

The call for “enhanced cooperation,” as suggested by the Tunis Agenda, stems from the recognition that many international public policy issues related to the Internet require significant engagement among a variety of stakeholders worldwide. The issues, the fora, and the degree of engagement by stakeholders are, of course, the subjects of much debate. Enhanced cooperation is one of two mechanisms outlined in the Tunis Agenda for furthering Internet governance: the second is the relatively well-defined Internet Governance Forum, a space for discussing and sharing best practices on issues related to the Internet. Both mechanisms need to be viewed within the broader context of the Tunis Agenda’s central theme of multistakeholderism, which calls for all stakeholders to be involved in the governance of the Internet.

b) Purpose

The purpose of enhanced cooperation is to enable all stakeholders to address international public policy issues that are either 1) inadequately dealt with through existing mechanisms, or 2) not dealt with through any mechanism (Article 60). Enhanced cooperation does not require the creation of a particular structure to address such deficiencies – rather, its purpose is to enable and encourage stakeholders to address these policy challenges through whatever mechanisms are agreed to be most appropriate for a given issue (Articles 56 and 61).

c) Scope *

The intended scope of enhanced cooperation must be understood within the overall framework of the Tunis Agenda; Article 69, which introduces the notion of enhanced cooperation, should not be read in isolation. For example, Article 29 is often overlooked in the enhanced cooperation debate, yet its call for the international management of the Internet to occur “with the full involvement of governments, the private sector, civil society, and international organizations” indicates the broad range of stakeholders whose engagement in

the process is essential.

CDT believes – and the Tunis Agenda supports (see, e.g., Articles 29, 56, 61, 68-71) – that enhanced cooperation is a process that should bring all stakeholders together to address international Internet-related public policy issues in a more cooperative and informed way. Enhanced cooperation is not about single-stakeholder (i.e., government) cooperation, nor is it necessarily about developing new structures.

Enhanced cooperation should be inclusive and focus on mechanisms and processes to effectively and efficiently address international Internet-related public policy issues in appropriate venues as they arise. It is essential, therefore, to encourage the participation in these processes of stakeholders who have thus far been less involved, whether they are government or non-governmental stakeholders, from developing countries or otherwise faced with resource constraints, or part of new and emerging stakeholder constituencies.

3. To what extent has or has not enhanced cooperation been implemented? Please use the space below to explain and to provide examples to support your answer.

Enhanced cooperation is not a binary event that either has or has not happened – it is an on-going process that occurs in a diversity of forms and on a diversity of issues. For example, the exchange of ideas, resources, and views that form a core component of enhanced cooperation occurs at the annual IGF, and at national and regional IGFs throughout the year. These fora discuss the gamut of Internet governance matters, including specific international Internet-related public policy matters. Key technical policy issues, including the allocation and management of Internet resources and the development of voluntary technical standards, are addressed in technically oriented multistakeholder organizations such as ICANN, the Regional Internet Registries, and the IETF. And at the national and regional level, countries such as Kenya, Brazil, Sweden, the UK, and elsewhere, are increasingly turning to the kinds of multistakeholder policy-making processes called for in enhanced cooperation when issues of governance and the Internet are discussed.

Together the above form an important part of the evolving landscape of international Internet public policy development, one which is increasingly shaped by the concept of enhanced cooperation.

4. What are the relevant international public policy issues pertaining to the Internet?

This is a very broad question – the potential list is undoubtedly long and probably will vary considerably across the diversity of actors involved in Internet governance. As Article 60 suggests, there are international Internet-related public policy issues that require attention and may not be adequately addressed. Rather than ask what the relevant issues are, the question should ask which relevant issues require enhanced cooperation. In order to identify which issues these may be CDT encourages the mapping of international Internet-related public policy issues to better understand where and how they are being addressed. Only then will it be possible to assess whether or not there are issues that should be considered candidates for further enhanced cooperation.

5. What are the roles and responsibilities of the different stakeholders, including governments, in implementation of the various aspects of enhanced cooperation?

CDT does not believe that the roles and responsibilities as described in Article 35 of the Tunis Agenda reflect the current reality. When drafted these roles and responsibilities were limited and arbitrary. Since the WSIS, however, multistakeholder models of policy development have thrived, bringing to the fore the increasingly equal roles that all stakeholders have in policy matters. Moreover, 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. While governments may have a unique role to play if a specific Internet-related public policy is to be bound by legislation or treaty, for the majority of Internet-related public policy issues no “class” of stakeholder necessarily has a unique or

constrained role. The roles and responsibilities in the Tunis Agenda should not inhibit stakeholders from contributing to enhanced cooperation on policy issues.

6. How should enhanced cooperation be implemented to enable governments, on an equal footing, to carry out their roles and responsibilities in international public policy issues pertaining to the Internet?

Enhanced cooperation is not a mechanism for governments alone to carry out their roles and responsibilities in international Internet-related public policy issues, but for all stakeholders to cooperate more fully across the range of policy issues that are most important to them and to the public interest.

While certain policy decision-making responsibility remains with governments – if a given policy must be backed by legislation, for example – the legitimacy of decision-making becomes quickly suspect if it is not informed by all stakeholders. The Tunis Agenda recognizes in Article 68 “the need for development of public policy by governments in consultation with all stakeholders” - and that all stakeholders should be involved in the Internet’s management (involving both technical and public policy issues).

7. How can enhanced cooperation enable other stakeholders to carry out their roles and responsibilities?

As we have mentioned above, for so long as enhanced cooperation involves all stakeholders and addresses issues that have been agreed need additional attention, then all stakeholders will be able to contribute expertise and experience far beyond the limitations of the roles and responsibilities outlined in Article 35.

CDT believes that it is also the responsibility of all stakeholders to participate and contribute as best possible to those fora that are currently facilitating further cooperation on international Internet-related public policy issues. So too is it the responsibility of all stakeholders to work to enable greater participation from those who are under-resourced and to ensure that Internet governance related processes are as accessible as possible.

Finally, all stakeholders should recognize that there will always be a diversity of views on international public policy issues related to the Internet: the relative importance of issues will differ according to a myriad of factors. It is incumbent upon all stakeholders to listen, to become better informed, to become more engaged, and to move beyond rhetoric. Different levels of economic development, different political systems, different cultures and values will lead to very diverse perspectives on policy issues. All stakeholders in Internet governance discussions and policy deliberations need to be mindful of these differences and to seek points of common interest as far as is possible.

8. What are the most appropriate mechanisms to fully implement enhanced cooperation as recognized in the Tunis Agenda, including on international public policy issues pertaining to the Internet and public policy issues associated with coordination and management of critical Internet resources?

The CSTD WG EC correctly asks “what are the mechanisms” – rather than what are the structures – for implementing enhanced cooperation. However, before discussing mechanisms it is important to agree modalities. Any discussion about mechanisms for enhanced cooperation must ensure the following:

- All stakeholders are fully involved (as equals) in any process that could lead to new frameworks, mechanisms, or structures for discussing international Internet-related public policy issues
- That whatever the result(s) of that process all stakeholders should be involved in the discussion of international Internet-related public policy issues, and
- That no particular mechanism or framework should be prescribed or considered the default mechanism or framework – we believe that ensuring flexibility of the process will ensure the

greatest efficacy and suitability of the outcomes.

One possible approach would be to use the IGF to: 1) map Internet public policy issues, actors, and fora; 2) identify and agree a limited set of international Internet-related public policy issues that need further (enhanced) cooperation; and, 3) explore the most appropriate mechanism(s) for deciding how the issue should be addressed.

9. What is the possible relationship between enhanced cooperation and the IGF?

Certainly, the issue of enhanced cooperation has been the subject of numerous discussions at the IGF, whether in workshop, plenary or pre-event form. And there is merit to the proposal of the IGF being a locus for the realization of enhanced cooperation, and its further deliberation.

There are those actors who see the IGF and enhanced cooperation as two distinct mechanisms. While the IGF may not satisfy some due to its lack of oversight and non-binding processes, it could become a clearing house of sorts for assessing whether or not international public policy issues should be the subject of further cooperation between stakeholders.

CDT fully supports the IGF and its evolution into a more output-oriented forum in which all stakeholders will feel comfortable discussing international Internet-related public policy issues. To do so will, however, require further participation from governments and from stakeholder representatives from developing countries, along with the resolution of a range of organizational and funding related challenges.

We would note that all stakeholders were asked to “acknowledge the importance of and renew their commitment to the Internet Governance Forum (IGF)” in the final communiqué of the WSIS+10 review hosted by UNESCO early 2013. Given recent funding challenges now would be good time for stakeholders and particularly governments to do so.

10. How can the role of developing countries be made more effective in global Internet governance?

In many ways participation in global Internet governance has to begin at home. All countries, developed and developing alike, should adopt procedures to allow for and encourage the fullest engagement of stakeholders in policy development processes at the national level, particularly those related to the Internet. The Tunis Agenda’s multistakeholder exhortations and recommendations do not solely apply to discussions of governance and Internet policy at the global level. Open, transparent and inclusive policy discussions must start at the national level. These, in turn, will inform and bring greater expertise and effective participation to government and stakeholder engagement in Internet governance at the global level.

11. What barriers remain for all stakeholders to fully participate in their respective roles in global Internet governance? How can these barriers best be overcome?

Some of the greatest barriers to participation in global Internet governance exist in the organizations and institutions – at national, regional, and global levels – that are not yet open to full multistakeholder participation and are not transparent in their policy development and policy decision-making.

Other barriers include: 1) the difficulty of agreeing how international Internet-related public policy issues should be addressed and in what fora; 2) the difficulty of agreeing which international Internet-related public policy issues should be the focus of enhanced cooperation and which are already adequately addressed; and 3) the lack of support among some actors for full stakeholder involvement in enhanced cooperation.

Barriers to participation could be overcome through, among others, 1) a commitment from governments and international organizations to implementing open and inclusive policy

development processes; 2) a recognition of the need to facilitate the participation of all stakeholders in Internet governance discussions and enhanced cooperation; 3) a commitment to contribute to and participate in existing Internet governance related fora and organizations; and 4) a willingness to work with stakeholders and actors with diverse views to identify common points of interest and/or concern in areas of international Internet-related public policy.

12. What actions are needed to promote effective participation of all marginalised people in the global information society?

Not answered

13. How can enhanced cooperation address key issues toward global, social and economic development?

Not answered

14. What is the role of various stakeholders in promoting the development of local language content?

Not answered

15. What are the international internet-related public policy issues that are of special relevance to developing countries?

Not answered

16. What are the key issues to be addressed to promote the affordability of the Internet, in particular in developing countries and least developed countries?

Not answered

17. What are the national capacities to be developed and modalities to be considered for national governments to develop Internet-related public policy with participation of all stakeholders?

Not answered

18. Are there other comments, or areas of concern, on enhanced cooperation you would like to submit?

Not answered