

Timestamp

9/3/2013 11:56:39

The information solicited through this questionnaire will only be used in aggregate form, unless otherwise authorised by the respondent. Do you authorise us to cite/share your views individually?

Yes

Please enter your contact details:

Finland, Government and other parties include the multi-stakeholder WSIS working group which acts also as steering committee for the Finnish Internet Forum
Mervi.Kultamaa@FORMIN.FI

1. Which stakeholder category do you belong to?

Government

If non-government, please indicate:

Civil society

If non-government, please indicate if you are:

WSIS accredited

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

Enhanced cooperation (EC) was a last-ditch effort to avert the failure of WSIS II. Borrowed from EU vocabulary, it replaced the "new cooperation model" that US opposed. Diplomatic ambiguity saved the Summit but created a political minefield down the road. EC was a political Band-Aid to cover an immediate problem but its convoluted definition in TA§§68-71 was a bad road map for the future.

Even the UNSG report on EC (A766/77) from 2011 recognizes that the Tunis Agenda does not define EC in precise terms and that the "outcome documents did not specify how the process of enhanced cooperation should be designed, the means by which enhanced cooperation could be achieved or how the desired results should manifest themselves in practice".

In the absence of a clear definition, participants in the ensuing debate were free to selectively focus on aspects they liked. Broadly speaking, one school of thought concentrated narrowly on involving all states in the Internet governance on equal footing, the other – in line with the common sense definition of the term and tagging other elements of the text - gave it a broad interpretation as improving cooperation among all stakeholders in general.

Our answers to the following questions are based on the broad interpretation with an understanding that it includes both strengthening co-operation and co-ordination among all stakeholders and improving the ability of governments to deal with international public policy issues in consultation with all stakeholders.

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.

Even though some governments and rare civil society entities persist in claiming that EC has not happened, because UNSG did not start the process towards it "during the first quarter of 2006", it has in fact been successfully implemented both in its broad and narrow sense.

On the basis of reports from ten relevant organizations, UNSG noted (E/2009/82) that all had made efforts to reach out to other stakeholders. Most had interpreted EC as a process to

facilitate and contribute to multi-stakeholder dialogue, through formal or informal cooperative arrangements.

In his 2011 report, UNSG noted that “cooperation on international public policy issues pertaining to the Internet had been enhanced to varying degrees in many organizations and across a wide spectrum of areas”, although there still was “room for for continued dialogue, in particular among States, given their rights and responsibilities in international public policymaking”.

A couple of examples of ever-intensifying EC:

- There has been a remarkable development in relations between ICANN and ITU. The ITU Plenipotentiary Conference in 2010 resolved to explore ways and means for greater collaboration and coordination between ITU and relevant organizations (including, but not limited to ICANN, the RIRs, the IETF, ISOC and W3C, on the basis of reciprocity basis) involved in the development of IP-based networks and the future Internet.

- The Governmental Advisory Committee (GAC) of ICANN has become more representative, gained more stature and assumed a more operational role. It now has more than 120 states as members, including China and Russia, and its member countries cover more than 95% of the Internet user population of the planet.

-The Internet Governance Forum has proven to be a successful venue for all stakeholders to come together and discuss Internet public policy issues. See reply to question 9.

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

WGIG established four key public policy areas: 1) issues relating to infrastructure and critical Internet resources, 2) issues related to the use of the Internet, 3) issues relevant to the Internet but with an impact much wider than the Internet and 4) issues relating to development aspects of Internet Governance.

The WGIG framework is still valid today, but it would be useful to assess how developments since 2005 have changed the importance and pertinence of the issues identified by the WGIG, whether new governance arrangements have been developed to deal with them, and whether completely new issues have emerged along with the development of eg., search engines, social media, cloud services and “big data”.

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

The roles and responsibilities of different stakeholders vary from issue to issue; furthermore, over time, reflecting changes in the evolution and use of the Internet, they may change in nature and importance. A flexible approach is needed to take advantage of technological and other developments, that may change the optimal roles of stakeholders (like what happened in telecoms)

It is important to keep in mind the definition of Internet Governance (TA§34) as “development and application by Governments, the private sector and civil society of shared principles, norms, rules (...)”.

The badly drafted paragraph defining stakeholders' roles and responsibilities (TA §35) excludes other stakeholders from having a role on international public policy issues. This is in conflict not only with TA§34, which should take precedence, but also with reality.

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?

Governments interested in carrying out their roles and responsibilities in international public policy issues pertaining to the Internet should actively engage on all fora which deal with specific groups of such issues.

The Governmental Advisory Committee of ICANN is a vehicle for the governments' influence on matters relating to the technical co-ordination of the unique identifiers of the Internet. As already noted under 3., it has recently become more representative and more powerful.

For other public policy issues, other fora have been or are being established, some connected with existing intergovernmental organizations, some not. When governments have realized the political importance of Internet governance, it has found its place on the agenda of all sorts of intergovernmental organizations, starting from G7, Council of Europe, OECD, and other initiatives like, eg., the London Cyberspace Conference or the Swedish conference on Internet Freedom. Following the example of the IGF, a multitude of national and regional multi-stakeholder platforms have been established in accordance with paragraph 80 of the Tunis Agenda.

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

As stated above, the roles and responsibilities of stakeholders are shaped issue by issue and also vary depending on the entity in question. All stakeholders, including governments, should commit to openness, transparency, inclusiveness and multi-stakeholder approach both nationally and internationally, when tackling Internet-related international public policy issues.

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?

We are glad to note the plural in the question: indeed, 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. We can envisage a variable geometry of different mechanisms focusing on various Internet-related public policy issues, and appropriately structured for their tasks. However, they should all be of multi-stakeholder nature, and they should not work in silos, but rather in communication, coordination and collaboration with each others.

In his 2011 report, cited above, the UNSG noted similar thinking emerging from the consultations on EC: "(T)here seemed to be a convergence of opinion that Internet governance involved many dimensions and layers of cooperation with diverse forms of stakeholder consultation suited to different types of policy innovation and need for consistency with due legal process."

Since the coordination and management of critical Internet resources was singled out at the end of the question, we can point to ICANN as a very successful "mechanism" that enables all stakeholders – including governments - to carry out their roles and responsibilities on the issues of ICANN's mandate.

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

IGF was successfully implemented from 2006 on, while the process towards enhanced cooperation remained stalled. Thus, IGF from the very beginning became a key locus for EC among stakeholders on a global level, reinforced by the development of regional and national IGF's. As a multi-level, round-the-year process that IGF has become, it is the best living example of successful EC.

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

There are good examples of capacity building by ICANN, ISOC, Diplo Foundation, ICANN Summer Schools/Studienkreisen etc. These efforts need to be continued, coordinated and funded, and they should benefit all stakeholder groups in developing countries. An one-stop-shop track for capacity building should be developed at IGF for the benefit of participants who are not able to attend several Internet governance meetings annually.

Multi-stakeholder cooperation on Internet matters within each developing country should be encouraged, financially if necessary.

Participation of all stakeholders from developing countries at Internet Governance-related meetings should be encouraged and – especially as far as civil society is concerned - financially assisted through trust funds and other financing mechanisms.

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?

In many developing countries, non-governmental stakeholders still face high hurdles – political, economic – as far as their participation in the Internet Governance is concerned. Under 10, some suggestions have been made in order to lower the barriers for them.

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

There have been many examples in the past of how ICT, especially mobile telephone and Internet, can make a difference in the lives of people who used to be marginalized, from Bangladeshi fishermen to “phone ladies” in African villages. This trend should continue – not as a charity, but as a growing number of innovative win-win business solutions.

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

Ten years ago, the Internet was nice to have, now it is a must. Even those stakeholders who were slow to realize the full significance of the Internet now realize its critical importance to their national, political or business interests, and act accordingly to defend them. In order to keep the great promise of the Internet to global, social and economic development from getting lost in the deepening conflicts between various interests – Silicon Valley vs. Hollywood, telecoms vs. OTT, spy vs. spy – more consensus-oriented cooperation would be needed. A new mission for enhanced cooperation?

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

All stakeholders in a language area, even a small one, certainly have a role, based on self-interest, in developing content in their official or main business languages. Small local languages without an official status or business significance are probably a different problem, but even their survival in the Internet age should be a multi-stakeholder effort, lead by governments or interested entities from civil society and academia.

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

Developing countries themselves are best placed to answer to the question. However, we have noted interconnection costs as one of the challenges, and bringing them down by increased competition and by setting up Internet Exchange Points. It is also important that Internet remains open and has little barriers for being used for new purposes by citizens and businesses.

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?

Abolishing any restrictions to competition and ensuring a stable regulatory environment is of great importance for promoting the affordability of the Internet. If competition alone can't produce affordable broadband connections universal service obligations might be needed. Spectrum planning and sharing of infrastructure are also means of promoting the provision of broadband services. Also to be noted, a recent initiative by Google, Facebook and others to bring Internet to the reach of the unconnected five billion (www.internet.org). See also the answer to 15.

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?

Many governments have seen the benefit of multi-stakeholder arrangements in the preparation of national positions on international Internet-related matters by including representatives of other stakeholders in preparatory meetings and national delegations at important intergovernmental conferences (such as ITU Plenipotentiary Conferences or WCIT). The benefit accrues to all stakeholders, not least to the government that will gain additional insight and information.

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

WSIS was an important milestone. ICT issues traditionally relegated to the engineers in the back room were - elevated into information society issues – placed on the high table in front of Presidents and Prime Ministers.

However, when ICT/information society issues were viewed through political prisms, they became hostage of philosophies and policies that belonged to the world before the Internet. Unfortunately, this debate took attention from the more important discussion on how to fully harness the ICTs for development.

We have now used eight years to trying to free one of the hostages by discussing enhanced cooperation – what it should have been or should be, has it happened or not, and if yes, did it happen in an appropriate way or not.

Meanwhile, the Internet has transformed the world. Things nobody even mentioned in Tunis are now part of our everyday lives. New opportunities, problems and threats have emerged in front of us, while we have been intensely looking at the back mirror.

Now finally, let's look forward.