



Concrete decisions or actions that have been taken as a result of engagement at national, regional and global Internet Governance Forum during its 2011–2013/4 mandate

**Contribution from the Association for Progressive Communications
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Background

The Association for Progressive Communications (APC) is an international civil society network established in 1990, whose mission is to harness the internet for social justice, development, human rights and gender equality.

APC has participated in the global IGF since its inception in 2006 and has been a co-convenor of multiple regional and national IGFs. We have consistently engaged at the IGF to advance the following as key concerns to be considered in internet governance at national, regional and global levels:

- affordable access for all;

- internet openness;
- free expression and other human rights;
- the free flow of information;
- women's rights
- development;
- and multistakeholder cooperation, transparency, public participation and accountability.

APC's engagement with the IGF has included nominations for the MAG, participation as members of the MAG, , responding to MAG calls for inputs, supporting the IGF Secretariat, regionalising the IGF process by promoting and organising regional and national internet governance meetings in Latin America and Africa, among other activities.

During the IGF itself, we have organised pre-events, workshops and main sessions, provided speakers for workshops and main sessions, launched publications, conducted capacity building, engaged with civil society organisations from the host country, and broadly participated in other initiatives to enhance networking building, knowledge and information sharing related to internet policy.

1. Global Developments

1.1 Bridging the divide between human rights and internet policy

The IGF has progressively taken on the issue of human rights online, which APC has been advocating for many years. The work of the IGF Dynamic Coalition on Internet Rights and Principles, and the launching of other statements of rights and principles such as that of the CGI.br (Brazilian Internet Steering Group) contributed to this shift.

The 2013 IGF in Bali included the first-ever main session on human rights, as well as a focus session on surveillance, one of the most critical human rights related issue in the digital age. Very soon after the 2013 IGF, the UN General Assembly passed its first resolution on the right to privacy in the digital age, spearheaded by the governments of Brazil and Germany, which were both actively engaged in discussions on surveillance and privacy at the IGF. While there are of course many factors that led to the resolution, discussions at the IGF have contributed to advancing understanding among governments as well as all stakeholders on this critical issue.

More recently, the UN Human Rights Council adopted a resolution on the promotion, protection and enjoyment of human rights on the internet. Building on years of discussion at the IGF, the resolution addressed core human rights issues, such as the right to education, privacy, freedom of expression, and the right of peaceful assembly and association as well as key internet issues like access to information, digital literacy, interoperability, and innovation, and the global and open nature of the internet. Finally, the recent report of the UN High Commissioner for Human Rights on the right to privacy in the digital age,¹ specifically called for multi-stakeholder engagement to respond to concerns of internet related privacy rights violations. We believe this new ground for the Human Rights Council is a direct result of the IGF community and its supporting process.

1 http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session27/Documents/A.HRC.27.37_en.pdf

1.2 Influencing other internet policy spaces

This is a key part of the IGF's original mandate as outlined in the Tunis Agenda. While the IGF itself has not been outcome-oriented, discussions and coordination that have taken place at the IGF have influenced other processes that are explicitly outcome-oriented.

This happened at the 2012 IGF in Baku, which facilitated the exchange of knowledge, understanding, and strategies ahead of the 2012 World Conference on International Telecommunications (WCIT) that took place just a few months later in Dubai.

The Baku IGF also facilitated (by means of a pre-event organised by APC, the Internet Society, the International Chamber of Commerce Business Action for the Information society, and the governments of Kenya and Brazil) agreement on the establishment of the Commission for Science and Technology for Development Working Group on Enhanced Cooperation.

In 2011 the Freedom Online Coalition was launched as a network of governments committing to internet rights and freedoms. This new intergovernmental coalition emerged in large part as a result of discussions on human rights on the internet at the IGF.

A more recent and perhaps stronger example is the development of a multistakeholder outcome document at NETMundial. Discussions at the 2013 IGF in Bali were pivotal in setting the stage for NETMundial. With many of the key actors already engaging actively at the IGF, including a sizable delegation from the host country of NETMundial, Brazil, the 2013 IGF offered the opportunity for critical face-to-face meetings for different stakeholders to share concerns, priorities, and expectations. The fact that different stakeholder groups were able to develop, negotiate, and adopt an outcome document is something that could not have happened without years of multistakeholder dialogue at the IGF, which helped different groups understand, speak to, and trust one another. Understanding that there were gaps both in the process and outcome of NETMundial, the adoption of an outcome document through a multistakeholder process is in itself an achievement, and the 2014 IGF in Istanbul will be an important forum for bringing these discussions further.

1.3 Advancing good practices on multi-stakeholder internet governance processes

In the last three years, the legitimacy of global and national internet related policy has begun to be measured by the nature and extent of multi-stakeholder processes which support it – this has been seen clearly in collaborative campaigns in relation trade related agreements (such as the Trans Pacific Partnership) and intergovernmental agency attempts to create regulations affecting internet policy (such as the ITU). The use of multistakeholderism as a means to test legitimacy of policy outcomes is, in our view, also directly related to the nature of the IGF community.

A very concrete outcome that APC was involved in is the “Code of good practice on information, participation and transparency in internet governance” which we developed with

the UN Economic Council of Europe and the Council of Europe.² The Council of Europe incorporated elements of this into its internet governance guidelines.

In fact, these Council of Europe guidelines, and there are several, can also be seen as an outcome of the IGF.

2. Regional developments

2.1 Latin America and Caribbean

In early 2014, the InterAmerican Human Rights Commission (IAHRC), through a groundbreaking report of its Special Rapporteur on Freedom of Expression, addresses the issue of internet and freedom of expression and offers a systematization of standards aimed at promoting respect for freedom of expression on the internet.³

In an initiative led by the Center for Studies on Freedom of Expression and Access to Information (CELE), directed by Eduardo Bertoni, a former regional rapporteur on freedom of expression, and in collaboration with several organisations active in the region, a series of briefings on internet related human rights have been developed for the IAHRC. These briefing papers refer to the multi-stakeholder processes of the IGF which, we believe, will be vital to ensuring the Commission adopts a multi-stakeholder approach to its response to internet related human rights issues in the region. Our engagement in IGFs 2011-2013 has ensured up to date briefings on internet access and rights.

The Latin American region hosted the seventh edition of the regional dialogue on internet governance, in preparation for the global IGF in July 2014⁴. The Latin American and Caribbean IGF (LAC IGF) has become a true regional meeting space for multistakeholder policy debate where different stakeholders representing governments, the private sector, the technical community, academia and civil society organizations share and discuss their views. This has significantly broadened the region's participation in the global IGF.

2.2 Africa

APC has co-convened and supported the regional IGFs in Southern Africa, East Africa and West Africa. In addition, it has been deeply involved in the three editions of the African IGF.⁵

In mid 2014 the African Declaration on Internet Rights will be launched. This Declaration drafted over a period 6 months, emerged from the IGF, and was launched at the 2011 regional African IGF held in Nairobi.⁶

2.3 Pacific

The global IGF has seen the participation of individuals from this large and widely dispersed region. Inspired by the global IGF, Pacific participants were able to work with others in the

2 <https://www.apc.org/en/node/11199>

3 <http://www.oas.org/en/iachr/docs/annual/2013/informes/LE2013-eng.pdf>

4 <http://www.lacigf.org/sp/lacigf7/index.html>

5 <http://www.uneca.org/afigf>

6 <http://africaninternetrights.org/>

region from to host the first Pacific Islands IGF in 2012. A member of Pacific ISOC also participated in the Africa Internet Governance School and plans are in development for a similar Pacific initiative in 2015.

2.4 Arab region

The Arab region began holding a regional IGF in 2012. There are increasing efforts to engage stakeholders from the region, including the development of an internet governance course tailored to the Middle East and North Africa, which APC is currently developing in partnership with Hivos.

3. National developments

Inspired by IGF related processes and from action by IGF community members, a civil framework for the internet has been adopted at the national level in countries such as Brazil and the Philippines. Draft proposals have also been developed or are under active consideration in many other countries including New Zealand. In addition, IGF workshops on emerging issues, such as cloud computing in 2011, have ensured that policy makers have up to date information for shaping regulatory practice.

APC has been directly involved, working with its network of members, in organising national IGFs in South Africa, Kenya, Uganda, Tanzania, Nigeria, Ivory Coast, India, Colombia, Brazil, the United Kingdom, New Zealand and the United States (and this is not an exclusive list). Each of these events set in motion national level internet -related networking, investments, partnership, and policy development which would not have happened without the IGF.

4. Women's rights and internet governance

The broader uptake of human rights discourse at the IGF has made it possible for more diverse rights- and development-centric discussions to take place at the event, including the discussion of women's rights and sexual rights issues.⁷ Efforts have been made to ensure the participation of women in the regional organising committee. Gender balance was established as one of the main criteria for the allocation of scholarships for participation, and attempts are made to prioritize the involvement of women in the sessions as resource persons. However, this has not been enough to address the structural exclusion of women from the way internet governance is configured. Internet governance responds, in large part, to the patriarchal, colonial, androcentric, and capitalist matrix that oppresses all on the basis of a model of oppression of women by men.

It has therefore been encouraging to note a steady increase in both both the participation of women's rights and sexual rights activists (a key APC strategy) and along side this a broadening of the spaces and issues in which women's and sexual rights are considered at the IGF, including for example in the Security, Openness and Privacy thematic area. Equally

⁷ APC Women's Rights Programme organised in 2011 an activity to discuss women's rights and internet governance, including women's participation in shaping ICT policies at all levels. The workshop was attended with women's rights advocates from several countries. Theme: Women's Rights and Internet Governance, September 24-25, 2011. Results of the discussion and analysis that took place are published in the policy advocacy toolkit "Critically Absent: Women in Internet Governance" <http://www.genderit.org/resources/critically-absent-women-internet-governance-policy-advocacy-toolkit>.

significant was that in 2012, for the first time at an IGF, gender and women's empowerment was included as main session sub-topic (Access and Diversity). This meant that internet development, infrastructure, opportunities and barriers to access and how they relate to and impact on women's diverse realities and human rights could be raised and discussed as one of the central issues in internet governance. The Gender Report card piloted by APC in the 2011 IGF was formally taken up by the MAG and included as part of the reporting process for workshop organisers. This both sends a clear message that gender concerns and women's participation are coming to be taken seriously in the IGF processes.⁸

APC has also been able to use our experience at the IGF to influence other policy processes. As a result of APC advocacy the first thematic report of the UN Working Group on Discrimination Against Women in Law and Public Life included specific recommendations including for states to: *“support women’s equal participation in political and public life through ICTs, including by: Increasing women’s digital literacy, particularly among marginalized women; Ensuring gender-responsiveness in the promotion and protection of human rights on the Internet; Improving women’s access to the global governance of ICTs”*.

5. Policy shaping

At the IGFs, APC has consistently raised the ongoing issue of the need to address inequalities in internet access, and this has helped contribute to raising awareness of the many aspects of access ecosystem problems at the IGF and at the other related global policy fora - UN Commission on Science and Technology for Development (CSTD), the World Summit on Information Society (WSIS), the ITU Broadband Commission, and the post-2015 development agenda process at the UN. Specific aspects that APC has and continues to focus on are: public access strategies and facilities such as ICTs in libraries, innovation and policy driven access to radio spectrum, locally owned networks and infrastructure sharing, access affordability, national broadband strategies and addressing gender inequalities in access.

APC has also used the IGF as a space to share new ideas and stimulate discussion on emerging issues in cases where these have led to follow up and concrete outcomes. A good example is APC's work on spectrum.⁹

The IGF Chair's summary has also been used in policy advocacy at national and regional levels.

The IGF has been a significant space for APC to raise awareness, deepen our own analysis and stimulate discussion on the growing incidence of technology-related violence against women. Over the past 5 years we have witnessed there is broad recognition that violence against

⁸ Each year APC publishes a special edition of GenderIT - our gender and ICT monitor - that includes interviews / articles etc from participants at the IGF about the extent to which gender and women's and sexual rights have been reflected at the IGF. This allows us to make a significant contribution - outside of the IGF and internet rights spaces - to building knowledge amongst women's rights and sexual rights activists about why they should have a stake in the governance of the internet. See Gender Peripheries at the 2011 IGF: <http://www.genderit.org/newsletter/gender-peripheries-2011-internet-governance-forum>

Gender Peripheries at the 2012 IGF: <http://www.genderit.org/newsletter/gender-peripheries-2012-internet-governance-forum>

Let's go beyond the basics: What would feminist internet governance look like? <http://www.genderit.org/editorial/lets-go-beyond-basics-what-would-feminist-internet-governance-look>

⁹ http://www.apc.org/en/system/files/OpenSpectrumIssuePaper_EN.pdf

women that is committed, abetted or aggravated through the use of ICT and in online spaces is a significant barrier to women and girl's ability to take advantage of the opportunities that ICT provide for the full realisation of women's human rights and there is a growing number of organisations and individuals who are taking up these issues.

6. Dynamic Coalitions

Gender Dynamic Coalition

The Dynamic Coalition on Gender Equality aims to ensure gender perspective is included in key debates around internet governance issues, such as content regulation, privacy, access, freedom of expression among others. Among others, the Coalition wants to promote women's visibility at the IGF and related fora; to conduct research and input on the main topics of IGF debates; to support capacity building of gender advocates and to promote more effective linkages between local, regional and global initiatives on gender and information society.

APC Women's Rights Programme is a member of this coalition and has convened meetings in recent IGFs.¹⁰

The Dynamic Coalition on Public Access and Libraries

This Coalition was formed at the Nairobi IGF in 2011 and has since met every year, convened at other events, and put forward policy proposals on public internet access at WSIS meetings as well as at regional and national meetings in various parts of the world. It is co-convened by APC and IFLA (International Federation of Library Associations).

The Dynamic Coalition on Internet Rights and Principles¹¹

This Coalition developed a Charter of Internet Rights and Principles in 2011 and Charter 2.0 in 2013. The Charter has been cited in numerous policy processes at global, regional and national levels and has inspired or contributed to proposals for national legislation including in countries as diverse as the Philippines, Brazil and New Zealand. The Coalition has also developed into a community which is active between IGFs in the Internet Rights and Principles List, which has made a variety of inputs to internet governance discussions and processes outside the IGF.

7. Capacity building

The first Summer School on IG (SSIG) was held in Europe in Meissen in July 2007. It has become an annual event and gave rise to the South School on IG held annually in Latin America for the last four years.¹²

In July 2013, responding to the capacity building issues in internet governance, including the need to grow participation from the Africa region, APC worked with the New Partnership for

¹⁰ <http://www.intgovforum.org/cms/documents/gender-and-internet-governance>

¹¹ <http://www.intgovforum.org/cms/dynamic-coalition-meetings/1867-igf-2014-dynamic-coalition-on-public-access-in-libraries-meeting>

¹² <http://www.gobernanzainternet.org/en/>

Africa's Development (NEPAD) and other partners to host the inaugural Africa Internet Governance School.¹³ This event was hosted alongside ICANN Durban meeting, enabling some participants to attend and take part, including at policy event on new gTLDs.

We have convened pre-events at regional IGFs designed to build capacity in particular areas, ranging from understanding telecommunications regulations, to public access in libraries, to multistakeholder policy processes.

APC also convened workshop on women's rights and internet governance in 2011 at the Nairobi IGF. But, aside from specific workshops and schools, we bring at least 20 young people from civil society around the world to each IGF and provide them with onsite support to ensure they gain confidence and knowledge. The result is that they are able to participate more effectively in internet policy when back on home ground.

8. Network Building

The IGF has been an enabling space for network development within and among diverse stakeholders. The multi-stakeholder nature of the IGF has been critically important in this respect, ensuring that government, business, technical community, academics and civil society groups can participate in an open and inclusive manner. This method of working has developed over time as the community has become more confident and the practice of multi-stakeholder processes has grown and evolved. We have seen tangible effects of this in the participation of these networks in regional and national IGF processes, which has been inspired by the global IGF.

9. Recommendations

In our submission to the CSTD Working Group in Enhanced Cooperation (WGEC,¹⁴ APC made the following recommendations for the IGF, which we reiterate here:

We believe the IGF is the ideal space for fostering, analysing, and measuring enhanced cooperation among all stakeholders. It does not have to be the only place where this happens, but its relationship to the UN positions it extremely well to play this role. However, for the IGF to fulfill its potential it needs to be adequately resourced.

We propose that the CSTD WGEC works actively not just within the CSTD framework, but also within that of the IGF (e.g. by engaging regional and global IGFs). We propose that for the longer term, such a working group be established that can operate within the IGF framework and in close association with the CSTD, to review progress in democratising internet governance. An intersessional thematic IGF could be convened in between global IGF's to facilitate the work of this working group and it can make use of regional IGFs. It's primary tasks should be to:

- Assess progress in implementing EC/democratising internet governance, and,
- Ensure that by the end of the IGF's current mandate in 2015 some consensus is

¹³African School on Internet Governance to be held in Durban, South Africa, from 10-12 July 2013. See more at: <http://african-ig-school.events.apc.org/>

¹⁴ Response from the Association for Progressive Communications to the CSTD Working Group on Enhanced Cooperation Questionnaire, 31 August 2013, page 7. <http://www.apc.org/en/pubs/response-apc-cstd-working-group-enhanced-cooperati>

- reached on basic principles and modalities for democratising internet governance;
- Achieve consensus on a monitoring framework (or code of good practice) that can be used for both self, peer and bottom-up assessment of the extent to which mechanisms and processes are effectively democratising and acting in the public interest.
- The relevant sections of our submission is attached as an appendix.

We recommend strongly that the IGF mandate be renewed for at least 10 years. Five years is simply not enough.

In conclusion we recommend that the recommendations of the CSTD Working Group on IGF Improvements be implemented, and that the institutional capacity of the IGF Secretariat be expanded to enable it to better facilitate the critical role that IGF is playing in building a robust, inclusive and democratic internet governance ecosystem.

APPENDIX: EXTRACT FROM APC SUBMISSION TO CSTD WORKING GROUP ON ENHANCED COOPERATION AUGUST 2013

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

“Developing countries are excluded at so many different levels, and they self-exclude, so addressing this problem is not at all trivial. The way in which Internet governance for development (IG4D) has been conceived and addressed in the IGF and in other global spaces is not helpful. It is narrow, and top down, and often does not go beyond affordable access issues. Clarifying the role of governments in Internet governance (see questions 5, 6, 7 and 11) is the first step. Developing country governments must be involved in this discussion otherwise they will not buy into its outcomes. Another necessary step is to foster more engagement with Internet governance issues at the national level in developing countries. In the way that developing countries have made an impact on global issues such as trade justice for, example, so too they could in Internet governance. The issues are debated at national level by the labour movement, local business, social justice groups etc. and this both pressurises governments and informs governments (not always in the desired way) at the global level. Critical thinking needs to be applied at national and regional level, with involvement of non-governmental stakeholders for more effective developing country representation at global level. And vice versa. Global Internet governance processes need to report and feed into national processes. In short, making developing countries (government and other stakeholders) play a more effective role in global Internet governance requires mechanisms at national and regional level as well as a process of democratisation at the global level.” (From the Best Bits statement.)

While it is necessary to bridge the capacity gap (at the levels of knowledge, expertise and financial resources) for developing countries to be engaged in global IG, it should be recognised that this gap is not consistent: capacity does exist in developing countries, among all stakeholders. Regional integration initiatives in regions such as LAC and Africa are a way to develop coordinated efforts in order to influence global decision-making more effectively but they need to consistently include all stakeholders. It is also important to ensure continuation and strengthening of initiatives that build capacities of stakeholders in developing countries such as the African Internet Governance School.¹⁵

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?

This has been addressed already in previous questions (notably 6, 7 and 8). Barriers that stand out include:

- The absence of common principles for internet governance at both a substantive level and a procedural level. There is not even a common understanding on what the internet is from an economic or legal perspective.
- Lack of maturity and differentiation on the conceptual approach to internet governance. There is often no clear distinction between governance, policy and regulation.
- Geopolitical arrangements among states and interventions by states in global policy processes that appear to be aimed at protecting the specific business or political interests rather than reflect a broader mandate from all of their citizens;

¹⁵ <http://african-ig-school.events.apc.org/>

- Unequal distribution of power among government in global internet governance spaces. Some are simply more powerful than others, and often decisions are approached from the perspective of these power configurations rather than achieving the best possible public interest outcomes.
- Financial resources, time, capacity and knowledge are barriers that prevent and limit participation of CS, small/medium size business and governments from developing countries in the internet governance ecosystem.
- Diversity, different political and cultural backgrounds and traditions, different understandings about the role of governments, and different approaches by governments to inclusive policy processes.
- Uncertainty about how soft power, as exercised by e.g. the IGF, influences global internet policies.
- Uneven knowledge and confidence. Internet governance still seems very technical and complex for most of CS, and for many people in government. There needs to be more articulation of IG issues in relation to broader public policy issues on which the internet impacts.

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

- Bottom-up strategies which use local expertise and focus on telecommunications and internet infrastructure, enabling policies, incentives for the private sector and education for all;
- Reduce the cost of internet access in developing countries;
- Capacity-building for marginalized groups to access online spaces, public information and essential services in a safe and inclusive way;
- Work with marginalized communities to develop local content in their own language, that meet their needs and tell their stories;
- Capacity-building and campaigns for internet users to understand the barriers to participation by marginalized groups in the information society, including online threats and discrimination;
- Facilitate participation of marginalized group in IG forums by ensuring their issues are on the agendas of those forums;
- Measuring the inclusion of women in internet governance spaces and taking concrete action if the results indicated unequal participation; and,
- Establishment of national multistakeholder forums and processes for dealing with IG and internet policy issues, and ensuring that they include marginalised voices.

ENDS