IP.rec INSTITUTO DE PESQUISA EM
DIREITO & TECNOLOGIA DO RECIFE

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Background:

The **IP.rec – Instituto de Pesquisa em Direito e Tecnologia do Recife[1],** a Brazilian independent research and policy center focused on studies of social, ethical and legal impacts related to technological development welcomes the report "The Age of Digital Interdependence" of the High Level Panel on Digital Cooperation and praise all the work done by the UN Secretary-General and members of the Panel.

The IP.rec is a non-profit civil association that understands that organized civil society is a primary agent for fomenting and maturing political debates, which cannot be dissociated from the active use of the Internet. The Institute acts under values that prioritise the multistakeholder approach, considering the influence of several actors for the technical and political development of technologies. Therefore, it offers its contributions on the following matters:

CALL FOR FEEDBACK: Section 1

GLOBAL DIGITAL COOPERATION

On Recommendation 5B:

Although the multistakeholder model is based on a multi-party authority in its theoretical plan, in the real world, power asymmetries constitute one of the biggest obstacles to the realization of the model. Inequality levels and the lack of resources available not only across sectors but in most countries of the Global South, for example, directly influence the ability of certain groups to participate in the Internet Governance scenario.

Another aspect that should be pointed out is related to the lack of diversity of viewpoints even within the same sector. As noted by many, the multistakeholder model fosters dialogue between

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[1] http://ip.rec.br

different sectors but does not guarantee the diversity of perspectives and interests (Belli, 2015). For some, most IGFs promote empowerment spaces with approaches that justify current policy arrangements rather than questioning the status quo and considering new policy making as an alternative (Hoffman, 2016). In addition, economic and geographical constraints such as the difficulty of access to venues - as the last three editions of the IGF, for example, were held in the European continent - represent yet another barrier to truly diverse and inclusive participation.

The multistakeholder model needs to be constantly rethought from new practical perspectives in order to overcome only the dialogue between the four major sectors always referenced: academia, civil society, the private sector, and government. It is necessary to understand that social complexification is accompanied by diversification. That is, to speak of the effectiveness of multistakeholder mechanisms with adequate and inclusive participation, it is necessary to reflect the very notion of representativeness.

Although maintaining the dialogue between these sectors is fundamental, it is important to broaden the scope and the possibility of portraying diverse groups. (e.g.: in a debate about women's participation in the Internet governance environment, it is not possible to make the same demands for black and white women. These women come from different realities and therefore have different claims.)

Articulation processes in multi-stakeholder models do not have deliberative moments, nor do they take care of complex management of territorial sublevels. Most of the times, regional and national meetings are locally unfit to produce agendas with their own identity and, as far as identity data are concerned, do not have these data considered by the global context.

In summary, we strongly recommend the continued use of virtual meeting mechanisms, the production of multi-organizational agendas and the annual monitoring of projects that take into account various sectors - based not only on emerging issues, but key themes for governance.

Paragraph 4: On soft governance mechanisms

Although the multistakeholder model is seen as an attempt to transpose democratic national participation norms into a transnational scenario, it is noted that multistakeholder initiatives are still typically used in environments where regulatory gaps exist to enable voluntary, non-binding rulemaking. Moreover, power asymmetries represent one of the biggest drawbacks and disadvantages of multistakeholder processes. Thus, one important question that should be posed

is: "in which ways soft governance mechanisms used in the multistakeholder approach are able to create opportunities for real social and democratic participation in Internet governance policy making?"

There is a need to minimize the social risks of the Internet governance, prevent abuses of power in the online and "offline" environment, and understand the ethical risks of dehumanization of technological applications. In this sense, as presented in the contributions of the UN Expert Group Meeting on "Role of Public Institutions in the Transformative Impact of New Technologies" to the UN Secretary-General's High Level Panel on Digital Cooperation (HLPDC)[2], as long as markets prioritize efficiency concerns, consideration of equity and ethical matters is not guaranteed in the making of policies.

Paragraph 5: On the holistic "systems" approach

We believe that the holistic "systems" approach is essential for the fair and safe functioning of the Internet. Because of this, in addition to the cooperation between government bodies and the private sector, we need to take into account the experience and emergence of the specific sectoral demands of young people, gender, LGBTQ+ communities on certain scenarios, such as AI biases-related issues, but also on broadly social and technical demands such as the ones regarding digitisation of work and Internet shutdowns, for example.

In this way, as it can be also seen in the produced document to the HLPDC, public institutions in partnership with other relevant stakeholders own the collective responsibility and role of assessing and managing the equity and ethical impacts of new technologies in societies, building relationships of trust between the involved actors.

It is also important to remember that an overconfidence in state regulatory action just as an autoregulatory private approach as the appropriate instruments to address all the ills of the digital age can be very foolhardy. When we fail to realize the complexity of contemporary times and the limitations inherent in the state's and private actors' actions we risk sabotaging a free, open and neutral Internet. Cooperation across borders and parties is particularly vital for the Internet's functioning and diversity.

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[2] http://workspace.unpan.org/sites/Internet/Documents/UNPAN98900.pdf

Paragraph 6: On the process of developing a "Global Commitment for Digital Cooperation" would be inspired by the "World We Want" process

The multistakeholder model demands a resource allocation that takes into account the material equality of the parties - that is, consider them to the extent of their difference, their ability to contribute. Thus, the private sector and governments should be invited, to a collaborative extent, to contribute to global funds through calls without any kind of agenda, when minority sectors of civil society and academia cannot afford the conditions for participation. It is important to note that online remote participation takes much more care of passive informational follow-up rather than a possibility of influence in the debate, which often occurs outside the reach of cameras and broadcasts.

Finally, the multistakeholder model requires capacity building for its own values: teaching how to think and favor multistakeholder negotiation, encouraging transparency, accountability, interdisciplinarity and other values in training processes. It is necessary to always bear in mind that the multistakeholder activity is the conceptual description of political action, and as such, demands an educational dynamic that is only established and reproduced in the practical experience.

CALL FOR FEEDBACK: Section 2

A possible architecture for Global Digital Cooperation

On the IGF Plus

- Enhance broader participation in - and possibly remodel - intersessional work. We believe that even though convening at a venue at an Event such as the Internet Governance Forum is necessary, the IGF Plus should focus on recommendations and actionable outcomes going beyond the days of the event. Intersessional work including Best Practice Forums (BPFs) and Dynamic Coalitions (DCs) should be better explored and integrated with IGF Plus agenda.

- There are more than 114 National, Regional, Sub-regional and Youth IGF Initiatives (NRIs), what shows that there is a movement over the years to foster discussions and create different "Internet Governance Spaces", this should be taken into account by the Global Forum and mechanisms should be aligned, considering most of the

decision-making is done at a national level.

- IGF already faces economic constraints due to its' extra-budgetary nature - there is a real need to analyse if the increase in the complexity of its structure brought through IGF Plus would affect or hinder the implementation of the model.