

The Internet Governance Forum (IGF)

*On the desirability of the continuation of the Forum
(Tunis Agenda for the Information Society, para. 76)*

Synthesis paper

Prepared by the IGF secretariat

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Introduction

1. The present synthesis paper is the final version of an evolving document that describes comments emanating from stakeholders in response to paragraph 76 of the Tunis Agenda on the Information Society.¹

76. We ask the UN Secretary-General to examine the desirability of the continuation of the Forum, in formal consultation with Forum participants, within five years of its creation, and to make recommendations to the UN membership in this regard.²

2. The paper reflects the comments received following the various calls for public comment. Most comments responded to a questionnaire, while some were written in free form. The paper is divided into two main parts: the first section, entitled “Taking stock”, deals with answers to questions 1–4 of the questionnaire, which asked whether the IGF had fulfilled its mandate, whether it was useful and whether it was effective in terms of processes and working methods. The second section, entitled “The way forward”, groups answers to questions related to a possible extension of the Forum’s mandate and the changes that could or should be introduced to improve its functioning.

3. The mandate of the IGF is set out in paragraphs 72, 73 and 77. In answering the questions, respondents have referred to the Forum’s mandate and modalities as set out therein.

4. By its very nature, the present paper does not delve into examples and explanations as deeply as in the original comments and omits the richness of those comments. Interested parties are urged to read the original contributions to appreciate their full depth.

5. The present paper reflects only the opinions of those Governments, organizations and individuals who provided comments. The information contained herein is not therefore statistically relevant and all references to studies or measures are purely indicative.

6. The comments, and the present paper, will be used as inputs for the consultations to be held in Sharm El-Sheikh, Egypt, on the last day of the fourth annual meeting of the IGF under the agenda item “Taking stock and the way forward”. The outcome of the consultations will be brought to the attention of the Secretary-General, who will make recommendations to the United Nations in that regard, taking into account the opinions expressed during the consultation.

7. A total of 61 submissions were received, of which 40 responded to the questionnaire, from Governments or government agencies, intergovernmental organizations (IGOs) and organizations representing civil society, the private sector and academic and technical communities. Comments were also received from a dynamic coalition and a number of individuals.

8. Included among the responses were a survey of the membership of the Internet Society (ISOC) and an analysis carried out by the Maxwell School of Citizenship and Public Affairs at Syracuse University, New York.

9. An open consultation was held on this matter on 13 May 2009, during which 19 participants commented, three of them in their individual capacities and the others representing Governments and organizations. The issue of the Forum review was also discussed in Sydney, Australia, on 25 June 2009 during a meeting of the Internet Corporation for Assigned Names and Numbers (ICANN).

10. The full text of the comments received and the consultations can be found on the IGF website.

11. A considerable majority of responses concluded that the IGF had fulfilled its mandate, but there were differences in assessing to what degree it had done so. While most respondents expressed the view that the Forum had fully or partially met its mandate, some identified what they felt were deficiencies and a few suggested that the IGF had not met its mandate at all.

12. Most respondents supported the extension of the Forum’s mandate and, at the same time, suggested how to improve its functioning based on a discussion of successful areas and areas requiring improvement. Three respondents argued against the continuation of the Forum’s mandate.

1 All references to paragraphs, unless otherwise indicated, refer to the Tunis Agenda for the Information Society (hereinafter referred to as the Tunis Agenda).

2 Tunis Agenda, WSIS-05/TUNIS/DOC/6(Rev.1)-E, 18 November 2005.

I. Taking stock

13. The present section deals with the answers³ to questions 1–4 of the questionnaire, set out below:
- (a) To what extent has the Forum addressed its mandate as set out in the Tunis Agenda?
 - (b) To what extent has the Forum embodied the principles of the World Summit on the Information Society (WSIS)?
 - (c) What has the impact of the Forum been in direct or indirect terms? Has it impacted you or your stakeholder group or institution or Government? Has it acted as a catalyst for change?
 - (d) How effective are the Forum’s processes in addressing the tasks set out for it, including the functioning of the Multistakeholder Advisory Group (MAG), the secretariat and open consultations?
14. Many of the responses⁴ were that the IGF was fully delivering on its mandate in accordance with paragraph 72.
15. Among the positive comments received, respondents said that the Forum:
- (a) Had become the “premier venue for discussing key elements of Internet governance in an open, free and multistakeholder environment”;⁵
 - (b) Was an international forum dedicated to providing open discussions all aspects of Internet governance;⁶
 - (c) Had enabled stakeholders with diverse world views to talk to one another, understand one another’s point of view and sometimes even agree with that point of view;⁷
 - (d) Had fostered the ability “to discuss, facilitate public policy, interface with other stakeholders, identify and address issues and challenges of the Internet with regard to human rights, rule of law and democracy”;⁸
 - (e) Had created an open space for stakeholders to engage in global Internet governance discourse and to collaborate further on other regional and national endeavours;⁹
 - (f) Had inspired the development of a range of public policy documents that had since been agreed upon by the 47 member States of the Council of Europe;¹⁰
 - (g) Had deepened interaction between all categories of stakeholders and had influenced actors progressively to address more sensitive issues in a constructive manner, as referred to in paragraphs 72 (a) and (j);
 - (h) Through its workshops and main sessions had played a significant role in capacity-building, had facilitated the exchange of information and best practices and had contributed to a better framing of issues previously dealt with by separate organizations, as referred to in paragraph 72 (d);
 - (i) Had fostered capacity-building in developing countries, as referred to in paragraphs 72 (h) and (j), through information received by participants and the emergence of national and regional IGFs;¹¹
 - (j) Was an important catalyst for promoting ongoing interactions, serving a unique role in helping to attain the broader goals of the Internet and the information society;¹²

3 To save space in the footnotes, all the references have been shortened. The expanded titles can be found in the annex to the present paper.

4 Brazil, Egypt, France, Denmark, MEC Mexico, CoE, CCC, Netchoice, Nominet, USCIB, ISOC, IPA.

5 Verisign.

6 ABA.

7 IGC.

8 CoE.

9 ICANN.

10 CoE.

11 France.

12 ATT.

(k) Was demonstrating that governance was “not the sole or even primary province of Governments” and that there were existing non-governmental bodies that successfully governed “elements of the Internet without government dominance”,¹³

(l) Provided an “excellent example of a successful post-intergovernmental model” to discuss key areas of Internet governance.¹⁴

16. The IGF was described as having proven to be unique and a valuable venue for information sharing and international dialogue on topics critical to global economic, social and political development.¹⁵ Furthermore, it was commended for having initiated substantive discussions, as called for in paragraph 72 (a), on key elements of Internet governance that had fostered the sustainability, robustness, security, stability and development of the Internet.¹⁶

17. Commentators dealt with various aspects of the Forum’s mandate. Regarding paragraph 72 (a), one contributor said that the IGF had exceeded expectations in its performance and should be awarded full marks.¹⁷

18. Several respondents expressed the view that the Forum had broadly met its mandate within the modalities that had been set for it. They pointed out, however, a number of areas in which they had noted weaknesses and where more could be done. Some of the more specific comments were as follows:

(a) Some of the issues indicated in paragraph 72 had been “covered more in depth than others”,¹⁸

(b) The IGF had provided a unique neutral forum for a variety of international organizations to present their activities and interact among themselves and with the community, as mandated in paragraphs 72 b) and c). That had encouraged actors to participate in organizations that they did not normally follow, thus fulfilling the mandate set out in paragraph 72 (f), although continuous efforts were required to engage developing countries in the discussions;

(c) With reference to paragraph 72 (e), issues related to access had grown progressively more specific and, with reference to paragraph 72 (k), higher emphasis on user preoccupations had been planned, although more needed to be done in both respects;

(d) The open submission method for workshops had enabled dynamic agenda-setting and the bottom-up identification of emerging issues, as called for in paragraph 72 (g). The format of the dedicated sessions, however, could be improved further;¹⁹

(e) Several contributors²⁰ highlighted substantive and procedural issues that needed more focus, including:

(i) International public policy issues;

(ii) Capacity-building;

(iii) Participation by developing countries.²¹

19. Some commentators said that the Forum had not met specific parts of its mandate, in particular with reference to paragraphs 72 (e),²² (g),²³ (h)²⁴ and (i). With regard to the latter paragraph, one contributor suggested that, while the IGF had lived up to the WSIS principles itself, there had been no

13 CDT.

14 EABC.

15 USA.

16 USA, ICC-BASIS.

17 APC.

18 Finland.

19 France.

20 SPJCM, APC, Paltridge.

21 Denmark, MEC Mexico, ITfC.

22 IGC.

23 .za.

24 IGC, Alcaine.

evaluation of other Internet governance institutions.²⁵ A call was made for support for the process defined in the joint Association for Progressive Communications, Council of Europe and United Nations Economic Commission for Europe initiative “Towards a code of good practice on public participation in Internet governance – Building on the principles of WSIS and the Aarhus Convention”.²⁶

20. The view was expressed that the Forum had achieved real progress in meeting the objectives of the Tunis Agenda on greater involvement, especially by participants from developing countries.

21. One commentator said that the Forum had achieved mixed results; while it had succeeded in providing a space for debate and sharing of best practices, it had failed:

- (a) To provide substantial advice on ways of bridging the digital divide;
- (b) To identify emerging issues and offer recommendations on those issues;
- (c) To take action on capacity-building;
- (d) To provide sufficient interface with other organizations;

(e) To tackle meaningfully issues such as domain name administration at the end of the Joint Project Agreement (JPA) between the United States Government and ICANN, interconnection costs, the creation of new business models online, as well the access to copyrighted material.²⁷

22. Another commentator suggested that the Forum had a long way to go in fulfilling the real objective for which it was established – to assist in the democratic development of global public policies and, if necessary, new institutions, in the area of Internet governance, in the spirit of the Geneva Declaration of Principles.²⁸

23. One respondent wrote that the IGF had only fulfilled its mandate selectively. He said that commentators were again voicing the need for a new Internet governance institution to serve as a forum for Internet public policy development in a partnership between Governments and other stakeholders.²⁹

24. Another contributor felt that the Forum had only just begun to fulfil its mandate and that the first years’ activities had clarified the breadth and scope of work to be undertaken.³⁰

25. Several contributors noted that the IGF had been responsible for bringing together in dialogue many of the organizations involved in Internet activities.³¹ The IGF was also credited with bringing together intergovernmental organizations to exchange views on issues through main sessions, workshops and other meetings.³²

26. Two commentators noted that the session formats had contributed to greater human and institutional capacity.³³

27. One commentator spoke of a developing culture of engagement in a free and very good exchange of discussions on issues related to Internet governance.³⁴ Another pointed to the value of the Forum creating “a culture on Internet governance”, which he described as multifaceted, bringing together policymakers and experts from various policy areas and encompassing technical, economic and societal matters.³⁵

28. The IGF was described as a capacity-building environment for developing countries that helped them to understand the technicalities of the Internet and how Internet governance had affected Internet development in those countries. The previous three years had seen growing participation at Forum meetings by developing countries, which had contributed actively by sharing their experiences, running

25 APC.

26 APC, IGC, CI.

27 FGV.

28 ITfC.

29 CI.

30 DC IRP.

31 France, ICC-BASIS.

32 ICC-BASIS.

33 ICC-BASIS, USCIB.

34 Brueggeman, statement during Internet governance workshop, ICANN, 25 June 2009.

35 Trumpy, statement during Internet governance workshop, ICANN, 25 June 2009.

workshops and addressing elements of key importance for their countries and regions. There had been a consequent change in decision-making on matters related to information and communication technologies and internet development in developing countries and greater understanding existed of the need to involve various stakeholders in such decision-making.³⁶

29. One commentator criticized the IGF for not working on ‘enhanced cooperation’ as described in paragraphs 68–71 of the Tunis Agenda. He suggested that the Forum was “ineffective and a distraction from achieving the requirement outlined in those paragraphs”.³⁷

30. Several other contributors referred to ‘enhanced cooperation; one said that the Forum’s goal of creating a people-centred Internet could only be achieved though the process of ‘enhanced cooperation’ with global reach and the inclusion of all stakeholders.³⁸

31. The view was expressed that the IGF had been generally recognized as the most specific and successful outcome of WSIS to date and the best embodiment of its principles. Through its application of the WSIS multistakeholder approach and adoption of an open and inclusive approach, the IGF had set a standard that all entities engaged in post-WSIS work should strive to attain.³⁹

32. One contributor⁴⁰ described the Forum as the main laboratory for modalities of interaction among all actors as set out in paragraph 20 of the WSIS Declaration of Principles.⁴¹

33. Another contributor⁴² described the IGF as providing an enabling environment for the WSIS principles, in particular paragraph 48 of the Declaration of Principles.⁴³

34. Many contributors expressed the view that the methods employed by the Forum were consistent with the WSIS principles.⁴⁴ Some⁴⁵ specified ways in which the IGF was embodying the principles, including by:

- (a) Contributing to increasing people-centred inclusion;
- (b) Creating a model of transparency through open consultations and information distribution;
- (c) Paying special attention to the inclusion of marginalized communities;
- (d) Strengthening the production, exchange, sharing and communication of information and knowledge;
- (e) Promoting solidarity, partnership and cooperation among Governments, the private sector, civil society, the technical community and international organizations;⁴⁶
- (f) Informing stakeholders of the evolving status of Internet governance;

36 Akplogan, statement during Internet governance workshop, ICANN, 25 June 2009.

37 MCIT-Saudi Arabia.

38 Brazil.

39 Finland.

40 France.

41 “Governments, as well as private sector, civil society and the United Nations and other international organizations have an important role and responsibility in the development of the Information Society and, as appropriate, in decision-making processes. Building a people-centred Information Society is a joint effort which requires cooperation and partnership among all stakeholders.”

42 CoE.

43 “The Internet has evolved into a global facility available to the public and its governance should constitute a core issue of the Information Society agenda. The international management of the Internet should be multilateral, transparent and democratic, with the full involvement of governments, the private sector, civil society and international organizations. It should ensure an equitable distribution of resources, facilitate access for all and ensure a stable and secure functioning of the Internet, taking into account multilingualism.”

44 Denmark, USA, ISOC, NRO, SPJCM, Verisign, IPA, CCC, Paltridge.

45 ICC, USCIB.

46 USCIB.

(g) Being a “one-of-a-kind point for information sharing and initiating substantive discussions”;⁴⁷

(h) Adopting a multilateral, transparent, participatory and accountable approach;⁴⁸

(i) Complementing existing structures dealing with Internet governance issues.⁴⁹

35. Several contributors commended the provision on the Internet of real-time transcriptions of sessions.⁵⁰ One described them as innovative within the United Nations.⁵¹ Others supported the publication of chairs’ summaries, substantive inputs and synthesis papers.⁵²

36. Many contributors made mention of remote participation, both praising the Forum’s efforts to date and calling for the strengthening of efforts in that regard.

37. Some contributors pointed to the need to uphold the WSIS principles by promoting specific outcomes and results,⁵³ while others commended the lack of such outcomes as symbolic of the IGF adhering to the Summit’s principles⁵⁴ and critical to its survival and success.

38. A few contributors expressed the view that, while the IGF was meeting the requirement for multistakeholder participation, it was deficient in other areas, including:

(a) Ignoring and under-emphasizing issues concerned with human rights and the Millennium Development Goals, including poverty eradication, universal health and education, which were described as remote concerns for the IGF, which was seen as engaged mostly with relatively elitist issues with no clear attempt to frame its themes and workplans in a manner that placed such rights and the Goals at its centre. The subject of development did not engage actors, including from the United Nations, who were truly involved in development activities;⁵⁵

(b) Not adhering to the Geneva Declaration of Principles in tracking the subject of rights and principles as a significant emphasis in meeting agendas.⁵⁶ One contributor, however, commended the IGF for keeping human rights at the centre of its focus;⁵⁷

(c) Not embodying sufficiently the principles of a people-centred, inclusive and development-oriented Internet.⁵⁸

39. The point was made that the Forum had demonstrated, by its very existence, the feasibility and benefits of multistakeholder interaction and therefore promoted the embodiment of WSIS principles in Internet governance processes, in accordance with paragraph 72 (i). It was felt that implementation of that paragraph was in fact growing, as other organizations were submitted in the Forum to the scrutiny of participants.⁵⁹

40. While it was pointed out that there was a need to define clearly success indicators, based on the Tunis Agenda, before making an evaluation,⁶⁰ others felt that it would be difficult to measure success. The point was also made that it was too soon to measure meaningfully the impact of the IGF or whether it had acted as a catalyst for change.⁶¹ One commentator criticized the question for being irrelevant.⁶²

47 Poland.

48 Alcaine.

49 EU.

50 CoE, ICC-BASIS, USCIB.

51 France.

52 ICC-Basis, ITfC, USCIB.

53 EU, DC-IRP, ITfC.

54 Netchoice, Paltridge.

55 ITfC.

56 IGC.

57 CDT.

58 Alcaine.

59 France.

60 The representative of Indonesia at the open consultations on 13 May 2009.

61 APC.

62 CI.

41. Several commentators noted the Forum's impact on developments outside the IGF meetings. It had triggered follow-up discussions in the context of dynamic coalitions and had inspired debates at the regional and national levels.⁶³ It had helped in bringing multistakeholder cooperation into national and regional settings⁶⁴ and in that context commentators mentioned the emergence of national and regional Forum-type initiatives. As a direct result of the participation of Denmark in the IGF, it had been decided to copy the format and hold a Danish IGF later in 2009. Those national and regional initiatives were seen as a direct impact of the Forum and a significant development towards achieving the objectives of the Tunis Agenda.⁶⁵
42. A "tremendous positive change" was noted to have taken place among stakeholders since 2005. Topics that had caused a complete gridlock in the dialogue then were since being discussed in a "calm and matter-of-fact way", as was the case at the third meeting of the Forum, held in Hyderabad, India, from 3 to 6 December 2008.⁶⁶ Another commentator noted that the Forum had had a considerable impact in creating a space for dialogue on participants' interests, concerns and commitments.⁶⁷
43. One commentator failed to see any impact, "except that the proceedings are observed with a sense of curiosity by those who have the powers to cause changes to the fabric of the Internet".⁶⁸ He went on to explain that actual Internet policy was made elsewhere with no awareness of the IGF.
44. Several commentators described the Forum as a catalyst for bringing international attention to important issues, such as child safety on the Internet⁶⁹ and Internationalized Domain Names (IDN).⁷⁰ Another contributor pointed out that the Forum had had an impact on the attention paid to public matters such as network security or children's safety and had had an indirect effect on those discussions at the national level.⁷¹
45. The Council of Europe identified a direct impact that the IGF had had on the organization in inspiring the development of its standard-setting work both in terms of content (for example, the public service value of the Internet, removing the traces of children online and constructing positive online identities), form (for example, applying a multistakeholder approach to dialogue and harnessing communities of practice and knowledge in working methods) and reach (for example, raising awareness of the Council of Europe's pan-European standards and tools such as its conventions with a global vocation). All those elements had been significant enabling factors in the Council's work.⁷²
46. It was noted that the IGF had recognized sustainable development as an emerging issue and had shown great success in linking the issue with Internet governance. However, the Forum had not, however, experienced any reciprocal success in linking the topic of Internet governance to the discussion in the forums concerned with sustainable development.⁷³
47. The IGF had given public interest advocates "a strong platform for participation in global Internet governance instead of relegating advocacy to the hallways and corridors, as had been the case with WSIS and was the case with other forums".⁷⁴
48. The sharing of best practices, with the focus on approaches that had either proven successful or unsuccessful as opposed to being simply instructions on how to do something was seen as particularly beneficial. The organization of the UK-IGF and the creation of the Nominet Best Practice Challenge were a product of the IGF's success.⁷⁵

63 Comment made by the representative of the Czech Republic on behalf of the European Union and its 27 member States at the open consultations on 13 May 2009.

64 Finland, France, CCC, CoE, Verisign.

65 Qatar.

66 Finland, APC.

67 IISD.

68 ISOC-IN.

69 CCC.

70 Alcaine.

71 Poland.

72 CoE.

73 IISD.

74 CDT.

75 Nominet.

49. The Forum was described as an example to other organizations⁷⁶ and one commentator indicated that its effects could be seen in the modalities of organizations such as ICANN and the International Telecommunication Union (ITU).⁷⁷

50. The IGF was also seen as having provided the Organisation for Economic Cooperation and Development (OECD) with a useful and effective forum for engaging with other stakeholders.⁷⁸

51. One commentator described the IGF as an enabler “of a global thought process on internet governance issues across a diverse range of stakeholders”.⁷⁹ Another said that the Forum had brought important Internet governance issues to a global political stage and had served to build the capacity of new actors, especially in the South, to engage with those issues. It had developed an environment, if not a new paradigm, for open deliberations on global political issues, which could be a trendsetter for deliberative democracy at the global level.⁸⁰ He also expressed the view that it had not yet been able to attract the attention of political civil society organizations in the South.

52. The view was held that the Forum had acted as a catalyst for change through the information exchange, dialogue and contacts that were formed at and through it. Those were genuine impacts that needed to be recognized and captured more fully. It had been a catalyst for building several new relationships and deepening others. Business had felt a major difference in the relationships between business representatives and some Governments, in addition to other organizations and actors, which had led to new joint initiatives and invitations to speak and participate in national and regional events on a variety of topics. Those exchanges of experiences and expertise had helped to shape initiatives and policy approaches.⁸¹

53. It was pointed out that Forum discussions had forged new partnerships and deepened others. The Forum had also raised awareness about activities by participants and helped to facilitate better understanding among stakeholders of the various positions on issues. The dynamic and interactive processes at each Forum meeting, including preparatory work, had directly enhanced cooperation among stakeholders. The IGF’s multistakeholder approach was powerful because it yielded more informed policy choices. The commentator went on to report that the communications achieved at the Forum meetings had motivated action outside the Forum and pointed to the work of the Dynamic Coalition on Child Online Safety.⁸²

54. The IGF had been a catalyst within ISOC in identifying future leaders through its IGF Ambassador Programme. Another commentator saw the Forum as a catalyst for giving him the opportunity to view issues from various perspectives.⁸³

55. According to a survey that ISOC conducted among its membership, 63 per cent of respondents did not consider that the IGF had a direct influence either on their Governments or on their institutions. Respondents did express the view, however, that the Forum had:

- (a) Created a space to debate sensitive issues;
- (b) Enhanced multistakeholder processes in Internet policy formation in both international and national settings;
- (c) Provided guidelines to policymakers;
- (d) Raised awareness of technical issue among Governments and users;⁸⁴
- (e) Sharing information and comparing experiences;
- (f) Enhancing the participation of developing countries in Internet governance discussions.

76 France.

77 Finland.

78 Paltridge.

79 SPJCM.

80 ITC.

81 ICC-BASIS.

82 USCIB.

83 Netchoice.

84 NRO.

56. ICANN wrote that the Forum had provided a means for it to create awareness of its work within its scope of responsibility and had enabled new participants, especially from Governments and civil society, to become involved in its processes. The IGF was also reported as having helped to foster new partnerships such as that between ICANN and the United Nations Educational, Scientific and Cultural Organization (UNESCO) on issues related to IDN.
57. One commentator felt that the Forum's influence was low because there was little distribution of information about the Forum.⁸⁵
58. Some Commentators praised⁸⁶ the IGF secretariat, while others criticized⁸⁷ it for its transparency or lack thereof. One commentator saw what he described as "a severe deficit in the transparency" of the secretariat and Multistakeholder MAG.⁸⁸
59. Others commended the secretariat and MAG for their work and dedication.⁸⁹ Thanks were also expressed to the many volunteers who had laboured to make the annual meetings a success.⁹⁰
60. The view was held that the Forum's current work methods were fully consistent with the WSIS principles and that the Forum was delivering on its mandate in an appropriate manner.⁹¹ Several commentators⁹² indicated their approval of IGF processes, including the open consultations, the collection of written statements before each of the consultations and the preparation of synthesis papers.
61. A comment was made that the Forum remained a learning and evolutionary process and that it was very much to the credit of the MAG chair and the secretariat that it was able to function as smoothly as it did, given the complexity of the enterprise and the limited resources.⁹³
62. The MAG success was attributed to the careful selection process used by the Secretary-General and that elections were not held for MAG positions.⁹⁴ One commentator noted that, at times, the MAG appeared to be responsible for holding the IGF back in realizing its potential.⁹⁵
63. One commentator felt that civil society was underrepresented in the MAG, saying that efforts should be made to ensure diversity in terms of gender, geography and groups with special needs and interests in the MAG.⁹⁶
64. A point was made that the public consultations were mostly spent discussing logistical issues and could be improved by strengthening the analytical ability of the forum, establishing focused working groups and developing a more detailed and substantive agenda for the consultations.⁹⁷
65. Several commentators highlighted that an important part of the process and one reason for the Forum's success was that all issues were open for discussion and that there were no negotiations on final texts.⁹⁸

II. The way forward

66. The present section groups the answers to questions related to a possible extension of the mandate and changes that could or should be introduced to improve the Forum's functioning. The questions asked are set out below:

- (a) Is it desirable to continue the Forum past its initial five-year mandate, and why/why not?

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- 85 SFP Mexico.
 86 DR-IRP.
 87 CI.
 88 CI.
 89 USA, ICC BASIS.
 90 APC.
 91 USA, NRO.
 92 ICC-BASIS.
 93 Finland, France, Alcaine.
 94 Alcaine.
 95 IISD.
 96 IGC.
 97 IISD.
 98 USCIB, Paltridge.

(b) If the continuation of the forum is recommended, what improvements would you suggest in terms of its working methods, functioning and processes?

67. While most commentators responded favourably to the question relating to the extension of the mandate, there were also voices against the Forum's continuation.^{99, 100} One commentator suggested that the review should focus on the areas in which the IGF might be improved. Among the improvements suggested was inclusion of governance issues related to fulfilling the WSIS principles related to the special needs of marginalized and vulnerable groups.¹⁰¹

68. An independent evaluation, in consultation with all stakeholders, was proposed as the most useful way to find means to improve the Forum's processes and functioning.¹⁰² Another commentator suggested that that be done annually by a small review team that should be outside the MAG.¹⁰³ The real credibility for the IGF was seen to depend on its ability to reach outside its core community; the value of the Forum should not be based only on the evaluation of insiders.¹⁰⁴

69. One government representative,¹⁰⁵ while acknowledging the Forum's success as a venue for dialogue, expressed the view that dialogue was insufficient to solve problems. Specifically he saw as a real problem what he described as a monopoly that existed in the field of the Internet. That problem needed to be solved, which was impossible by merely discussing principles. He also mentioned the difficulty that developing nations had in participating, as they lacked the resources and the capacities to take part in such a dialogue without further commitments being made. For that reason, the points of view of developing countries were insufficiently reflected in IGF discussions and, consequently, the Forum's mission should not be extended beyond the five years. After that period, there would be a need to look at the results achieved and the work of its next phase should be based on those results. There was a need to launch an intergovernmental discussion to solve what he described as "the real problems that exist in the field of internet governance". He concluded, however, that that should be seen as a positive result of the IGF's work and that the work of an intergovernmental process should follow on from the Forum's results.

70. Two contributions from one country spoke out against an extension of the IGF's mandate. One respondent expressed the view that there had been little effective action to establish an enhanced cooperation process and that for that reason the Forum process should not be extended past its initial five-year mandate.¹⁰⁶ The other¹⁰⁷ also referred to the enhanced cooperation process and said that the Forum was not delivering on its mandate in that regard. Furthermore, it questioned the effectiveness of the IGF processes in accomplishing the tasks set out for it, including the functioning of the MAG, the secretariat and open consultations.

71. Many arguments were put forward in favour of extending the mandate. The point was made that the IGF was a facilitating process for the implementation of all WSIS action lines regarding Internet governance. In that context, the decision on the Forum's continuation of should be made in view of the contribution that it could offer to the success of the Summit implementation process in the future. There appeared to be "more than enough reasons for the continuation of the Forum, if the present situation is taken into account".¹⁰⁸

72. Among other reasons given in favour of extending the mandate were that the multistakeholder processes that had underpinned the IGF continued to make it a globally unique environment for a constructive and open exchange of ideas without the limitations imposed by the pressures of negotiation. The flexible structures used at the Forum – open forums, workshops and main sessions –

99 Brazil, Cuba, EU, Denmark, Egypt, Finland, France, Germany, India, Mexico MEC, Mexico SFP, Poland, Qatar, USA, CoE, ABA, AMG, ATT, FGV, CI, CNRI, APC, CCC, CDT, CENTR, DC-IRP, EABC, eLAC, ETNO, FGV, ICANN, ICC-BASIS, IGC, IISD, ISOC, ISOC AR, ISOC IN, ISOC-Survey, KICTANet, ITfC, Keidanren, Netchoice, Nominet, NRO, SPJCM, USCIB, Verisign, W3C, WITSA, .za, Anderson, Alcaine, Paltridge, IPA.

100 According to the survey by the Internet Society of its membership, 83 per cent of respondents "expressed their desire that the IGF continue past its initial five-year mandate".

101 IGC.

102 IPA.

103 .za.

104 IISD.

105 Comment made during the open consultation on 13 May 2009.

106 CITC Saudi Arabia.

107 MCIT Saudi Arabia.

108 Brazil.

had evolved into dynamic mechanisms that effectively facilitated exchange of information and best practices among and between all stakeholders.¹⁰⁹

73. The point was made that the Forum had facilitated open and inclusive deliberations on public policy issues related to the Internet and its governance in an environment of free and frank exchanges of ideas¹¹⁰ and it was the sole space for public policy dialogue on Internet governance that involved all Internet stakeholders.¹¹¹

74. Other reasons mentioned were:

(a) The IGF was the unique global multistakeholder forum where all Internet governance issues could be discussed in a coherent manner, illustrating the links between them;¹¹²

(b) The IGF was the most successful outcome of the WSIS process and had shown that it could successfully create an open space for Internet governance policy dialogue;

(c) The organizations responsible for Internet governance were currently endeavouring to establish a cooperative form of multistakeholder governance and the Forum was critical to that effort;

(d) The IGF success so far relied on the non-decisive, non-binding character of the Forum, which enabled all parties to explore difficult issues without political tensions and to speak freely;¹¹³

(e) The Forum had been an important platform for stakeholders to exchange their visions and experiences and, although not a decision-making body, it had played an important role in the processes made by the relevant bodies;¹¹⁴

(f) The IGF provided a space for dialogue for the other organizations that were responsible for the distributed Internet governance processes;

(g) The Forum's non-negotiation nature was a unique quality that allowed for open, frank exchanges that had a positive impact on approaches to Internet governance issues in other forums, and at national and regional levels. There was no alternative approach to achieving that special opportunity;¹¹⁵

(h) Although the IGF had addressed all parts of its mandate, it had done so at a high level. Continued discussion and learning was therefore still required, so that all stakeholders could gain a deep understanding of the realities of governance in a distributed, bottom-up environment consistent with the Internet model. The Forum needed to move forward the discussion beyond what was termed "Internet Governance 101" and required an extended mandate to do so;¹¹⁶

(i) More time was needed to comply with the mandate in terms of understanding the interaction between the Internet and daily life;¹¹⁷

(j) The Forum remained at an embryonic stage.¹¹⁸

75. A point was made that the IGF itself was part of an important twenty-first century development in international public-policy arenas that were experimenting with multistakeholder participation in complex governance matters. While it was far too soon to assess impact, it was also far too soon to end the experiment. For that reason, it would be a grave mistake to end the IGF.¹¹⁹

109 USA.

110 India.

111 APC.

112 France.

113 ETNO.

114 Germany.

115 ICC-BASIS.

116 ISOC.

117 Alcaine.

118 Anderson.

119 Remark made by APC during the open consultation on 13 May 2009.

76. The Forum should neither be seen as a self-contained nor a decision-making body. Its results could not be measured based on output but needed to be measured on the degree to which it facilitated attaining the goals of the Tunis Agenda.¹²⁰

77. It was felt that the Forum had shown the value and incremental benefit achieved when all stakeholders worked together in an open, transparent, collaborative way. As the United Nations considered the Forum's future, it was vital that that should not be done as a one-stakeholder monologue, in which only Governments had a say. Since it was unlikely that the General Assembly would develop a new mechanism for deciding on the Forum's future, it was necessary that there should be wide participation in that review process.¹²¹

78. It was generally felt that the process and working methods were fully consistent with the IGF's mandate. There were, however, some suggestions for improving the functioning of the IGF Secretariat and the MAG.

79. One proposal suggested replacing the MAG with a consensus-based representative bureau to which the Forum secretariat would be accountable. The current MAG and the Secretariat should be dissolved until a more effective structure for a future Forum could be established.¹²²

80. Among other things, it was suggested that the MAG needed to become more open and transparent and to engage more of the stakeholder community, perhaps by setting up working groups to prepare parts of the programme.¹²³ Another commentator suggested that the role of the MAG should expand beyond procedural and programme issues to one where it could produce substantive output.

81. One proposal was the setting up of a structure with formal subcommittees in which democratic deliberation could take place, both in person and online. They should have a clearly defined process by which their outputs could be presented to a Forum plenary body for approval.¹²⁴ Another suggestion was to establish issue related thematic working groups in areas of importance such as spam and IPv6.¹²⁵

82. Other proposals included piecemeal improvements such as:¹²⁶

- (a) More timely selection of the new MAG each year;¹²⁷
- (b) The MAG must avoid filtering workshops in an otherwise open process;
- (c) Clearer rules for MAG renewal process;
- (d) Greater representational parity among stakeholders in the MAG;
- (e) Clearer definition of the roles of MAG members in supporting the Forum meeting;
- (f) MAG decision-making processes should be reviewed and revised;
- (g) Role of special advisers and the process for their selection should be clarified;
- (h) The MAG should use working groups to prepare the sessions and the workshops connected to the major sessions;
- (i) The MAG should produce an annual report discussing the activities and performance of the IGF in the previous year and discussing plans for the coming year;
- (j) Internal assessment and review for the MAG, including past members;¹²⁸
- (k) The MAG should have a broader membership base and should ensure that the plurality of views was represented;¹²⁹
- (l) MAG should strengthen its transparency and accountability through reporting

120 Brazil.

121 ISOC.

122 CI.

123 Finland.

124 CI.

125 IISD.

126 France, APC, ICC BASIS, SPJCM.

127 WITSA.

128 APC.

129 Cuba.

mechanisms at the public consultations.¹³⁰

83. The point was made that the cross-cutting themes of development and capacity-building should find renewed emphasis¹³¹ and that the Forum should prioritize the issues most important for developing countries.¹³² In that regard, additional efforts should be made to ensure that there could be an effective representation from developing countries, thus reflecting a plurality of views.

84. Suggestions for improving the functioning of the Forum included:

- (a) More participation by the multistakeholder community in organizing sessions;
- (b) The IGF should seek to convert its comprehensive set of issues and viewpoints into outputs that could contribute to making the global Internet governance regime as multilateral, democratic and transparent as provided in the WSIS final documents;¹³³
- (c) A consistent and reliable source of sufficient funding and resources for the Secretariat should be provided,¹³⁴ which would be aided by proper United Nations planning and would assure the community of the Forum's neutrality;¹³⁵
- (d) The Forum needed more analytic capability and should examine the OECD model in terms of creating a Secretariat with the resources and capabilities necessary to support an analytic capability.¹³⁶

85. Among other things, the following improvements were suggested to increase impact:

- (a) To encourage actors to engage in concrete cooperation as a result of their interaction in the IGF meetings or in the Dynamic Coalitions, or to present their recommendations at the IGF;¹³⁷
- (b) To move beyond the idea of a talking shop and to give the Forum some teeth, perhaps by moving it under the auspices of an appropriate United Nations agency.¹³⁸

86. Other commentators¹³⁹ suggested, among other things, that the following actions should be taken:

- (a) Increase visibility of the outcomes of the Forums and promote greater participation;¹⁴⁰
- (b) Improve reporting of information and results on an continuous basis;
- (c) Advertise the outcomes of the IGF better by increasing outreach to journalists;¹⁴¹
- (d) Facilitate the dissemination of the results of Forum discussions through more formal and concise reporting templates;
- (e) Empower the Secretariat to present regular reports at regional and national IGF meetings and to publish them on the Forum website;¹⁴²
- (f) Be more sensitive to the nature of volunteer work and consider time constraints, especially when establishing deadlines;
- (g) Increase inclusion and balance of diverse groups and increase representativeness;¹⁴³
- (h) Improve remote participation for all meetings, including consultations;¹⁴⁴

130 USCIB, Paltridge.

131 USA.

132 Cuba.

133 Brazil.

134 CNRI, WITSA, Verisign, W3C.

135 CNRI.

136 IISD.

137 France, DC-IRP.

138 Alice Munyua reporting on online discussions in Kenya (KICTAnet).

139 France, ICC BASIS, DC-IRP, IPA.

140 Denmark, EU.

141 ISOC survey.

142 CENTR.

143 ISOC survey.

- (i) Develop effective ways to capture all the substantive impacts resulting from the Forum and its preparatory processes;
- (j) Strengthen the adherence to educational, collaborative and informational principles;¹⁴⁵
- (k) Develop working methods that would help stakeholders to develop an effective multistakeholder approach to governance, improving access and developing the Internet for all;¹⁴⁶
- (l) Enhance the website by including background information on the issues in addition to process information for the meetings;
- (m) Publish event calendars;
- (n) Request workshop organizers to develop background papers and issues papers;
- (o) Require written reports from workshops;¹⁴⁷
- (p) Clarify the role of Dynamic Coalitions;¹⁴⁸
- (q) Increase activity within the Dynamic Coalitions;
- (r) Increase the number of regional and national meetings and promote and coordinate national and regional Internet governance processes;¹⁴⁹
- (s) Consider the needs of persons with disabilities and those who have fewer resources with which to attend when choosing meeting sites and facilities;
- (t) Investigate scheduling meetings back-to-back with other Internet governance meetings.¹⁵⁰

87. It was suggested that the Forum should be proactive in encouraging institutions involved in Internet governance to debate and discuss by providing an open space specifically for such activities at its annual meetings.

88. One suggestion was that the IGF should take an “adaptive approach to its work” and extend its focus to other areas affected by Internet policy and technology.¹⁵¹

89. Several commentators¹⁵² wanted the IGF to undertake activities outside of the annual meeting and planning activities related to that meeting. Among other things, the following suggestions were made:

- (a) Promotional function for activities such as capacity-building;
- (b) Research function to assess, on a ongoing basis, the embodiment of WSIS principles in Internet governance processes;
- (c) Facilitate moving the dialogue forward between Forum meetings.¹⁵³

90. One commentator suggested creating a space within the Forum to allow for an intergovernmental discussion on ‘enhanced cooperation’ as contained in paragraphs 68 – 70.¹⁵⁴

91. It was felt that cooperation with other organizations and policy forums such as the ITU, UNESCO, the United Nations Conference on Trade and Development (UNCTAD), the United Nations Development Programme (UNDP) and the Global Alliance for ICT and Development (GAID) should to be increased.¹⁵⁵ The point was made that, to meet the requirements of its mandate, the IGF should be able to drive its stakeholders to reach some consensus and to be able to make recommendations to other

144 CENTR.

145 CENTR.

146 ISOC.

147 Denmark.

148 AMG.

149 .za, IISD.

150 NRO.

151 IISD.

152 APC, ISOC-IN, ITfC, IPA.

153 IISD.

154 Cuba.

155 Cuba, IISD.

bodies such as ICANN, the World Intellectual Property Organization (WIPO) and the ITU.¹⁵⁶

92. While the non-negotiation character of the Forum should be maintained, another commentator called for what it termed “state of the discussion” papers, which could include suggestions. Those papers should be released by the Secretariat when a topic had reached a state of rough consensus on the way forward.¹⁵⁷

93. The view was held that the Forum had been overly theoretical and should focus more on current developments in the Internet and in Internet policy.¹⁵⁸ Others felt it ought to focus more on the Millennium Development Goals.¹⁵⁹

94. Several commentators highlighted the importance that they attached to the IGF remaining a neutral forum.¹⁶⁰

95. Support was expressed for the self-organized nature of the Forum that enabled an open space where people could speak as individuals who were committed to a better Internet.

96. One commentator saw the need for the Forum to make an extra effort to encourage young people, who were the heaviest users of the Internet, substantively involved with the Forum and with the organization of meetings. In addition to endeavouring to bridge the various divides, the Forum should avoid creating a new generational divide.¹⁶¹

97. The view was held that it was important to return to the WSIS principles as part of every meeting to ensure that the IGF maintained its focus.¹⁶²

98. It was suggested that all stakeholders should identify and focus on a set of priority issues that highlighted the fundamental building blocks of an information society, including the Internet. Focusing on those priority issues would create a meaningful framework for demonstrable progress toward the long-term sustainability of a truly global information society.¹⁶³

99. While most contributions focused on whether the mandate should be extended and, if so, what changes should be introduced, one proposal outlined possible modalities for extending the Forum mandate. The General Assembly, when deliberating on the Forum’s continuation, should decide on its continuation for another five-year period. Following that period, another review of the desirability of a further extension should take place in the process of an overall review of WSIS outcomes.¹⁶⁴

156 .za.

157 Alcaine.

158 ISOC-IN.

159 MEC Mexico, Poland, ITfC, Paltridge.

160 Poland, ISOC, WITSA.

161 Finland.

162 AMG.

163 WITSA.

164 Comment made by the representative of the Czech Republic on behalf of the European Union and its 27 member States at the open consultation on 13 May 2009.

Annex

Key to footnotes

Footnote text	Full name
Brazil	Ministry of External Relations, Government of Brazil (two contributions)
Cuba	Government of Cuba
EU	Czech Republic, Presidency of the European Union (January–June 2009)
Denmark	Ministry of Science, Technology and Innovation, Denmark
Egypt	Government of Egypt
Finland	Ministry of Foreign Affairs, Finland
France	Ministry of Foreign and European Affairs, France
Germany	Federal Ministry of Economics and Technology, Germany
India	Government of India
MEC Mexico	Ministries of Economy and Communications
SFP Mexico	Secretaría de la Función Pública, Mexico
Poland	Ministry of Interior and Administration, Poland
Qatar	Permanent Mission of the State of Qatar to the United Nations Office and other International Organizations in Geneva
CITC Saudi Arabia	Communications and Information Technology Commission, Saudi Arabia
MCIT Saudi Arabia	Ministry of Communication and Information Technology, Saudi Arabia
USA	United States of America
CoE	Council of Europe
eLAC	Latin American & Caribbean Plan of Action for the Information Society eLAC 2010
.za	.za Domain Name Authority
ABA	American Bar Association
AMG	AMGlobal Consulting
APC	Association for Progressive Communications
ATT	AT&T Service, Inc.
CDT	Center for Democracy & Technology
FGV	Centro de Tecnologia e Sociedade da Fundação Getúlio Vargas
CCC	Children's Charities' Coalition on Internet Safety
CI	Consumers International
CNRI	Corporation for National Research Initiatives
CENTR	Council of European National Top Level Domain Registries
DC-IRP	Dynamic Coalition on Internet Rights and Principles
EABC	European-American Business Council
ETNO	European Telecommunication Network Operators' Association
ICC-Basis	International Chambers of Commerce - Business Action to Support the Information Society
IISD	International Institute for Sustainable Development
ICANN	Internet Corporation for Assigned Names and Numbers
IGC	Internet Governance Caucus
IPA	Ian Peter and Associates
ISOC	The Internet Society (ISOC)
ISOC-AR	ISOC Argentina Chapter
ISOC-IN	ISOC India chapter
ISOC- Survey	ISOC Membership Survey on Internet Governance - 2009
ITfC	IT for Change
Keidanren	Nippon Keidanren - Japan Business Federation
KICTAnet	Kenyan ICTAction Network (KICTAnet) APC
Syracuse	Maxwell School of Citizenship and Public Affairs, Syracuse University
Netchoice	Netchoice Coalition
Nominet	Nominet.UK

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FGV	Centro de Tecnologia e Sociedade da Fundação Getúlio Vargas
CCC	Children's Charities' Coalition on Internet Safety
CI	Consumers International
CNRI	Corporation for National Research Initiatives
CENTR	Council of European National Top Level Domain Registries
NRO	Number Resource Organization
SPJCM	Shriyans Prasad Jain Centre of Management
USCIB	United States Council for International Business
VeriSign	VeriSign, Inc.
W3C	World Wide Web Consortium
WITSA	World Information Technology and Services Alliance
Alcaine	Miguel Alcaine, Deputy Permanent Representative, Mission of El Salvador to the United Nations Office and other International Organizations in Geneva
Anderson	Janna Anderson, Director, Imagining the Internet
Paltridge	Sam Paltridge, Communication Analyst, Organisation for Economic Cooperation and Development
Brueggeman	Jeff Brueggeman, Vice-President, regulatory planning and policy, AT&T
Trumpy	Stefano Trumpy, Research manager, Italian National Research Council
Akplogan	Adiel Akplogan, Chief Executive Officer, African Network Information Centre (AfriNIC)