



Internet Governance Forum (IGF) 2015

Output Document: Best Practice Forum (BPF) on Strengthening Multistakeholder Participation Mechanisms

Executive Summary:

This 2015 Best Practice Forum (BPF) on Strengthening Multistakeholder Participation Mechanisms output paper reflects two year's work of the Internet Governance Forum (IGF) BPF on the same subject. This paper is a working document that has built upon the foundation of work of the 2014 BPF that produced [this output document](#). This paper, developed through an iterative process with active members of this BPF and the broader IGF community, presents both reflective and forward-looking viewpoints on the 2014 exercise from stakeholders participating this year. It also incorporates content and examples received from the call for input to further analyse much of the normative analysis of important issues raised pertaining to strengthening multistakeholder participation mechanisms both during the 2014 work cycle as well as in 2015. The discussions and comments received during the physical meeting of the BPF on 10 November during the 10th IGF have also been taken into account. Much of the content of this paper is also derived also from the group's open mailing list¹.

The BPF-Multi worked for two years to create this document that explores some of the issues involved in enabling multistakeholder participation. The 2014 work focused on definitions and explored some of the theory behind multistakeholder models. This year, the group documented a number of existing practices and attempted to extract some practices that can be considered when working within a multistakeholder model. Some notable issues encountered and explored in depth in the paper and throughout open discussions during the course of the past year include the nature of consensus in multistakeholder organization and decision making, the 'bad actor' problem, the relationship of multistakeholder models to democracy and both best practices and obstacles to building trust and lowering barriers for participation.

The 'practice descriptions and other input' section at the bottom of the paper compiled input received from the community in response to the aforementioned [call for input](#) at the outset of the 2015 BPF intercessional work cycle. This section also contains some useful and relevant academic articles submitted and collected by members of this BPF for further discussion and use by the IGF community.

¹ BPF Strengthening Multistakeholder Participation Mechanisms [mailing list](#)

Multiple drafts of the document were made available online for public edit leading up to the 10th IGF where the IGF community was asked to consider if the paper could be used as an output document that can be used as an input by other groups involved in developing, or evolving, their own multistakeholder processes. Stakeholders who participated in the 2015 physical meeting² of the group at the 10th IGF in João Pessoa supported the initiative to use the paper as an output and to maximize its visibility and usability moving forward. For example, it was recommended that the paper could be forwarded as input to the regional and national IGFs.

Others in the meeting suggested that the paper could evolve into a ‘how-to’ guide for developing multistakeholder groups or mechanisms or could evolve into becoming a paper that provides a catalogue of options for group’s seeking to use multistakeholder processes. Online trainings or webinars could facilitate disseminating the existing work done and could also help the work evolve, pending the renewal of the IGF and decisions taken by the IGF MAG together with the community. Future work on this paper will need to be discussed in 2016 once the mandate of the IGF has been renewed and a new Multistakeholder Advisory Group (MAG) has been put into place.

² Transcript of the meeting can be found here: <http://www.intgovforum.org/cms/187-igf-2015/transcripts-igf-2015/2316-2015-11-10-bpf-developing-meaningful-multistakeholder-participation-mechanism-workshop-room-5>

Overview and Background

This discussion paper on Strengthening Multistakeholder Participation Mechanisms represents the work of the Internet Governance Forum (IGF) Best Practice Forum (BPF) on the same subject. This paper is a working document and builds upon the foundation of work of the 2014 BPF that produced [this output document](#). Participants in the 2014 BPF process expressed a desire to move beyond discussions of definitions, asserting that for some participants, terms such as “multistakeholder mechanism” were seen as obstructive jargon that made it difficult for new participants and non-participants to view and understand Internet governance deliberations.

As the 2015 BPF process began, the group wondered if it was the intention of the BPF to cover all multistakeholder mechanisms or only certain practices and examples. There was agreement in making the public call for input in 2015 that the group would ask for concrete examples and best practices³ in using multistakeholder mechanisms, specifically to not limit the scope of what the community might want to submit in order to gain as much input as possible that could then be examined.

The “practice descriptions and other input” section at the bottom of this paper compiled input received from the community in response to the aforementioned 2015 BPF [call for input](#). This section also contains some useful and relevant academic articles submitted and collected by members of this BPF for further discussion and use by the IGF community.

This paper, developed through an iterative process with active members of this BPF and the broader IGF community, presents both reflective and forward-looking viewpoints on the 2014 exercise from stakeholders participating this year. It also incorporates content and examples received from the call for input to further analyse much of the normative analysis of important issues raised pertaining to strengthening multistakeholder participation mechanisms both during the 2014 work cycle as well as in 2015. Much of the content of this paper is derived also from the group’s open mailing list. Finally, this paper has been further updated based upon discussions held during the physical meeting of this BPF that took place on 10 November at the 10th IGF⁴. This BPF hopes that this paper might be able to feed into other processes and fora examining multistakeholder participation mechanisms.

Views and findings of the community in 2015 building on the 2014 BPF

Building Trust

³ An input paper submitted emphasized that “in order for something to be considered as possibly a “best practice,” it must first be an acceptable practice.” This input asserted that “anything that is inconsistent with democracy is certainly not an acceptable practice in any area of governance.”

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Many participants in the 2015 BPF agree that a key factor in facilitating productive outcomes through multistakeholder mechanisms is the presence of trust among stakeholders. It was noted that transparency and accountability were two critically important components of building trust, and that trust is developed over time by stakeholders acting oftentimes in accordance with previous statements – as judged by other stakeholders. In the setting of Internet governance multistakeholder mechanisms, many stakeholders have had previous interactions, which bear on the initial level of trust they bring with them. Enhancing trust among stakeholders is a challenging, time consuming process. While educational and participatory resources to facilitate participation exist, there are few resources for building trust among stakeholders. Developing and making available tools and methods for building trust among stakeholders would be an important contribution to the enhancement of multistakeholder mechanisms. In addition to increased efforts among all stakeholders to build and establish such trust, there should also be targeted efforts to identify where trust is lacking and needed.

The question of authority and legitimacy converges with the one on trust. One commenter emphasized that as the Internet Assigned Numbers Authority (IANA) oversight transition continues, this issue has become especially apparent. The BPF participants question whether multistakeholder mechanisms can operate with an authority of their own without the ultimate backing of a government or an intergovernmental agreement. Participants in the BPF agree that this will be a key question moving forward and that an analysis of precedence in this regard in fields other than Internet governance, like the environment, would be useful as well.

Some useful analysis and examples of multistakeholder mechanisms being used in fields other than Internet governance can be found in a 2015 paper from the Berkman Center for Internet & Society at Harvard University titled “[Multistakeholder as Governance Groups: Observations from Case Studies](#).” This paper synthesizes a set of twelve case studies of real-world governance structures. Facilitated by the Berkman Center, this study examines existing multistakeholder governance groups with the goal of informing the evolution of – and current debate around – the future evolution of the Internet governance ecosystem in light of the [NETmundial Principles and Roadmap](#), discussions at local, regional, and international IGF meetings, and the [NETmundial Initiative](#), as well as other forums, panels, and committees.

Another useful input to this BPF in this context was given by Thomas Lowenhaupt, the founder and director of Connecting.nyc Inc. and former member of the .NYC Community Advisory Board, who [described his experience](#) working with the city of New York and the .nyc top-level domain (TLD) during the 2012 application period for top-level domains.

Participation and Resources

The 2014 BPF found that while many advocates of multistakeholder mechanisms seek to be expansively inclusive, their efforts are frequently inadequate in terms of educating potential stakeholders about Internet governance and enabling them to make an informed choice about participating. Similarly, some stakeholders who wish to participate may be unable to do so due to a shortage of resources. While resources are allocated to alleviating this situation, they are

insufficient for the current needs and are not increasing comparably to the growth of the Internet. In light of this, the 2015 BPF community advocates for the exploration of possible solutions to the various obstacles that hinder participation in multistakeholder Internet governance processes and mechanisms. It was emphasized by some that more transparency around funding of different stakeholders participating in multistakeholder processes and also for an overall increase in public funding, since funding can often determine who gets to influence IG spaces.

A [report](#) from researchICTafrica.net submitted to this BPF illustrates some notable observations about the lack of education regarding multistakeholder mechanisms and processes as well as its implications within the context of Internet governance in Africa. This analysis is particularly relevant when examining the successes or failures of multistakeholder models and mechanisms in the context of the ten-year review of the World Summit on the Information Society (WSIS+10) at the United Nations. Inclusive participation in multistakeholder mechanisms and processes is certainly a strength of the model in general. However, as the abovementioned report describes, the necessary outreach and promotion of multistakeholder participation methods is lacking – particularly in civil society, developing countries, and industries where diverse stakeholder engagement is necessary.

Bad Actors/Conduct

One significant and problematic issue raised by participants both during the 2014 BPF and again this year in the 2015 BPF was the prospect of “bad actors” and conduct by individuals or organizations in multistakeholder mechanisms. Many multistakeholder mechanisms and processes assume that stakeholders have an interest in reaching outcomes supported by consensus or ‘rough consensus’⁵. Some then define ‘bad actors’ as being individuals or organizations who seek to damage trust in the process and its outcomes through obstructive participation. Therefore, some in the BPF fear that multistakeholder mechanisms are vulnerable to bad actors because it explicitly places trust in and asserts balance among stakeholders.

Many in the 2015 BPF are, as one participant expressed, “greatly troubled by the problem of bad actors in the multistakeholder paradigm.” Some said that bad actors take multiple forms. It was said that they may be legitimate in the sense that they are interested parties to the issue at hand but they may seek dogmatically different outcomes from the consensus view or seek to discredit and undermine the process/paradigm itself. Participants’ often expressed that, from their point of view, if an outcome desired by a stakeholder considered to be a bad actor was not achieved, the party in question then engaged in the next best outcome for their interests: to slow the process to a halt.

Some commented during the BPF that given the complexity of the issues involved in Internet governance, it can be difficult to distinguish a strategy of delay from one of earnest answer seeking. If a multistakeholder process is unable to reach a conclusion, this is a victory for foes

⁵ The issue of the various definitions of ‘consensus’ and ‘rough consensus’ when it comes to multistakeholder processes and decision making is explored more in depth throughout this paper.

of the process itself as evidence of failure. Multistakeholder processes by their nature have a difficult time defining and excluding a bad actor, even if identified. Some fear that the bad actor problem in a rough consensus decision-making system requires swift attention. Over time, it was said that it could threaten to undercut multistakeholder processes and delegitimize them. Others are concerned that any definition of bad actor will be used to prevent minorities viewpoints from being expressed.

There was a divide within the BPF, however, about how to define a bad actor. Therefore, many encouraged further discussion of the bad actor issue to realize greater clarity about what/who the term refers to and whether new, separate mechanisms are needed to deal with the participation of such actors in a consensus-based multistakeholder process.

A number of participants in the BPF shared views⁶ on what they believed constituted a bad actor in the context of multistakeholder decision making mechanisms and processes. It was said also that many of the traits of a 'bad actor' can also be defined as being 'bad conduct' in multistakeholder processes. Annex I to this report contains a list compiled verbatim from participants in the BPF that could prove useful in developing guidelines for future discussions regarding conduct and procedural expectations. It should also be noted that many of the items on the list may just be representative of strong advocacy.

Many participants on this list were careful to emphasize the dangers of falsely accusing individuals or groups as being bad actors as it is true that it is simply not possible sometimes to reach consensus, if someone refuses to back down in an argument that does not mean that one is a bad actor. Civil disagreement should therefore fall into a different category. Others shared that being a 'bad actor' does *not mean* people who disagree with the prevalent viewpoint or people who argue passionately for some viewpoint they support, that might not be the prevailing view of the group.

It is notoriously difficult to ascertain motives and intents to people's behaviour, hence, unless there is evidence of intentionality in a person's or group's writings or public statements, any judgement of 'bad actor' must be taken on practical evidence. Also, it is often difficult for a single person to judge the behaviour of others, and such judgements should be taken with care and with the consensus of the group if possible. Care must also be taken to not use claims of 'bad actor' to inflict a tyranny of the majority on a minority that has not had adequate opportunity to make and explain its case. Also, great care must be taken to not confuse passion with bad behaviour. A single action of bad behaviour should not be confused with being a bad actor, people sometimes lose their cool under the stress of discussion and negotiation. Judgement should be based on behaviour trends and long lasting patterns. Finally, accusations of 'bad actor' should not be used to prevent a minority from including dissenting statement in relation to any consensus position taken by a group.

⁶ The following views on the definition of a 'bad actor' were shared on the group's [mailing list](#)

There was a recommendation made during the BPF session in João Pessoa that the group could compile existing codes of conduct or standards of behaviour that already exist that could be useful to group's that are already working but might not have such guidelines, or for group's who will be starting multistakeholder work of some kind.

One active contributor to the BPF an [article they wrote on the matter](#) for the consideration of the group and others using this document as an input into their processes.

Working Definitions

Through the 2014 BPF process on this subject the IGF community was able to draft some important working definitions (below). The community has continued, through the 2015 BPF process, to refine and build upon these definitions. The below working definitions are the result of the discussions held during both the 2014 BPF process and within the work of the 2015 Best Practice Forum.

A. Multistakeholderism

Multistakeholderism⁷ as defined in the 2014 BPF is “the study and practice of forms of participatory democracy that allow for all those who have a stake and who have the inclination to participate on equal footing in the deliberation of issues and the design of policy. While they may assign implementation to a single stakeholder group, implementers are accountable to the decision-making stakeholders.”

One commenter on the 2015 BPF mailing list said: “In our context, a multistakeholder model is a framework or an organizational structure that adopts the multistakeholder process of governance or policy development, which aims to bring together key stakeholders such as business, civil society, governments, research institutions and nongovernmental organizations [NGOs] to cooperate and participate in the dialogue, decision-making, and implementation of solutions to problems and common goals.”

One commenter in the 2015 process emphasized that an alternative definition could be: “Multistakeholder mechanisms in the realm of Internet governance is one where all relevant stakeholders are engaged in discussing issues that affect their interests and exploring possible policy approaches.”

Another commenter in the 2015 process stressed: “One of the most developed multistakeholder mechanisms in the realm of Internet governance is the Internet Corporation for Assigned Names and Numbers (ICANN). As some stakeholders may literally live or die (at least in the business sense) depending on ICANN decisions, these have to be arrived at by highly formalized

⁷ One comment suggested that the BPF should that avoid using the word "multistakeholderism," even if alternatives like "multistakeholder cooperation" are more verbose. The "ism" stirs the response that it sounds analogous to a faith, creed, or ideology that potentially biases the way the issues are framed, proposed, and opposed.

procedures, and mechanisms for reviewing, revising, and redressing some decisions have been instituted. This, in turn, gives rise to the need for a huge investment by all parties involved (a permanent operational staff, etc.), a high level of contentiousness, and the need for all parties to guard themselves against possible litigation. Not all parties are equally bound nor affected by decisions, [and] not all parties involved are equal in terms of being closed or open, etc. – all leading to high complexity.”

The commenter continued, adding: “In what is somewhat an opposite extreme, the original concept of the IGF of not having binding decisions and not duplicating the decision-making fora leads to much more freedom in organizing the events and their follow-ups. The only binding decisions are the decisions of the Multistakeholder Advisory Group (MAG) as to what the structure and content of the program is and who the appointed speakers will be, plus some ground rules for participation.”

One comment underscored that an effect of “bindingness” is not unique to multistakeholder cooperation, of course. It is much more general to organizations and can be addressed by views and tools from the general theory of organizations, including the theories of bureaucracy as well as lighter and more recent theories such as the Peter Principle and others.

As identified through 2014 BPF process, the key attributes of a multistakeholder mechanism are that it is democratic, open, and known to the relevant stakeholders, accessible, works iteratively, and achieves rough consensus (as opposed to unanimity) as well as balance between all stakeholders. “Equal footing” is not sufficient– though often necessary – if some stakeholders are funded and can participate intensively and others are not funded and cannot participate. Even remote participation methods, when available and functioning properly, are not sufficient to overcome the imbalance.

One comment in 2015 emphasized that what “balance” is suitable and acceptable for all stakeholders should be examined further. Moreover, the best practices to find and employ just and fair balance within multistakeholder mechanisms and decision-making processes is a critical issue that should be explored in depth. One organization expressed its appreciation for the discussion concerning balance between stakeholders. They support meaningful participation and engagement of all relevant stakeholders in discussions and decision-making. They also proposed that participation needs to be appropriate to the forum based on the skills and capabilities needed.

For example, it was said that discussions in technical fora often require technical knowledge and experience to participate in a meaningful and constructive manner. That being said, this approach should not be interpreted as endorsing an exclusion of viewpoints or consideration of impacts on affected stakeholders.

Where direct participation is not possible, there should always be ways for a broader range of stakeholders to provide their views or concerns. Furthermore, there should also be due consideration of the issues and concerns of those “not in the room.” In consideration of those

not in the room, attention should also be paid to those who are beyond or otherwise not connected to the process, including those with limited bandwidth or no connection to the Internet; those who have yet to be connected to the Internet entirely; those whose native language is not English; those who are unable to navigate the needed tools to contribute for accessibility reasons; and also those who lack the tools to contribute, are in need of remote participation tools, or do not know how to contribute. A comment during the 2015 process noted that “processes should be transparent, clearly indicating how decisions are made and how multistakeholder input is reflected in such decisions.”

Submissions received through the 2015 BPF call for input provide unique examples of multistakeholder mechanisms and processes in practice, as described by organizers of the [2013 IGF in Bali, Indonesia, a representative from the Swiss IGF, an example submitted by a stakeholder from Rwanda](#), and from the [Internet Governance Conference Japan \(IGCJ\)](#). Other examples noted include the 2014 NETMundial process⁸ and the WSIS+10 multistakeholder preparatory process. Info on the WSIS MPP is here: <http://www.itu.int/net/wsis/review/mpp/>. Other comments emphasized that processes must be democratic, see in particular [“Thoughts on Best Practices for Multistakeholder Participation Mechanisms”](#).

B. Consensus⁹ and Rough Consensus

Throughout the 2015 BPF process and in developing this paper, many participants commented on the ambiguities and differences of opinion about the term consensus and what it means in the context of multistakeholder decision making processes. The term ‘rough’ consensus’ is also widely used in the Internet governance field and its definition was also discussed and seen as a term that should be explored/defined further to help future multistakeholder decision-making structures. One commenter provided input from the viewpoint of consensus-building, where the general view can be described as “consensus has been reached when everyone agrees they can live with whatever is proposed after every effort has been made to meet the interests of all stake holding parties.”¹⁰

Another BPF participant provided input from the viewpoint of the International Organization of Standardization (ISO) where consensus is described as, “General agreement, characterized by the absence of sustained opposition to substantial issues by any important part of the concerned interests and by a process that involves seeking to take into account the views of all parties concerned and to reconcile any conflicting arguments. NOTE: consensus need not imply unanimity.”¹¹

⁸ https://publixphere.net/i/noc/page/IG_Case_Study_NETMundial (case study on the NETmundial from Marilia Maciel, Nicolo Zingales, and Daniel Fink.

⁹ A number of ‘consensus-building’ references are included in the *Practice descriptions and other input received through the 2015 BPF* section at the end of this document

¹⁰ Susskind, Lawrence; McKearnan, Sarah; and Thomas-Larmer, Jennifer. 1999. *The Consensus Building Handbook*. Thousand Oaks, Calif.: Sage Publications.

¹¹ http://www.iso.org/sites/ConsumersStandards/1_standards.html#section1_5

“ISO/IEC Guide 2:2004 Standardization and related activities – General vocabulary”

Another opinion shared was that in some United Nations processes, “there is no formal definition, but the practice is to declare consensus if there is no formal opposition. That is, the Chair says something like 'I propose to approve XYZ', and, if nobody formally objects, then 'XYZ' is approved 'by consensus'.”

In Internet Engineering Task Force (IETF), RFC2418 (1998) describes a "rough consensus" process: "IETF consensus does not require that all participants agree although this is, of course, preferred. In general, the dominant view of the working group shall prevail. (However, it must be noted that "dominance" is not to be determined on the basis of volume or persistence, but rather a more general sense of agreement.) Consensus can be determined by a show of hands, humming, or any other means on which the WG agrees (by rough consensus, of course). Note that 51% of the working group does not qualify as "rough consensus" and 99% is better than rough. It is up to the Chair to determine if rough consensus has been reached.”

However, the concept of "rough consensus" has evolved in the IETF through usage and experience and RFC2418 is currently being updated as " a community sense of strongly-dominant agreement, in the absence of compelling objections, is used to make decisions." RFC7282 has also recently been published to elaborate on the use of consensus (and humming) in decision-making. One of the key concepts here is that objections must be fully addressed even if not accommodated. The flip side is that objections must provide a fully reasoned argument relevant to the subject. The IETF case must also be understood in the context of development of engineering solutions in technical standards¹².

There was agreement during the BPF session in João Pessoa that any group or organizations undertaking multistakeholder deliberations should thoroughly discuss their own definitions of ‘consensus’ or ‘rough consensus’ prior to moving towards making any decisions, to be sure that the term is clearly defined and understood by all involved.

C. Mechanisms

Mechanisms as defined in the 2014 BPF are the practices of interaction within a multistakeholder mechanism sometimes rely on rough consensus requiring a degree of trust among stakeholders. However, some in the 2015 BPF said the meaning of rough consensus is not clear in the context of a multistakeholder process for policy development as discussed above.

¹² In regards to the term rough consensus, one commenter said it “is a term of art in [the] IETF [Internet Engineering Task Force], and I doubt that the way [the] IETF determines ‘rough consensus’ would be appropriate for other processes. There has been a recent tendency to use the term ‘rough consensus’ to refer to any outcome [that] was obviously not a consensus outcome, even though no IETF-like process was used to reach the outcome.”

One commenter thought it would be useful to produce a list of different sorts of technologies available that facilitate multistakeholder work. The following list was developed through the group's mailing list:

- For drafting there is Etherpad, which is free and open source and can be self-hosted (<http://etherpad.org>). For meetings, the free and open source and self-hostable alternative is Jitmeet (<https://jitsi.org/Projects/JitsiMeet>)
- Riseup pads (<https://pad.riseup.net/>) are a good alternative, but disappear after 30 days of inactivity.
- For audio conferences it was suggested to look at Mumble: http://wiki.mumble.info/wiki/Main_Page
- And for editing Wiki: <https://www.mediawiki.org/wiki/MediaWiki>
- For drafting, [ZohoDocs](#) and [OnlyOffice](#) were suggested
- For meeting plus document collaboration, [Team Viewer](#)¹³ was suggested.
- More mainstream tools like [Slack](#), [Evernote](#), and [InVision](#) were also recommended as well as [Zoom](#) for video conferencing.

Multistakeholder mechanisms and processes flow from shared trust among stakeholders and common definitions. If either or both of these factors are weak or absent, a multistakeholder process may be less likely to reach an outcome. Where these factors are present, a multistakeholder process has the potential to reach substantive agreements among stakeholders. Many argue that there is no single “best” multistakeholder model.

Many in the 2015 BPF agree that basic elements of a multistakeholder mechanism as outlined in this paper should hold. Specifically, there should be involvement and input from multiple stakeholders, a shared understanding of the issues and desire to collaborate to address the issues, and the existence of trust among stakeholders. However, it was argued that it is not clear if the same approach will have the same results across all countries, for all issues and at all stages of a policy process.

Indeed, there are differing views on how to make decisions in multistakeholder processes when there is lack of consensus. Some propose that all stakeholders have equal decision-making rights, others refer to the roles and responsibilities outlined in the Tunis Agenda. It was said by one commenter that in all cases, the fundamental principle of democracy¹⁴ must be respected.

¹³ As a security best practise it was suggested by one participant to caution against recommending Team Viewer, “it exposes a large attack surface for end users/participants that is not required for the purposes of a meeting/document collaboration and can definitely be solved through other venues that do not increase the security risk in such a manner”.

¹⁴ It was agreed that the use of ‘democracy’ and ‘democratic’ throughout the paper should not be restricted to one definition of democracy. While some took the view that democracy is a well-defined and well-understood term, others were of the view that, for the purposes of this paper, there could not be one single definition of the term.

A cornerstone of multistakeholder mechanism participation is the assumption of equality among stakeholders. This does not mean that all members have equal expertise on any particular issue. Rather it means that stakeholders treat each other as peers of equal standing, even if outside the mechanism such standing does not exist. One comment from the 2015 BPF stressed that structures and equality safeguards need to be in place to enforce behaviour that creates and strengthens equality among stakeholders; however, another comment underscored that this suggests a rigidity that is at odds with the ever-changing and evolving Internet ecosystem, which will continue to create new opportunities for participation and engagement by new stakeholders. It was also emphasized that positive measures to encourage equality between stakeholders are needed. These would need to take into account a broad range of barriers individuals face based on conditions related to economic, social, cultural factors, as well as linguistic, gender, and others.

A paper titled [The Criteria of Meaningful Stakeholder Inclusion in Internet Governance](#), which was submitted by an active contributor to this BPF, proposes a civil society approach recognizing a set of four criteria for meaningful stakeholder inclusion in global Internet governance processes:

- The body should have access to the perspectives of all those with significant interests in a policy problem or its possible solutions.
 - There must be mechanisms to balance the power of stakeholders to facilitate them reaching a consensus on policies that are in the public interest.
 - Mechanisms of accountability must exist between the body and its stakeholders to demonstrate the legitimacy of their authority and participation respectively.
 - For each stage involved in governance, the body should either be directly empowered to execute it, or linked to external institutions that have the authority to do so, as appropriate.

Such criteria could simplify the examination and critiquing processes that purportedly allow for public or multistakeholder involvement in public policy development. Some interesting insight was provided on the topic of equality among stakeholders and the concept of “equal footing” by [the submission of the UK Government to this BPF](#) that describes the UK Government Multistakeholder Advisory Group on Internet Governance (MAGIG). The paper explains that the MAGIG is “not a multistakeholder model but rather an example of how governments can involve a range of stakeholders in developing policy.”

C. Stakeholder

One commentator asserted that the term “stakeholder” must be understood to be much more broadly inclusive. The same commenter suggested that being a stakeholder is simply being an interested party. Others said that for some new to Internet governance, many do not know that being treated as a stakeholder only requires being an interested party – as other sectors require a vested interest in the issue at stake to be considered a stakeholder, which can and should be participating in any governance mechanisms or decision-making. Another comment noted that an “interested party” is a difficult term to quantify or qualify, and that “having a stake” might be a better measure or definition.

At the same time, many potential stakeholders are unaware that they might be interested and active stakeholders if they knew about Internet governance. For some, this is a language barrier and not just in terms of translation. Both the technical and non-technical jargon of Internet governance is a significant barrier to non-native English speakers. Understanding is crucial on multiple levels. The continued expansion of opportunities to learn about and participate in multistakeholder processes for new stakeholders, especially those coming from the developing world, should be addressed. Current programs to support stakeholders and provide capacity building have more applicants than they can handle, and expanded and localized opportunities would benefit wider participation as well. One best practice that was suggested was when discussing Internet Governance issues, that acronyms should be spelled out both verbally and when writing, multiple times, to ensure that all involved in the process are aware of the meanings of the various acronyms.

There was also a commonly held view within the BPF that the general non-availability of materials in native languages, a lack of translation and very little coverage in regional and local media in many parts of the world on Internet governance issues is a major hindrance to meaningful participation by new stakeholders.

The importance of being inclusive to newcomers was emphasized during the BPF session in João Pessoa as being inclusive of newcomers and making sure that newcomers to a certain process understand and advance some of the ways that a certain group works or a certain group has come together is essential. Groups need to be able to continually evolve and bring in newcomers, including people or organizations that may be coming in after a process has been going on for some time. Differences of opinion on matters that may have already been discussed should still be open for further consideration.

One commenter emphasized that this will be even more important in post-2015 implementation of the [Sustainable Development Goals](#) (SDGs). In fostering sustainable development, in particular, it is important that local stakeholders (civil society, grassroots communities, individuals, technical experts, and members of academia, government, and the private sector) be involved in a meaningful way. This is because these local stakeholders understand the issues that need to be addressed at the grassroots level and the opportunities that can be leveraged. They also raise awareness about cultural sensitivities and contextualize Internet governance discussions. Such local knowledge would also complement participation from global stakeholders who can leverage existing practices elsewhere and/or contribute resources and expertise to address the issues at hand.

Conclusions and Next Steps

Multiple drafts of this document were made available online for public edit leading up to the 10th IGF where the IGF community was asked to consider if the paper could be used as an output document that can be used as an input by other groups involved in developing, or evolving, their

own multistakeholder processes. Stakeholders who participated in the 2015 physical meeting¹⁵ of the group at the 10th IGF in João Pessoa supported the initiative to use the paper as an output and to maximize its visibility and usability moving forward. For example, it was recommended that the paper could be forwarded to the regional and national IGFs for their reference and use.

Others in the meeting suggested that the paper could evolve into a 'how-to' guide for developing multistakeholder groups or mechanisms or could evolve into becoming a paper that provides a catalogue of options for group's seeking to use multistakeholder processes. Online trainings or webinars could facilitate disseminating the existing work done and could also help the work evolve, pending the renewal of the IGF and decisions taken by the IGF MAG together with the community.

Practice descriptions and other input received through the 2015 BPF

The following practice descriptions and other input were either collected by the BPF from existing research or submitted for the consideration of the BPF by members of the IGF community. They are included in this document as examples for others to use as an educational resource.

Indonesia in IGF 2013 and the way forward:

<https://docs.google.com/document/d/1qG9pdqDsKejrR5ViRI26Lb5m2MQ6GTtSqHqk5I8CUj0/edit?usp=sharing>

City TLDs and Best Practices - Submitted by Thomas Lowenhaupt, the founder and director of Connecting.nyc Inc. and former member of the .NYC Community Advisory Board:

<https://docs.google.com/document/d/1rU8h2m1-zdlbYIFzaWYzE7ljfVN67VcpWfQNeotX-N4/edit>

Contribution to the IGF Conference: Case of Rwanda in New Information and Communications Technology (NICT): [The good practice of NICT in Rwanda](#)

Research paper from the Berkman Center for Internet & Society at Harvard University: [Multistakeholder as Governance Groups: Observations from Case Studies](#)

Swiss IGF contribution on meaningful multistakeholder participation mechanisms:

https://docs.google.com/document/d/1hsHj_G5HBfP0mjP6xUaFKGWEH_MdX0f9Wjv6E9dMjI8/edit?usp=sharing

¹⁵ Transcript of the meeting can be found here: <http://www.intgovforum.org/cms/187-igf-2015/transcripts-igf-2015/2316-2015-11-10-bpf-developing-meaningful-multistakeholder-participation-mechanism-workshop-room-5>

Paper contributed via the BPF mailing list by Mr. Jeremy Malcolm:

<https://docs.google.com/document/d/1d4jHTahdLhebykMHbaPFpTjIkECZGi5OQqjOTqGn2jg/edit>

Internet Governance Conference Japan (IGCJ): <http://igcj.jp/>

Input received through the mailing list from Ms. Anriette Esterhuysen:

http://www.researchictafrica.net/publications/Evidence_for_ICT_Policy_Action/Discussion_paper_-_Mapping_Multistakeholderism_in_Internet_Governance_-_Implications_for_Africa.pdf

Contribution from Mr. Gary Hunt of the government of the UK:

[UK DCMS Multistakeholder Best Practice \(1\).pdf](#)

Thoughts on Best Practices for Multistakeholder Participation Mechanisms:

http://www.apig.ch/best_practices.pdf

Reflections on making Internet governance democratic and participative:

http://www.apig.ch/democratic_and_participative.pdf

Contribution from Sherly Haristya and Peng Hwa Ang: [*Multistakeholderism and the Problem of Democratic Deficit*](#)

Annex I

The following list of traits/indicators of an individual 'bad actor' or 'bad conduct' was compiled verbatim from participants on the group's mailing list:

- a participant who is abusing the process to delay or deform substance.
- a participant making veiled threats.
- a participant with undisclosed conflicts of interest, including contingent fees, etc.
- a participant engaged in 'astroturfing'.
- a participant who is inflating their value artificially.
- someone who does not want to enable or engage in fact based and reasoned, respectful disagreement.
- someone who engages in attacking and disparaging comments, attacks individuals or organizations or states with hostile and disparaging remarks, and seeks to disrupt the civil discourse.
- people who make remarks that are detrimental to active participation of some other people and/or to reaching a consensus in multistakeholder discussions.
- people who participate in a process with the effect of scuttling the process.

- people who persist in arguing a position after it has been discussed in detail and found to not be part of the consensus, and use that position to block the continuing work of the rest of the group.
- people who persist in bringing up out-of-scope issues that act as roadblocks to a group making process.
- people whose primary form of argument is personal attack, intimidation and bullying.

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¹⁶ The authors of this paper note that this list may not be entirely comprehensive, this list represents a record of active contributors on record to the BPF MSM Mailing list and virtual meetings during the 2015 cycle. If a reader sees that their name is not listed here, or if a name is listed here incorrectly, please contact bgutterman@unog.ch who will correct this. Thanks for your understanding.

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