



## Deliberative Poll on Encryption - DP@IGF2016

In recent months, the topic of encryption has been on the forefront of discussion for both experts in the Internet community and the general public. The fundamental question being asked is how do we assess the effects (positive and negative) for digital security of allowing *special access* or *backdoors* to encryption for legitimate government purposes? The answers to this question must take into account the effects on a number of areas including crime, human rights, economy, innovation, law, security, surveillance, threats, and technology. The urgent unmet need that DP@IGF2016 addresses is to help provide a mechanism to generate points of references for decision makers. DP@IGF2016 seeks to engage in evidence-based, multi-national, multistakeholder deliberations. **Thus, we propose to hold a Deliberative Poll on Encryption at the next Internet Governance Forum (IGF) in Guadalajara, Mexico on 6-9 December 2016.**

In 2015, our research team conducted a pilot at the IGF. This pilot, held both online and face-to-face, successfully demonstrated substantial opinion changes even among the IGF's expert community. The participants in the pilot deliberated on the topic of *increasing access to the next billion users*. The pilot sessions held were approximately four hours. Even with such a modest intervention participants, who are experts in the Internet community, changed their opinions substantially after deliberations.

A Deliberative Poll in this unique context will assist the IGF community in tackling the problem of democratic representation in a global multistakeholder and multi-layered governance context. It will:

1. Provide specific results, based on the aggregation of all the individual deliberative judgments;
2. Move the dialogue beyond general consensus statements, which often just paper over differences, to confront trade-offs and the pros and cons of specific proposals; and,
3. Clarify where genuine movement is possible by revealing the reasoning in support of and opposition to the policy choices provided.

More concretely it will produce the following outcomes: It will allow decision makers around the world to be able to consider (1) **polling results from well-informed netizens** as a reference. The project will also surface the (2) **effect of informed deliberation** by analyzing the change between the preferences of stakeholders as they developed their opinions through "normal" media coverage and campaigning, versus the preferences they hold after they have been exposed to balanced briefings and deliberations. Additionally we believe that the creation of (3) **balanced briefing materials** will contribute an important resource and reference point in this very complex and fast-moving policy sphere. We think this process, if successful, can be replicated globally in different settings and among different populations.

## **Deliberative Polling**

A Deliberative Poll (DP) will take advantage of the IGF, where deliberation on IG issues takes place over three days. The plan: A multistakeholder advisory committee will first develop background materials to clarify policy choices and some of the essential arguments. On the basis of that document, and supervised by a broad and distinguished committee, the project will develop a detailed questionnaire on policy options and on the ideas that might explain support or opposition to one policy or another. The DP will then draw a stratified random sample of participants planning to attend the IGF this December, engage them in discussions and workshops held at the IGF, and then collect their views in confidential questionnaires both before and after the one-day deliberation. The participants in the random sample will be incentivized to represent themselves as netizens at the DP.

The DP participants will be randomly selected from among the attendees of the 2016 IGF. Approximately 300 participants at the 2016 IGF will be randomly selected. The sampling process will take into account the participants' sector and geographical location to ensure there is an equal probability of selecting each participant in the sampling frame, thereby reducing the potential for bias in the sample. Based on the participant lists from 2013-2015 IGF conferences, we are able to anticipate the general breakdown of participants by sector and geographical location, and estimate that 80% of past participants will attend this year's conference. The sampling process will continually monitor the conference registration process and improve the sampling frame as needed to accurately represent the IG population.

The participants at the IGF represent many countries and areas of expertise. By engaging in structured deliberation, the sample's views could further advance the dialogue about key tradeoffs that are currently not visible. The resulting opinion changes will provide a distillation of informed opinion on next steps. Transcripts of the small group discussions will provide qualitative data on reasoning as well as new ideas. Furthermore, after the DP is completed (in advance of the opening of the IGF conference), the results of the DP will be announced on the last day of the IGF, thereby allowing all IGF participants to obtain first-hand results and analysis. The release of the results at the IGF will have substantial impact on not only the DP participants, but also all IGF participants. Later, high-level experts, including those that were a part of the advisory group, will be convened to share opinions on the DP results with participants, drawing out the concrete policy implications that can be conveyed into the policy practice arena. The quantitative and qualitative data will serve as the basis for a road map of informed opinions on a multinational basis on how to confront key challenges. It will not only show shifts of opinion, but the reasoning behind and the policy implications of the shifts – providing a basis for responsible advocacy based on good information. An official report on the DP will be produced and published on the Internet.

The whole process will be transparent, balanced and vetted by the advisory committee. The project will build on some 70 DP projects that have already been conducted in various countries. Given the current strategic moment of this topic, a DP of informed opinion on a multinational basis could serve an invaluable function. The DP allows confidential opinions to be collected before and after participants are exposed to the complexities of policy making in IG – hence, protecting the participants from social pressures and consensus seeking. The deliberating participants will assume the role of individual experts, rather than ambassadors of their

governments or institutions. If there is a consensus at the end it will emerge from the confidentially collected data. For more on Deliberative Polling see the Center for Deliberative Democracy website: [cdd.stanford.edu](http://cdd.stanford.edu).

## **Project Leads (in alphabetical order)**

**Prof. Larry Diamond** is Senior Fellow at the Hoover Institution and at the Freeman Spogli Institute and founding co-editor of the Journal of Democracy. His research focuses on the development, consolidation, and performance of democracies around the world. See more here: [http://fsi.stanford.edu/people/Larry\\_Diamond/](http://fsi.stanford.edu/people/Larry_Diamond/).

**Dr. Eileen Donahoe** is visiting scholar at the Freeman Spogli Institute and Affiliate at the Center for International Security & Cooperation at Stanford University. She holds a J.D. from Stanford Law School and a Ph.D. in Ethics and Social Theory from GTU at UC Berkeley. She is the Director of Global Affairs at Human Rights Watch where she represents the organization worldwide on human rights foreign policy, with special emphasis on digital rights, cybersecurity and internet governance. She served as the first US Ambassador to the United Nations Human Rights Council in Geneva from 2010-2013.

**Prof. Jim Fishkin** holds the Janet M. Peck Chair in International Communication at Stanford University, where he is Professor of Communication and (by courtesy) Professor of Political Science. He is also Director of Stanford's Center for Deliberative Democracy. He is best known for developing Deliberative Polling® – a practice of public consultation that employs random samples of the citizenry to explore how opinions would change if they were more informed. See more here: <http://comm.stanford.edu/faculty-fishkin/>

**Dr. Max Senges** is Visiting Scholar at CDDRL. He holds a PhD in philosophy from the Information and Knowledge Society Program at the Universitat Oberta de Catalunya (UOC) in Barcelona as well as a Master's in Business Information Systems from the University of Applied Sciences Wildau (Berlin). He is Program Manager for Google Research and Education, where he leads an Internet of Things research and open innovation program and manages the Faculty Research Awards in the Policy & Standards field under Vint Cerf. He has published, jointly with Vint Cerf, Patrick Ryan and Rick Whitt, "Internet Governance as our Shared Responsibility" and "Ensuring that Forum Follows Function" (in Beyond Net Mundial: The Roadmap for Institutional Improvements to the Global Internet Governance Ecosystem).

## **Advisory Group**

The advisory group is convened to ensure a sound and transparent process, and oversee the development of balanced briefing materials with representation from various stakeholder perspectives. As high-level IG experts, the advisors will clarify key policy options, interpret the results of the deliberation, and recommend policy actions.

**Vint Cerf** is Co-Founder of Internet Society and Vice President of Google, as well as served as Chairman of the ICANN board. Recognized as a "Father of the Internet", he is a co-designer of

the TCP/IP protocols and the architecture of the internet. He is the recipient of Turing Award and given the U.S. National Medal of Technology and the Presidential Medal of Freedom.

**Urs Gasser** is Executive Director of Harvard Berkman Center for Internet & Society. His current projects explore policy and educational challenges for young Internet users, the regulation of digital technology, ICT interoperability, information quality, the law's impact on innovation and risk in the ICT space, cybersecurity, and alternative governance systems.

**Hartmut Glaser** is Executive Secretary of the Brazilian Internet Steering Committee "CGI.br", a multistakeholder body that coordinates all internet activities in Brazil. He is responsible for coordinating the Brazilian National Computer Emergency Response Team, handling computer security incident reports, and many other internet-related improvement activities in Brazil.

**Janis Karklins** is Chair of the Multi-stakeholder Advisory Group of the Internet Governance Forum. He has held several elected posts in the UN Commission of Science and Technology for Development, as well as served as the Vice-President of the Preparatory Committee of the Geneva Phase of the World Summit on the Information Society (WSIS)

**Wolfgang Kleinwächter** is a member of the ICANN Board of Directors and Co-founder of the European Dialogue on Internet Governance (EURODIG) and the Global Internet Governance Academic Network (GIGANET). With academic background in communication, international law, and international relations, he has led research projects on internet governance, security, policy, and regulation.

**Jeremy Malcolm** is Senior Global Policy Analyst and Internet Governance Advocate of Electronic Frontier Foundation (EFF). His background is as an information technology and intellectual property lawyer and IT consultant. He is a founder of Best Bits and a Steering Committee member of the OECD Civil Society Information Society Advisory Council.