



**APC Brief on the  
Fifth Internet Governance Forum  
to be held in Vilnius, 14-16 September 2010**

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**Preamble**

The Internet Governance Forum<sup>1</sup> is a platform for multi-stakeholder policy dialogue on internet governance, that emerged from the second phase of the World Summit on the Information Society (WSIS). Its mandate<sup>2</sup> is outlined in the Tunis Agenda and its purpose is to maximise open and inclusive dialogue and the exchange of ideas on internet governance between the different stakeholders and institutions.

The fifth annual meeting of the IGF will take place in Vilnius, Lithuania from 14-17 September 2010.

APC has found the IGF to be a creative and influential forum for policy dialogue on many of the issues identified as priorities by APC members in our 2009-12 strategy<sup>3</sup>:

- Affordable internet access for all
- Creative engagement with strategic technologies
- Making ICTs work for a sustainable environment
- Strengthening the “information commons”
- Securing and defending internet rights
- Improving governance, including the governance of the internet

We look forward to the Vilnius IGF. The IGF has been a valuable learning and networking space for the APC and our diverse community of members<sup>4</sup> and partners. The IGF has strengthened our conviction that discussion and debate at global level can inform policy processes and policy

1 <http://www.intgovforum.org/>

2 <http://www.intgovforum.org/mandate.htm>

3 [http://www.apc.org/en/system/files/APC\\_ActionPlan2009\\_OverviewEN.pdf](http://www.apc.org/en/system/files/APC_ActionPlan2009_OverviewEN.pdf)

4 APC members are based in more than thirty countries worldwide, 80% are in developing countries.

outcomes in more formal spaces. We have formed relationships with governments and regional intergovernmental bodies at the IGF which have resulted in more participative policy-making processes at regional and national levels. We have formed partnerships with other civil society organisations and with individuals from the private sector that have enriched our understanding of policy and the role that policy should play to further the public interest. Our greatest challenge has been securing the financial resources needed to bring the many APC members who want to be at the IGF to the global event.

APC is firmly committed to the continuation of the IGF, and to the strengthening of global, regional, and national IGFs. We value the IGF as a space for policy dialogue and debate, and believe that this need not be compromised by the IGF producing key messages that reflect the outcome of the discussion.

## **APC priorities at the 2010 IGF**

APC has a number of issues it will pursue at Vilnius:

- a renewed focus on internet governance and development
- human rights on the internet
- greater focus on the accountability and transparency of internet governance institutions
- the future of the IGF as an open space for policy dialogue on internet governance
- the greater emergence, evolution and impact of national and regional IGFs.

### **1. A development agenda for internet governance**

A development agenda in internet governance is a new main theme for the fifth IGF. APC has supported the process of addressing internet governance from a development perspective since the 2007 IGF<sup>5</sup>. The discussion will consider the institutional processes and substantive policy outputs of governance arrangements and whether these raise developmental concerns that have not received sufficient attention to date.

Challenging internet governance issues pertinent to developing countries include:

- the explosion in wireless internet access via mobile devices
- increased international fibre-optic infrastructure
- and, in spite of the above, a growing broadband divide between the developed and developing worlds

Each of these trends has internet public policy consequences that can be usefully explored at the IGF. For example, the issue of network neutrality in the context of wireless network infrastructure. We feel that the IGF has not approached network neutrality from the perspective of global development objectives. This is a task that can be included in an IGF development agenda.

Aside from focusing on specific trends and challenges, we believe that the IGF should approach a development agenda in internet governance holistically. An internet governance-focused development agenda should complement the ICT for development focus of most WSIS implementation. But it is also distinct.

As has been the case with building a development agenda at the World Trade Organisation and the World Intellectual Property Organisation there is a need to institutionalise a development perspective within internet governance decision-making processes. This involves more than increasing the participation of governments and other stakeholders from developing countries. It will require, for example, incorporating "development impact assessments" in areas such as standard-setting, deployment of internet resources, the design of global infrastructure and

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<sup>5</sup> [http://intgovforum.org/Rio\\_event\\_report.php?mem=29](http://intgovforum.org/Rio_event_report.php?mem=29)

design of services (to ensure they are accessible with the technology available and affordable in developing country contexts).

In other words, a meaningful development agenda in internet governance is about a shift in the foundations of decision-making rather than just in who sits round the table.

At the same time, better participation from developing countries is important. IGF dialogue needs to include both the needs and views of developing country actors (civil society, researchers, businesses) who are not part of the decision-making processes in internet governance. In other words, a user perspective as well as an insider ICT professional perspective or a government perspective is needed.

Internet governance and development need to be determined by human needs and wants, and not, as has often been the case, by technology, or the imperative to stimulate demand.

There are different understandings of the concept of development. While the WSIS documents make frequent reference to "sustainable development", ICT for development efforts, including ICTD discussion at the IGF, have adopted an understanding of development which is best described as development = growth.

APC has consistently questioned this understanding in our efforts to harness ICTs for development and social justice. We have witness two moments when reality seemed to 'byte'. The Dot-Com stock market crash in the early 2000s, and the global recession in the late 2000s. On both occasions initial alarm was followed by the same old assumptions that growth (higher GDP per capita, for example, or healthier stock markets) will eliminate poverty and inequality.

We want to urge the IGF to do so as well. Sustainable development involves consideration of economic development, social development and environmental protection. Growth is not always sustainable. Economic growth alone can entrench existing inequalities in access to power and resources, and create new ones, or it can challenge those inequalities: neither is inevitable.

The IGF is an useful forum for discussing how public internet policy-making should address these challenges. Policy-making needs to be flexible in the ICT context as technology and markets are in constant and unpredictable flux. In relation to development the internet is a complex phenomenon whose positive and negative impacts on sustainability should be considered. We believe that the internet community needs to have more respect for the wider social justice and development agenda beyond "ICT for development". To do this, the voices and experiences of development policy-makers and ordinary people living in developing countries (rather than just ICT practitioners and policy-makers) need to be heard.

It also means that it is vital that community and civil society participation from developing countries increases, through the regional IGF, but also in the global IGF.

## **2. Human rights on the internet**

Human rights were more prominent in the 2009 IGF. Most significant was the consensus among panellists from all stakeholder groups in the main session on "Openness and Security" that privacy and security are not to be traded off against one another or seen as opposing priorities which need to be balanced but that both are equally important. This is a significant step in the right direction and one that APC has been advocating for especially in our work around content regulation<sup>6</sup>.

However, the IGF is still not integrating human rights effectively into its agenda. As with development, human rights need to be considered holistically. For the internet to contribute positively to human development, democratisation, cultural expression, more transparent and accountable governance, internet governance needs to consider individual, collective, social,

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<sup>6</sup> <http://www.genderit.org/content/contented-and-discontented-internet-content-regulation>

economic and cultural rights and civil and political rights.

APC is co-organising a pre-event: Human Rights and the Internet<sup>7</sup> (see Agenda in separate document) with several of our partners organisations. This, along with the work done by the Internet Rights and Principles Dynamic Coalition will hopefully serve support more effective mainstreaming of human rights in internet governance over the longer term.

We urge all IGF participants to attend this pre-event and the launch of a draft of the new charter developed by the Internet Rights and Principles Dynamic Coalition. The charter which builds on APC's own Internet Rights Charter<sup>8</sup>, will be presented in a draft version during the IGF.

### **3. Accountability and transparency in internet governance institutions**

The Council of Europe, the United Nations Economic Commission for Europe (UNECE) and APC have jointly developed a draft code of good practice on information, participation and transparency in internet governance. The project has been conducted within the framework of the IGF, and has been developed through consultation with leading personnel from major internet governance bodies including ISOC, ICANN, NRO and W3C, and includes:

- Principles of internet governance
- Guidelines concerning information
- Guidelines concerning participation
- Arrangements for monitoring and review

APC's workshop takes this process further with an analysis of the degree of openness of South Africa's broadband policy process undertaken in 2009-10. It will also include a presentation from ICANN on how it is implementing its commitments to accountability and transparency in terms of the recently concluded Affirmation of Commitments between the US government and ICANN.

### **4. Sexual rights, openness and the internet**

APC began exploratory research into the area of sexuality rights, censorship and the internet in 2009<sup>9</sup>. Initial findings indicate clearly that when civil liberties are under threat, the internet becomes a critical space in the struggle for fundamental rights and freedoms. This is especially true for people who discriminated against because of their gender and/or sexual identity.

In South Africa, the research discovered how valuable the internet is as a space for transgendered men and women to find important health information, build networks and challenge power relations that dominate the offline world.

Research in Lebanon found a strong linkage between the development of an open internet with the strengthening of the national sexual rights movement.

In India, young women in Mumbai are negotiating and challenging the boundaries of restrictive gendered norms that limit their sense of safety and mobility in physical spaces through personal expression in online spaces.

In all the five countries our research has produced evidence that the ability to access, use and define the internet is critical for marginalised individuals are to engage with and transform the social, cultural and political contexts they inhabit.

Moves by governments to increase regulation of the internet are becoming commonplace. The framework for such intervention is often couched as protection of the nation whether of its vulnerable citizens i.e. children and women, or its sense of moral or cultural values. Sexuality enters the internet governance debate primarily in negative terms with online pornography and

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7 <http://www.apc.org/en/news/internet-governance-forum-2010-pre-event-human-rig>

8 Charter.apc.org

9 EROTICS [www.apc.org/en/projects/erotics](http://www.apc.org/en/projects/erotics)

potential sexual abuse being the main grounds for increased intervention.

In this framework, the key elements of an open internet that is able to provide a relatively safe space for our most disadvantaged and marginalised sections of society -access to critical information, and respect for principles of privacy that prioritises control of information and expression to the person- are eroded. At the same time the definitions and understanding of harmful content and practices are often blurry and conflated, with little active participation by civil society actors who work on the issue of sexual rights, women's rights or rights of the child in decision-making processes. This result in policy and legislative decisions that not only fails to protect, but can in fact result in greater harm to those they name as being protected.

APC is co-organising two workshops that look at this area of content regulation, sexual rights and women's rights (See Agenda). We will look at the emerging issues around privacy, security and openness through a gendered lens that frames the issue from the perspective of women's rights and sexual rights, and ground policy discussions through sharing findings from research work in this area. APC supports and aims to facilitate increased participation by women's rights and sexual rights advocates into the IGF process, both remotely and on-site.

## **5. The future of the IGF**

Dialogue matters, and influences people, and it therefore influences policy-making.

APC strongly believes that policy dialogue is critical because internet governance is distributed across many global, regional and national institutions. The danger of increasing the current fragmented approaches to internet governance needs to be avoided. There must be an international space for open exchanges on matters of public policy affecting the internet from all stakeholders.

APC supports the IGF as a multi-stakeholder forum for discursive debates and learning on internet public policy. The IGF has succeeded in fundamentally changing the nature of interaction between stakeholders. People at the IGF mostly speak as individuals, they speak with knowledge when they have the knowledge, and they feel comfortable to ask questions when they don't. They listen to one another and learn. A process where governments do the talking and deciding, even if they are open to contributions from business, civil society, and the technical community, can never achieve this kind of creativity and openness.

Developing a better understanding of how governments and business stakeholders think in the IGF process has helped APC as a civil society network to interact more effectively with them at a local level.

Civil society does not always agree with other stakeholder groups. For example on matters of copyright, and intellectual property we often differ with private sector stakeholders. Our views on freedom of expression challenges those of many governments. But in the final analysis, understanding difference in perspectives is far more useful than trying to achieve lowest common denominator consensus as many intergovernmental forums have tended to do.

There is a perennial debate on whether the IGF should issue messages that reflect the outcomes of the discussions at the global forum. This was revisited during the consultations leading up to Vilnius. We note with approval that it has become common practice for regional IGFs in Latin American and the Caribbean (LAC), Africa and Europe to issue statements with outcomes, recommendations or messages.

The fifth IGF programme says that the Forum will issue an "inventory of good practices in internet governance as a sustainable and dynamic online resource". APC will continue pushing for there to be messages from the IGF that reflect the discussions.

We welcome the fact that the 2011 IGF will be held in Kenya and offer our support to make it as inclusive and successful as possible.

## 6. Regionalisation of the IGF

The regional perspectives session will bring in different regional and national perspectives as they emerged from various meetings held throughout 2010 and provide regional input on the thematic themes of the fifth IGF. From APC, Valeria Betancourt and Alice Munyua will report on the LAC and East African IGFs respectively.

Regional IGFs are becoming increasingly popular and are being held throughout the world. Each year there is an ever growing number of regional IGFs and we expect this trend to continue.

APC supports regional IGFs because they are a forum for local discussion, about local issues between local people. In this way they are not competition for the international IGF but rather complementary to it. The regional feeds the international and vice versa. The spaces are in dialogue, with each space benefiting from the other's experience and expertise.

## 7. APC's priorities

The overall theme for Vilnius is "IGF 2010 – developing the future together". The agenda includes the following key themes: Managing critical Internet resources, Security, openness and privacy, Access and diversity, Internet governance for development (IG4D), Taking stock of Internet governance and the way forward and Emerging issues: cloud computing.

APC's primary focus will be on the main sessions on IG4D, security, openness and privacy, regional perspectives and setting the scene for internet governance.

APC has a number of broad goals for IGF5. They are to:

- Push for greater focus on internet governance and development
- Highlight the value of regional IGFs
- Raise the issue of human rights and the internet
- Engage stakeholders on the issue of sexual rights and content regulation on the internet
- Actively support the continuation of the IGF as an open space for multi-stakeholder policy dialogue on internet governance
- Promote the code of good practice on information, participation and transparency in internet governance

## 8. APC presence at the IGF

APC staff and members will be doing on-site coverage in English, Spanish and French. We'll be using Twitter using this hashtags: #igf10; #apc (these tweets will be aggregated on APC.org); #genderigf (these tweets will be aggregated in GenderIT.org). We'll also be updating our Facebook pages (APCNews<sup>10</sup>, APCNoticias<sup>11</sup> and APCNouvelles<sup>12</sup>), blogging<sup>13</sup> and doing video interviews.

**APC staff at the IGF2010:** Anriette Esterhuysen, executive director; Valeria Betancourt, communication and information policy programme (CIPP) manager, Karen Banks strategic uses and network development (STAND) manager; Natasha Primo, senior projects coordinator, Jac sm Kee, women rights and ICTs project coordinator; Chad Lubelsky, ICT policy networking and advocacy co-ordinator; Analía Lavin, specialist editor, Henrik Almstrom, internet rights and democracy projects and campaigns coordinator, Emilar Vushe, APC's ED's office, and also coordinator of APC's contributions to the the West African IGF.

**APC members at the IGF:** Shahzad Ahmad, Bytes For AI; Nighat Dad, Bytes For All; Osama

10 <http://www.facebook.com/home.php#/pages/APCNews/192785954922?ref=ts>

11 <http://www.facebook.com/home.php#/pages/APCNoticias/124933902730?ref=ts>

12 <http://www.facebook.com/home.php#/pages/APCNouvelles/171376632139?ref=ts>

13 <http://www.apc.org/en/blog>

Manzar, DEF; Alice Munyua, KictaNet; Lillian Nalwoga, CICEWA; Daniel Pimienta, Fundredes; Graciela Selaimen, NUPEF, Brazil

## 9. Remote participation

Thirty one remote hubs have registered to facilitate remote participation<sup>14</sup>. APC member owpsee is organising a remote hub in Sarajevo, Bosnia-Herzegovina.

## Annex 1 – Reports from Regional IGFs that were co-convened by the APC

### Latin America and the Caribbean

The third Latin American and the Caribbean regional preparatory meeting for the IGF was held in Quito, Ecuador from 3-5 August, 2010. APC, LACNIC and the NUPEF Institute collaborated once again to offer a platform for the multi stakeholder policy dialogue, with the support of the Brazilian Steering Committee (CGI.br). Over 120 people from 25 countries attended the event. Debate was encouraged to identify regional priorities on access and diversity, internet critical resources, privacy, security, openness, internet governance for development, and emerging issues. Rapporteurs shared the main outputs with the audience, which are the basis for putting together a message from the LAC region to the IGF. The issue related to the need for the LAC region to build an internet governance agenda that responds to regional particularities and countries' priorities came out strongly. It would not prevent but contribute to enhancing the engagement of the LAC region in global processes like the IGF, the participation in other related internet governance institutions and, primarily, would establish linkages with national internet governance public policy priorities with the perspectives of developing countries.

As the previous year, the importance of universal affordable broadband access was highlighted as a pre-condition for innovative and competitive environments that generates new types of revenue generating models that puts people and their rights in the centre. The need to broaden the approach to the access theme was stressed. Issues related to the commercial agreements with developed countries that determine the conditions to access to information and knowledge should be also addressed if the internet is meant to significantly impact on people's lives. Similarly, regarding openness, it was proposed that a new system of intellectual property rights, appropriate for digital media in the context of developing countries, should be put in place to facilitate access to knowledge and information. There was general consensus around the importance of an open governance model for the internet which allows an active, effective, diversified and multi-stakeholder participation. The code of good practice on information, participation and transparency in internet governance was well received by different stakeholders as a tool to move towards an open governance model.

The internet governance for development session focused on the need to build capacities for increasing the participation of developing countries in decision-making mechanisms and processes in global and regional fora. Additionally, the importance of addressing the economic, social, cultural and political impacts of the internet in societies was highlighted.

Once again, the need to search for an adequate balance between security and privacy was raised, particularly in the fields of social networks, transparency and access to information. The importance of legal/regulatory harmonization and practices in the management of information was addressed. Some pointed out that cloud computing brings benefits in terms of virtual data capability, reduction of costs of hardware, and resource optimisation. However, it was also emphasized that risks of privacy violations increase.

Regarding critical internet resources, participants indicated it is necessary to find participative and collaborative multi-stakeholder models for management of IP addresses at national levels with a view of public interest, balancing the participation of governments and private sector in order to ensure respect for citizen's rights.

On the security session, one of the most innovative proposals had to do with substituting the perspective of security for a realistic approach to risk administration. Finally, participants emphasized the importance of remote participation for the success of the global and regional IGFs. There was general agreement about the relevance of the IGF and the need for its continuation.

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14 <http://intgovforum.org/cms/the-preparatory-process/512>

## East Africa

The 3rd East African IGF was held in Kampala Uganda on 11-13 August. The theme for the 2010 meeting was "Strengthening East Africa's Critical Internet Resources "Thinking globally; Acting locally." The regional IGF followed on a series of national IGFs in Kenya, Uganda, Rwanda, Tanzania and - for the first time since the regional and national IGFs started in East Africa - in Burundi.

The East African Internet Governance forum is an annual conference within Eastern Africa that mainly focusses on internet governance issues of key importance to the East Africa Community (EAC) countries, all of which have national IGF processes. Representatives from each of the 5 countries reported on their national IGF processes and the outcomes of the national forums. This year, the critical issues discussed at national and regional levels included access to broadband and regional integration of networks, IPV6 migration, redelegation of ccTLDs (such as .KE and .UG), cyber security and privacy, as well as the need for regional internet exchange points. (As an illustration, someone in the meeting checked the routing of an email message from Uganda to Rwanda, and found that traffic meant for a neighbouring country was still going via the UK!).

The dominant theme of the meeting centred on strengthening ccTLDs. One of the hotly debated issues was therefore the proposal - and request for support - from a conference participant for bid to acquire the dotAfrica top level domain name, focussing on the potential negative impact on the viability of the ccTLDs. The emerging themes at the 2010 discussion was the issue of harmonisation of ICT certification in the region, and related to that, youth and ICT entrepreneurship. Also discussed was the Code of Good Practice developed by the APC in partnership with the Council of Europe and the UN Economic Commission for Europe. Alice Munyua, the East African Internet Governance Forum convener announced that Kenya would host the next global IGF in September 2011, if the UN Assembly extends the IGF mandate.<sup>15</sup>

## West Africa

The third West African Internet Governance Forum (WA-IGF) was held in Dakar from August 23-25th 2010. The event was organised by a consortium made up of the Internet Society (ISOC) Senegal, Association for Progressive Communication (APC), AfriNIC, ECOWAS, Panos Institute West Africa (PIWA), Free and Open Source Software Foundation for Africa (FOSSFA), and the International Institute for Sustainable Development (IISD). It was supported by the Open Society Institute for West Africa (OSIWA). Over 200 participants and observers from 12 countries representing civil society, media, the private sector, government regulatory authorities, development partners and internet activists convened to deliberate on issues relating to internet governance (IG) issues in West Africa.

Regarding access and diversity, participants agreed on the need for affordable broadband, and efficient network coverage of the entire West African territory. They also recommended creation of content that is useful, affordable, accessible and adapted to the needs and context of Africa. Discussions on Internet Governance for Development recommended sub level domain name protection, abolition of Internet Protocol (IP) blocking and also government ownership and relevant stakeholders engagement at an international level.

On the issue of privacy and security, participants at the forum concurred that there was a need to implement a task force for defining a set of laws and rules about cyber security. Participants also recommended a need to propose policies and standards for personal and sensitive data protection to reduce the risks associated with openness.

On managing critical Internet resources, two issues came out strongly and these are strong regional cooperation among member states in the region and at a regional level, working with key partners like FOSSFA, ECOWAS and working with ISPs and IXPs. Secondly, it was also acknowledged that data centres should be regionally managed to maximize West African resources and create cascading programs and best practices among member states.

Participants acknowledged that there is need to embark on follow up discussions on the above mentioned issues and also agreed on the need to present these issues at the global IGF and perhaps incorporate these suggestions in the global IGF space.

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<sup>15</sup>For detailed coverage on the EAIGF, see <http://www.eaigf-uganda.blogspot.com>