

## **Response from the Association for Progressive Communications to the IGF's MAG Questionnaire, October 2010**

### **(a) Has the work of the MAG been consistent with the mandate set out in the Tunis Agenda and subsequent decisions?**

We value the work of the MAG toward fulfilling the IGF mandate as set out in the Tunis Agenda. We believe however that the Secretariat should direct more resources towards facilitating the work of the MAG so that it realizes its full potential. Moving forward, we recommend that the Secretariat assign a coordinator to work with the MAG, that the MAG develop a workplan which includes distributing its work more evenly throughout the year, and that the MAG elects a small coordinating group to help facilitate its work. More on this below.

We recognise that the Secretariat operates in a resource scarce environment and that improving the functioning of the MAG will require additional resources, but we believe it is necessary. One way of doing this would be for the MAG to elect a small 'coordinating group' from among its own members. This group could assist the Chair and the Executive Coordinator in facilitating the work of the MAG. The positions in this group could be pre-defined. For example a liaison for fundraising, for regional meetings, remote participation, for evaluation, feedback to stakeholders etc..

IGF processes have generally worked well and are continuously improving. We recognise that the IGF secretariat and MAG have responded to feedback from stakeholders in open consultations productively. For example, through this questionnaire, and through the improvement of information sharing from the MAG to the IGF community (for example, minutes of meetings are posted within 2 days of MAG meetings).

There are however other aspects that could be improved, particularly in relation to the constitution of the MAG (clear annual or bi-annual rotation and mandate renewal process, greater representational parity between different stakeholders) and the functioning of the MAG (clearer roles of MAG members in supporting IGF participants in session/panel organisation, more on-site support from MAG members during annual fora, more regular meetings of MAG members during annual fora) and so on.

We are pleased to see that one of our previous recommendations related to MAG's internal assessment has been taken into consideration. We envisage a fruitful input coming out of the MAG internal assessment and review which will contribute to the improvement of MAG's role.

Aspects of the IGF mandate which we believe the MAG has fulfilled very well include the following items listed in the Tunis Agenda:

- "Facilitate the exchange of information and best practices, and in this regard make full use of the expertise of the academic, scientific and technical communities"
- "Contribute to capacity building for Internet governance in developing countries, drawing fully on local sources of knowledge and expertise"
- "Promote and assess, on an ongoing basis, the embodiment of WSIS principles in Internet governance processes"
- "Discuss, inter alia, issues relating to critical Internet resources"

- "Publish its proceedings"

Aspects which we believe need improvement:

- "Advise all stakeholders in proposing ways and means to accelerate the availability and affordability of the Internet in the developing world"

While the IGF has facilitated excellent debate and discussion on extending access, not enough policy-makers from developing countries have participated in these discussions and the IGF should consider how it can reach them and 'advise' them effectively.

- "Strengthen and enhance the engagement of stakeholders in existing and/or future Internet governance mechanisms, particularly those from developing countries"

Achieving the above is not easy. The MAG has endeavoured to do so through various means, including through introducing 'development' as a main session in the 2010 IGF. Participation from developing countries requires investment of effort many actors, including developing country governments. We propose that the MAG initiates discussions with these governments very early on in the preparation for the 2011 IGF. It also requires a more effective means of supporting participation of stakeholders from developing country governments. We are aware that the ITU is currently administering scholarships for participating in the IGF but have found this process difficult to understand and interact with, which leads to reduced participation.

- "Identify emerging issues, bring them to the attention of the relevant bodies and the general public, and, where appropriate, make recommendations"

The IGF has done well in identifying emerging issues but we would like the MAG to be more pro-active in this area. We also believe that the MAG should find a way of making recommendations for follow up on some of these emerging issues.

- "Help to find solutions to the issues arising from the use and misuse of the Internet, of particular concern to everyday users"

Excellent progress have been made in some areas, for example in addressing issues such as child protection and online safety. Spam however, has not been significantly discussed since the first IGF. The IGF could also be an important venue to deepen discussion and debate around freedom of expression and freedom of association on the internet, net neutrality, commercialisation of the publicness of the internet, and the impact of intellectual property regimes and trade agreements - such as ACTA - on access to knowledge, among other issues.

## **(b) How best to nominate non governmental members for the MAG?**

Non-governmental stakeholders are diverse and come from networks and/or institutions or associations that are very different in how they are constituted. We believe that the Civil Society Internet Governance Caucus (IGC) has effective and transparent mechanisms for nominating civil society candidates from within its ranks. This process makes an important contribution to the nomination process.

However, there are important civil society stakeholders who are not present or active in the IGF space, or, who have their own representative structures through which they could also nominate non-governmental members for the MAG.

This will be particularly important if we want to include stakeholders who should be involved in the IGF but who do not yet participate actively. Such as individuals from:

- Human rights organisations
- Civil society organisations working with communication and development
- Civil society organisations working on economic development and trade justice
- Community radio activists
- Gender advocates
- Academics from the south

### **(c) How best to nominate the MAG Chair?**

A Terms Of Reference and criteria should be developed for this position and a nomcom process instituted to propose names for the SG to appoint a chair. One idea could be to have co-chairs (or a chair and a vice-chair) with one position chosen by the UN and the other by the MAG itself. This would be consistent with the IGF leading the way in terms of process at the UN, and it would also support continual communication between MAG members, the secretariat and the chairs.

### **(d) How best to organize open consultations?**

We believe that at least one of the annual open consultations should be held virtually to enable all stakeholder to participate equally, irrespective of whether they are in Geneva or not. We also believe that instead of one day of open consultation and two days of semi-open consultations there should be, at the Geneva meetings, two open days and one day of the MAG meeting on its own.

We do believe that face to face consultations are best held in Geneva. We endorse the comments on the IGC (Internet governance civil society caucus) on open consultations in its response to this questionnaire:

“There is merit in regarding the open consultation meetings not as meetings held in Geneva, with provision for remote participation from around the world, but as meetings that are held online, with provision for some participants to attend in person at a hub in Geneva, or at other hubs. Indeed, the IGF meetings themselves could come to be considered in the same terms.

Online meetings are most effective when provision is made for participation both synchronously (ie. in real time) and asynchronously (ie. through comments and discussions that are contributed over an extended period through blogs, Twitter, mailing lists, Facebook and so on).

It is somewhat anachronistic that the IGF at large does not utilise an electronic mailing list for discussions, and that other means of asynchronous participation are not widely promoted for use by IGF participants as means of contributing to open consultations. In particular, MAG members do not tend to contribute in that capacity to online discussions outside of their closed mailing list, which limits the profile and accessibility of the MAG and the IGF as a whole.”

### **(e) How best to link with regional meetings?**

We think there should continue to be informal pathways but no formal relationship. The MAG should however encourage national and regional IGF related processes to contribute to the open consultations to ensure that the priorities identified at those levels are taken into account when building the global IGF agenda.

The APC also endorses the statement of the IGC on this item:

“The regional IGF meetings have the potential to bring the multi-stakeholder model of Internet governance to a much broader community of Internet users and citizens, but at the same time we must be careful to ensure that these meetings meet the same basic process criteria as the IGF itself, including adequate participation by civil society at all levels .

In this context, civil society has less capacity to contribute to governance processes than governmental and private sector groups, due to funding constraints and its reliance on voluntary labour. This may require that additional efforts be made (and funded where appropriate) to ensure that a plurality of civil society voices are heard in Internet governance processes.

In our submission taking stock of the Sharm IGF meeting, the IGC expressed the view that dynamic coalitions or working groups seeking to have their outputs discussed at the IGF should meet 'stringent standards ... including open membership, democratic processes, and ... multi-stakeholder composition.' The criteria that apply to regional or local IGFs should be no less stringent. Additionally they should uphold a high level of transparency in their funding mechanisms, agenda-setting, and the process by which their contributions are received at the global IGF.

It is important that such regional meetings play a more important role in IGF agenda-setting and issue-framing. The discussions that take place during the meetings, if summarized in an objectively and timely manner, could represent real regional contributions to the process. The outcomes of regional meetings should also serve to better clarify and sharpen discussions, reducing the complexity of themes into concrete issues to be addressed at the IGF.”

### **(f) How best to link with international processes and institutions?**

We need more outreach. As a community we are reaching maturity but we are still in or infancy when it comes to working with others. As the Internet increasingly impacts all facets of our lives, our discussions must increasingly include a broader set of stakeholders. As such, The IGF should have a clear liaison role with regard to international processes and institutions. For example, with regard to increasing access to the internet, a summary of outcomes and suggestions from the discussions at the IGF should be tabled for discussion in international processes and institutions that deal with policy and regulation that impacts on internet access.

We could also pilot thematic IGFs, as APC proposed after the 2009 IGF. Thematic IGFs can provide fora for individuals with the appropriate expertise from different stakeholder groups to engage specific issues in greater depth and then communicate the outcomes their discussions to the MAG, specific institutions and to the internet community at large.