DUBLIN – Internet Governance Public Session
Thursday, October 22, 2015 – 09:30 to 11:00 IST
ICANN54 | Dublin, Ireland

MATTHEW SHEARS: Good morning. It's a bit of an unusual room to have this conversation in so if people want to move closer so we can feel like we're actually having a conversation rather than talking from up here, that would be great.

Also, we will have roving mics, but obviously if you can come closer and use these two, that's even better.

So if you want to come up a little bit, that would be wonderful. Thanks.

We'll started in about two minutes. Thanks.

Good morning, everyone. Welcome to the Internet governance session this morning. We're a little sparse in the room and we're actually missing a couple of speakers because of other sessions that are running in parallel on accountability and other matters, so we do expect them to turn up, but in the interim, we'll proceed.

So we're going to talk about the WSIS+10 review today, and also the IGF, and we've got some excellent speakers on the table.

We've got Nigel Hickson with ICANN; Konstantinos Komaitis with ISOC; we've got Jeremy Malcolm with EFF; and Markus Kummer with the ICANN board.

We're also expecting Marilia Maciel CTS/FGV and also Olga Cavalli, the GAC representative for the government of Argentina, and I'm sure they'll turn up in a little bit.

Okay. Question. This is a question. You just have to raise your hand. What -- does anybody in the audience -- I know some of you do but who in the audience knows what else is happening this week in New York?

All right. So we've got a couple of hands. That's good.

Okay. So this week in New York is the preparatory -- second preparatory session of the WSIS+10 review. It is both for nongovernmental and governmental stakeholders. The document that is being discussed in New York at this point in time is what they're calling a zero draft and we'll come back and discuss that in some detail, and that zero draft is going to become the negotiating document in New York at the U.N. General Assembly in December when the U.N. General Assembly will be deciding what should happen post-2015 with the WSIS and how it should be associated with other projects that the U.N. has going, including the rather important one of sustainable development goals.

So please come to the stage, Marilia. Thank you.

So we're going to -- what we want to do with this session is we want to make this as interactive as possible.

We have a number of people in the audience who are very well versed in Internet governance, and we'd like to kind of strike up a conversation. We encourage you to challenge our panelists and to ask difficult questions, and we'd really like to make this as much of a dialogue, rather than us sitting up here and talking to you, so to speak.

So I think just to kind of kick this off -- and Marilia has joined. Thank you.

So to kick this off, I'm going to turn to Konstantinos and just ask him to give us a bit of an overview as to why -- what the WSIS is and why it's important, and then we'll get straight into the review as well.

So Konstantinos, if you could kick that off. Thanks.

KONSTANTINOS KOMAITIS: Thanks, Matt, and good morning, everyone. It really does echo.

So the WSIS is the World Summit on Information Society, and back in 2003 and 2005, we had Phase 1 and Phase 2 of a process that ultimately would determine a lot of what we are currently

facing and we are discussing. The IGF, Internet Governance Forum, the multistakeholder model, and all other issues relating to the Internet were sort of -- not so much determined, but that was the opening act of how these 10 years would end up evolving.

So as Matt said, right now we're in the process of reviewing this. Currently in New York, we have the preparatory sessions, and then in December we actually -- we have the actual review.

So why does it matter?

WSIS is about connecting -- it was always about how to connect people, it was about access, and it's about development.

So a couple much weeks ago, the Internet Society held an intersessional -- an intercommunity -- sorry, I was just in the accountability session -- an intercommunity session where we discussed WSIS with various chapters from around the world.

And there was one particular chapter member from the Dominican Republic who actually, I think, contextualized it much better than I would ever be able to by saying that "We actually in the Dominican Republic, we have a plan. We know how -- you know, we know what we want to achieve. We know how we would -- the things we would like to see, but we do not know how to get there."

So there are people out there that are telling us that WSIS can help steer the discussions in their -- and help steer their governments towards opening up for an inclusive and more multistakeholder model to conduct those discussions at a national level.

And this is particularly important.

The second -- secondly, why WSIS is important is because a lot of these discussions are happening in Geneva, and -- you know, in the Geneva context, and there you have a lot of U.N. branches. You have the World Intellectual Property Organization, you have the ITU.

New York is more politically focused. There you have the General Assembly and you have the Security Council.

So the idea of an Internet for development is pretty new in New York. So moving the discussions there is also very important.

Also, WSIS is -- the focus of WSIS is on ICTs and on people. It is not about just some rhetoric on digital divide; it is about how we can connect people on line. How can we make sure that more and more people are -- have access to the Internet.

And of course as you all know, New York is highly geopolitical. Everything gets integrated into a much bigger issue.

So December is important. The discussions that are going to take place in December are very important. And as Matt said, we will discuss later the zero draft and its contents, so -- but overall, the discussions will also shape a lot of what we'll see happening in the context of Internet governance over the next few years.

I'm just going to say something very briefly and I will finish here.

The -- in terms of substance, the discussions are also important because they're touching on very fundamental issues. We see there security, we see privacy, we see human rights, freedom of expression, trust on the Internet.

There is some language also on Internet governance. So all these things will inevitably determine how many of the things will be done in the years to come.

So I'll stop here. Thanks, Matt.

MATTHEW SHEARS: Thanks, Konstantinos.

One of the -- as we've mentioned and we've -- one of the issues that's being discussed this week in New York is the zero draft, and I think what's important about the zero draft is two things.

One, it really reflects the direction that the discussions are going to go over the next couple of months leading into New York. And

also, it does reflect the inputs that many stakeholders put into its form- -- to its development.

Give us -- maybe I can turn to Nigel just to give us a -- who's been following this, even though that's difficult when you're in another part of the world and in another meeting -- if you could give a sense as to maybe describe what the zero draft is in a little bit more detail, and then give us a sense as to how you think the discussions are going in New York, which are still underway today.

Thank you.

NIGEL HICKSON: Yes. Thank you very much, indeed, for the opportunity.

The zero draft, as Matthew has said, is the sort of draft rationale -- sorry, the draft resolution that's going to be adopted by the U.N. General Assembly in December. I mean, clearly various governments and various other stakeholders are proposing adjustments to it, amendments to it, but the basis of it, I think, is -- or the basis of the text is what's in the zero draft.

So if I can approach this from two angles.

First of all, why this is important to ICANN. I mean, ICANN, of course, is concerned with the domain name system, with the

sort of critical Internet infrastructure, and indeed, the whole of the WSIS approach is more really about the -- the digital divide. It's about the inclusiveness that Konstantinos talked about.

And Internet governance is -- was really a bit of a sideshow. Indeed, when the WSIS was formed at the 2003 meeting, Internet governance was -- wasn't really seen as a prime component of it, but because it was discussed in the WGIG, the working group on Internet governance between the two summits, it became an important component.

So I think what we're looking for at the UNGA -- and to an extent the zero draft does this but we hope it might do it slightly better -- is to say, "Where are we? Have we done well? Is the Tunis Agenda relevant today? What has gone well? What's not gone so well?"

And we would hope that the zero draft would reflect the real progress that's been made in several areas, including on Internet governance, including on the inclusiveness, the openness, and the transparency of many of the discussions that take place at ICANN and in other areas.

And so we think there's work to do on the zero draft in that area.

On the New York discussions themselves, clearly, as you said, this week is the second preparatory session. On Monday there

was an open consultation when all stakeholders had the ability to speak, to make their views clear. And yesterday -- sorry. Yesterday? No, that's only Wednesday.

So Tuesday and Wednesday and today, there have been intergovernmental discussions, some of which stakeholders have been admitted to and some of which they haven't. Indeed they had the bizarre experience yesterday of being admitted to part of the discussion, then being thrown out the room, and then being readmitted again, because of the U.N. process.

And I think that emphasizes something very important to us, that -- you know, so we have to take a step back and we want -- you know, this is a U.N. process. We understand it. There was a U.N. resolution setting out this methodology. That is fine. That's clear. What we have to take account of, the co-facilitators, which are the Latvian and the UAE ambassadors, have been very -- very open in discussing things with stakeholders, but it's a U.N. process, and therefore the calls that various governments have made for this same U.N. process to discuss all aspects and opine on all aspects of Internet governance and Internet public policy I think, you know, shows the real disconnect there. That this particular process is not where you should be discussing -- or not discussing but you shouldn't be deciding on such things.

Thank you.

MATTHEW SHEARS: Thanks, Nigel.

Just to clarify, when -- what I'm going to do is ask the speakers to address the issues, a couple of issues on the WSIS, and then we'll open it up to the floor.

So please hold your questions until a couple of other speakers have spoken, and then we can get to Q&A.   And I'd really encourage you to pepper our panelists with good questions.

So actually I'm going to turn to Marilia now and just ask her if she can make a couple of comments on some of the specific issues that are in the zero draft.   Particularly, perhaps, human rights and some other ones.   Thanks.

MARILIA MACIEL: Thank you very much, Matthew.   My name is Marilia.   I'm a researcher at the Center for Technology and Society in Brazil and a representative of NCSG in the GNSO Council.

Well, a couple of words.   I think I agree with most of what has been said before.   I think that when we come back to WSIS and the two initial phases as Konstantinos did, there are two concepts that are very central in WSIS.

One is the idea of a people-centered and the other one of a development-oriented information society. So I see with very good eyes, first of all, the connection that has been made between the WSIS review process and the sustainable development goals and I think that the countries as a whole have embraced that, but the Internet governance discussions and discussions about development and sustainable development goals, they have been compartmentalized throughout the years and I think it's very important for the community to do an effort to try to understand how these goals can be reconciled and brought together, and this is something that we need to do for the next years.

The other concept, which is a people-centered information society, if we try to unpack that a little bit, we will reach the notion that human rights is really fundamental to what we are discussing here. And over the years and throughout the IGF process, we have seen how human rights is an agenda that has advanced in terms of attention in main sessions and in the beginning there were strong reactions against raising human rights in spaces like the IGF, and these reactions have been little by little subsiding and undermined.

Human rights is a very important topic, we can see from the number of workshops that have been proposed that touch upon human rights aspects.

So I think that there is a general agreement and a convergence that in this information society that we are building, human rights should be a cornerstone.

But how does that translate into something that we are doing here? Why does it matter for us as ICANN as an organization? What discussion on WSIS may impact things that we're doing here?

Well, I think that there are many areas, but I would like to highlight three of them.

The first of them is the idea of access, which is something that comes over and over. Of course we have a very broad still digital divide, and this is in spite of the fact that ICANN is not in the layer that provides access in terms of infrastructure, telecommunications, but it is an intermediary in this mid-layer, this logical layer, that does play a role in providing access, making sure that Internet Protocol reaches every device.

We are talking about a situation -- and ISOC has published a report very recently that I highly encourage everybody to read on the Internet of Things, but we are talking about a world that is hyper-connected and we need to think about IP numbers will be deployed in a way that makes this new Internet of Things world sustainable. We need to think about providing access to the domain name industry, and this is something that we as

ICANN are discussing now, how to review the last round of applications in a way that puts us in a position to correct some imbalances that we saw in the first round, both in terms of specific points such as community applications -- we have seen some -- some problems raised by communities that could not have access to the TLDs that they have applied for -- but also in terms of making the domain name industry more spread worldwide. I'm sure that developing countries of the world -- and there has been a very interesting report published by Nielsen now in the process of reviewing consumer trust and consumer choice in ICANN that shows that the new gTLD program is being highly sustained by developing regions of the world -- Latin America, Asia, Africa -- that has been very well acceptive of these new gTLDs, if compared to other regions like Africa -- or compared to other developed regions like Europe and the U.S. for instance.

So these regions, they are drivers of the new gTLD program but they do not have an industry that has access to the benefits and the jobs and the innovation and all the economic benefits that this program may deploy.

So it's very important for us to think, as we develop policies as ICANN, how we can contribute to the idea of a development-oriented information society.

Another point that relates to human rights is the WHOIS review that is going to take place, so this is a very important point that touches upon a human right that is key, which is privacy.

We have identified, not only as civil society, but registrars in their agreements have identified several problems, conflicts in terms of the data that they need to keep, in their contractual -- in their contractual agreement with ICANN and the data that they need to keep in conflict with national data protection laws, so this is something that we need to look into. So that's another PDP that is coming down the pipe.

And last, but not least, the concept of public interest has emerged in several discussions. It has emerged in the non-paper. It was part of the NETmundial outcome document. And global public interest is something that we are looking at right now. The notion of public interest has been invoked several times in the organization when we are discussing, for instance, public interest and strings and how to protect them and how to give registries control of who registers a domain name under these public interest domains, so this is something that -- a concept that is very broad and not well defined in the ICANN environment. And in order to make sure that the idea of public interest really fosters something that is common and in the interest of the society as a whole and is a concept that is not captured by some particular interests, it's very important that

we do have a discussion on global public interest and how does it translate into different policies that we are discussing in ICANN.

So my message would be that I think that many organizations are starting to be aligned around the idea of this people-centered development oriented informational society and as ICANN community, ICANN can play a very important role to contribute that this informational society is really creating development everywhere in every part of the world and is really fostering human rights and we're on a good track for this. Thanks.

MATTHEW SHEARS: Thanks, Marilia. I think it's certainly from the perspective of the CDT the Internet governance discussions have very much detracted from the original goal of the WSIS back in 2003 which was, as Marilia said, really to get to achieving people-centered inclusive development information societies. And I think that that's something that we've lost track of, and I know that there are a lot of stakeholders trying to push that dimension of the focus back into the WSIS post-2015. Markus, you wanted to --

MARKUS KUMMER: Yes, thank you, Matthew, and good morning, all. Some very important points have been made. I'm just going to add a few elements. I think Konstantinos made a very important point, pointing out the difference between New York and Geneva. While it is important to sent -- to raise awareness in the political circles for the benefits of ICT which is happening now in New York, there's also a danger associated with it. Nigel pointed out the rules of procedure of the United Nations General Assembly are very rigid and very government only and it's very difficult for other stakeholders to make their voice heard.

In WSIS back in 2003, 2005, it gradually opened the proceedings and let in other stakeholders. I do remember back in 2003 I was chairing the group, negotiated the text on Internet governance and there was a CEO of a small organization called ICANN in the room and I had to send him out at the request of some governments. He was not amused, but that was the rules of procedures. But then we really opened up, and in Tunis the chairs quite often turned to the technical communities, said can we have your advice. So there is a -- a difference. But what I heard, there was some positive signals coming from New York that they want to open up. The president of the General Assembly is Danish and very open to what civil society indeed does what it can to soften the very rigid proceedings. But you have to be aware that many developing countries see this as a

dangerous precedent. The General Assembly is there, their forum, and they fear if they open it up they get dominated by actors from the north, as business, civil society are much stronger in developed countries. So there's a big -- there's a big political context around it. And yes, WSIS was originally supposed to be about bridging the digital divide, bringing the benefits of ICT to development, and it gradually got sort of hijacked by Internet governance issues and in many years we have came full circle. Ten years later now we discuss how to internationalize ICANN and how to move it -- liberate it from that -- that was one of the big issues in WSIS, the predominant role of one single government. That's where we are now.

Yes. What else? If WSIS can actually add -- get back on track to bring more development orientation, move away from Internet governance all the better. But my fear is Internet governance will remain on the agenda. We have to remember, back in 2005 the summit concluded, well, the Internet functions well. But there was a yes but, and that was enhanced cooperation. Nobody know what is it means, but that was an invitation to continue the discussion. The other element was the Internet governance forum, and we discussed that later. But ten years ago there was a great nervousness in western countries in particular. There were headlines the U.N. wants to take over the Internet. I don't see any of that happening. And the first -- the

zero draft was actually fairly benign. It's a solid basis to build on. Yes, of course, there are still dangers that can come in. We can also improve, but I think it's a solid basis, and I don't fear any drastic consequences coming out of this process. But whatever comes out of it, it will have an impact. And there may be (indiscernible) words we don't quite understand what they could mean, but they will be taken up later in a different context and people will then ask for a working group here and another study group there, to discuss these issues. But all in all, I think we can be quite pleased with the way it's going. Thank you.

KONSTANTINOS KOMAITIS: Thanks, Matt. Just very briefly on the zero draft. Just everybody is sort of aware of what zero draft is all about, and I think that Markus provided a very good introduction. The document is a relative -- it's a relatively balanced document. There is a strong development focus. There is an emphasis on digital divide and on the importance of local content and explicit link to the SDGs. There's a section on Internet governance. It reiterates really the definition of Internet governance, the respective roles and responsibilities, of course. And the IGF, it talks about the renewal of the IGF. There is, of course, mentioned in this very elusive and notion of enhanced cooperation that has been with us for a decade now, there is mention of human rights and on security.

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So on the good stuff, we see that the IGF is renewed and its governance structure is really not altered, which is a very positive sign.

On the bad side, if you want, we see that there is some language there that uses words like "territorial integrity" and "sovereignty" that provides -- you know, that might actually challenge a little bit the multistakeholder model and there is also here language that some member states are calling for an international legal framework for Internet governance. This is not really defined. We don't -- we really do not know what it means. But there is a very clear indication that there can be -- that there are some countries out there that would perhaps like to push this forward in a more formalized sense.

So yes, I think that WSIS is important. I think that some very important issues will be discussed, and hopefully that it will manage to refocus on the development and access issue. Thanks.

MATTHEW SHEARS: Thanks, Konstantinos. We're going to go to questions in a couple of minutes, so I hope you've got those difficult questions ready for our panelists. Just before we do that, I would like to give you just a little bit of a sense of where some of the issues stand. Now obviously we're kind of midway through the week. I

can give you a sense, but this is by no means any indication of what the outcome might be on some of these. But certainly midway through the week there appears to be a general recognition that multistakeholder processes are here to stay and good expressions of support for those. But, of course, there is still differing rules as to roles and responsibilities of various stakeholders. This has been something that's really given the community difficulty going forward in understanding why such narrow definitions continue to apply, as one -- since they come from 2003 and 2005. And enhanced cooperation, which is a matter of some debate and dispute, you can look at enhanced cooperation broadly which means how stakeholders generally cooperate on international Internet policy and governance issues or you can look at it narrowly which is basically an intergovernmental approach to policy and governance. The debate has continued in New York. There is no real resolution. And so I'm not sure that, as others have hinted at, that we're likely to see any kind of resolution on that.

Just on a couple of other things, this was a called in the zero draft on the need for some kind of legal treaty for Internet governance or international convention on Internet governance. It appears that there isn't a huge amount of support for that and that it may just be one or two states who are pushing that. But there is a suggestion that discussions on that kind of an

approach to Internet governance should go forward. So it's not ruling it out at this point in time. And on the IGF extension, which we'll get to next, there -- there seems to be general support for an extension but what that extension will be, if it's five or however number of years, is still under debate. So that's just kind of a temp -- a snapshot of some of the key Internet governance issues in the middle of the process. So yeah, Nigel.

NIGEL HICKSON: Yes, thank you, Matt. If I could just add one issue to that basket, of course, enhanced cooperation is something that's going to go on and on. The other area where I think it might be worth a debate here is the calling for a -- another WSIS, the calling for a summit. That's in the zero draft. It hasn't got a date. And in zero draft that came out the text said either a high-level meeting or a summit. But in the discussions in New York in the last couple of days, several people have said that there should be a summit. And indeed, civil society made a fairly strong contribution to say there should be a summit in 2020.

Now, for ICANN, it's not -- it's not our business, if you like. But from a -- from the point of view of what the WSIS is all about, surely a summit in 2020 will mean that there will be a preparatory process that would be kicked off in 2018 or whatever. And we will be sucked in, not just we, but the

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collective we will be sucked in to a process of negotiation, of discussion, which, you know, to an extent okay, it's our job, that's what we've got to do. But surely that's going to take the oxygen out of the real purpose of the implementation of the sustainable development goals, which all our leaders assembled in New York to bless the ITU and other organizations have -- have linked, you know, how we can use ICT for development to help implement these sustainable development goals. And if we're going to spend two years discussing Internet governance in terms of preparing for a summit then I think it's a wasted opportunity.

MATTHEW SHEARS: Thank you, Nigel. Okay. I have a couple of extra questions that I can throw at the panel, but I'd really love it if people in the room were to ask questions. Any -- yes, we have a couple of -- would you come to the mic? And we have a roving mic. So if you wouldn't mind lining up, I know it's a bit awkward, but that would certainly help. Yes, if you could say who you are and the question to whom you're addressing the question. Thank you.

CHERYL MILLER: Sure. Cheryl Miller in the GNSO. And I just wanted to state that with respect to some of the comments that were made. I really appreciated Marilia's on the human rights portion. I think many

of us in the business community also thought it was very positive to see some of that language but we did think that the overall zero draft was lacking in a few aspects and so certain groups, ICC/BASIS, for example, and GSMA, have submitted some edits to that. And so I just wanted to make everyone aware of that.

I wanted to mention as well that there will be two main sessions at the IGF, one focused very specifically on the WSIS and one also on human rights, for whoever in the audience didn't already know that.

And then I have a very specific question and then just a more general one. Specifically, and Nigel began to touch on this a little bit, with respect to an overall summit, I'd be interested to hear from each of the panelists whether or not you think a summit is a good idea and why, just for those -- to provide a little bit more context for those who aren't as familiar with this discussion. And then also, secondly, just in your own opinion, and whoever wants to answer, it's fine, what do you think we've really accomplished overall in Internet governance this past year? And what do you think, if you had to pick the main buckets of things that we really needed to focus on, because there are obviously a lot of different things we can be working on and I think perhaps that sometimes contributes to the volunteer

burnout that everyone keeps talking about, where do you think we need to focus our energy moving forward. Thank you

MATTHEW SHEARS: Great question. Thank you, Cheryl. Very quickly, should we go down the table on the issue of the summit. Marilia, you want to kick it off?

MARILIA MACIEL: Yes, sure. Thank you, Matthew. This is Marilia speaking. The idea of the summit has been tabled by some people that feel that we did not advance enough in this discussion, moving forward to WSIS. And I do agree that we do have a zero draft paper that is balanced but that does not address many of the issues that have changed since the first phase of WSIS. And if you look at the preparatory documents that have been produced by different U.N. organizations, many of them are much more advanced and provide much more data than we see reflected on the zero draft. And I understand that there hasn't been political conditions or even bandwidth, not only on the side of non-governmental actors but between governments as well, to do a review process that really takes into account some of these issues. So I do feel that we -- I don't know if it would be a summit, necessarily the format, but I do feel we need another moment to take on board some of the issues that we have

identified in the preparatory process and expert review meetings that have been called by the U.N., challenges related to the Internet of things, big data, challenges related to whistleblowers, that this was something touched upon by UNESCO report that we did not see reflected on the -- in any versions of the outcome document that is moving through WSIS.

So I do feel that we have some points that should be discussed in a more high-level political framework, of course, with the participation of other stakeholders. So what I fear about the idea of a summit is -- sometimes implies that it's very high level and intergovernment. But if we can find a way to fine it more, make it more inclusive and multistakeholder I would feel that we need a high-level discussion in which we can really have the mandate and bandwidth to discuss these issues that need to be discussed in the future. Thanks.

KONSTANTINOS KOMAITIS: Hi. Thanks, Cheryl. So very briefly, and I will combine sort of your two questions. It really depends what we want to achieve, right? By calling a summit. And this -- one of the great things that I think has happened over those past ten years is that the -- these discussions that started back at WSIS through a summit have created various communities, they have allowed collaboration, they have allowed inclusion, and they have

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highlighted very substantive issues. So to the extent that we can actually address all these issues through that, and, of course, through evolving those structures, it really -- the idea of a summit becomes less and less relevant. Of course, I understand the need to do that, but I will go back to saying it really depends on what we really want to achieve through a summit. Thanks.

MARKUS KUMMER: Back in 2003, we found it difficult -- I was then working for the Swiss government which was the host of the first phase of the summit and obviously when you're the host you want the meeting to be a success. And we found it difficult to get high-level interest. And we noted then there was a summit fatigue. There had been so many summits in the '90s on all sorts of societal issues.

WSIS then took off and mobilized the community, but I don't think that the new summit would actually mobilize the community. I think what Konstantinos has said, we have different ways of addressing the issues and the IGF is also one of the major outcomes of WSIS where you can have a truly multistakeholder discussion to address these issues. Yes, I do understand that some governments would like to have something more binding, but that needs further discussion.

So we had in the CSTD a few years back this proposal came up first to have a new summit and then it was turned down. So I hope it will also be turned down this time around.

JEREMY MALCOLM: I think the fact that it hasn't worked to have a high-level resolution of the kind that we wanted this time around doesn't mean that we should try again in a few years. We should probably try something different instead, like the way we did with the NETmundial summit. The NETmundial was different from a high-level U.N. summit in that it was more multistakeholder. We were able to have more open expression of ideas, and the NETmundial outcome document has been cited even at the U.N. in various contexts as well as in other places like Council of Europe. So maybe that's another option then, another high-level U.N. summit.

NIGEL HICKSON: Just very briefly, I spoke before, but totally agree with the -- what Jeremy has said. I mean, the -- the advantage of having something like NETmundial is it brings so many more players together and is so more -- so much more inclusive. And perhaps this is the sort of issue that we can touch on both at the IGF, and no doubt we will. There's also an intercessional session of the

CSTD that's going to take stock of what happens in New York, and again, those sorts of ideas can be discussed there.

MATTHEW SHEARS: Please.

UNKNOWN SPEAKER: Hello, Daniel Dardailler, W3C. So I read the document when it went out a couple of weeks ago and a few things that I wanted to comment on. So there is a lot of mention of the digital divide, I think, and what's new is that there are also a lot of mention of -- a few mention of the gender divide on the Internet which I think is sort of a new aspect that hasn't been brought so far. So what I found, I saw that there are a lot of mention of open standard needs in a sense, requirement for future needs so there are mention of internationalization, accessibilities, open data, security standard, but not mention affirmation of working with the technical organizations that are doing that. We're sort of not identified as much as we were in 2005 as sort of the holder of these layers. And I also note that there is support for net neutrality, for the principle of net neutrality, without definition so that in the technical world we know there are varying -- varied semantics of what is net neutrality so I think it is clearly missing. Other than that, I think it's going in a good direction.

MATTHEW SHEARS: So we have a couple of issues there. We have gender divide, issue of open standards, role for technical organizations on the issue of net neutrality. Does anybody on our panel want to take a go with any one of those? Well, maybe -- actually maybe what we'll do is take a couple more questions and then put them to the panel. So this gentleman here, please. Yeah. Thank you.

RIDHA GUELLOUZ: Thank you. Ridha Guellouz from the Tunisian ICT Association. I'll speak in French.

Before talking about the zero draft, I want to talk about what Mr. Kummer said.

To say that the developing country opposing the participation of social society, the idea of mundial -- of the summit is an idea from southern country in the seminar in Kopay. The concept of inclusion of the multipart -- multipart -- multistakeholder was proposed by a southern country. I cannot see that we can -- we can still hear that there's opposition from the southern country. It show that the state, the actual state, the participation also shows society is not parallel between the south and the north. I would have rather heard Mr. Kummer speak like that.

Actually, there is -- it is a very balanced and global document in this version, in the actual version. It reads the questions that dominated the international debate as a follow-up to the WSIS, the question of -- of the human rights, of development, and of national cooperation, international communication and the Internet governance.

The question is: Even with such a global document today, are we going to get to December at a -- in December at a result, at any outcome, which will represent a good action platform after -- for after -- the -- after 2015? I would remind you that the measure -- the important part of the debate is an enhancement of WSIS since 2008, and also the way forward, or the work of the -- the framework for after 2015 is described.

My feeling is that today we are not to do -- it's not addressing the implementation of a work platform. It is maybe the weak point of the situation today. We're going to have ourselves a process of elaboration which will be -- will not be proactive. Thank you.

MATTHEW SHEARS: That is an excellent question. I know Markus wants to come back on one point, but the question of what happens after the December meeting is one that's very much a question mark, and there is no plan, there is no sense from the zero draft as to what will happen. There are these vague references to decade -- a

decade review, a sort of summit, but there's really no specific sense of what actually will happen, how the action lines might be looked at again, and other things, so thank you for that. So that's a key question. Markus, I know you wanted to come back.

MARKUS KUMMER: Yes. Just a quick word. My apologies if I got misunderstood but my remarks referred solely to the General Assembly context in New York and I said there's a different environment there.

WSIS indeed opened up and was inclusive, but New York, there it remains highly political and there is a strong resistance against opening up the proceedings of the General Assembly.

MATTHEW SHEARS: Okay. We'll take two more questions and then we'll put them to the panel.

So if you'd go ahead. Thanks.

VINAY KESARI: Hi.

MATTHEW SHEARS: Sorry. Could you remember to state your name? Thank you.

VINAY KESARI: Sure. My name is Vinay Kesari. I am a lawyer specializing in IP law and policy from India, and just for the record, I just want to state that this comment is in my personal capacity.

I heard Nigel say -- I'm not sure if I misheard him, but I thought I heard him say that Internet governance, to an extent, was a sideshow or a sidelight in the original WSIS process, and that actually made me think that, in fact, you know, Internet governance is actually more of a sideshow this time around. There haven't really been -- you know, there hasn't been too much of an evolution in the text, and of course one could argue that that is perhaps a good thing in some ways, that there hasn't been too much discussion around the issue, because it's hard to predict which direction that will go.

But that's quite apart -- the -- you know, back in India, we've been having multistakeholder consultations on the WSIS non- -- prior to the WSIS non-paper, comments, and prior to the zero draft, comments going out, and one of the -- one of the things that came up in that discussion that I was reminded of was the fact that the elephant in the room today, when it comes to Internet governance, is of course ICANN and the IANA transition. And this is more of an academic question because I -- I'm not sure how much scope there is to make broad changes to the -- you know, to portions of the draft now, but I just wanted to get your thoughts on whether it would make sense -- whether it

would have made sense to perhaps at least make a passing reference to ICANN or the IANA transition, or both, in the text of this final outcome statement. I understand that there could be strong arguments both ways. It -- on the one hand, it could open up a lot of discussions. On the other hand, it could also have the effect of helping to -- to acknowledge reality and also give a more formal footing to -- you know, to the reality that we all operate in.

So I was just hoping to get your -- your perspective on that.

MATTHEW SHEARS: Thank you. Can we have one more and then we'll put these questions to the panel. Thanks.

JIMSON OLUFUYE: Thank you, panelists. My name is Jimson Olufuye. I am the chair of Africa ICT Alliance from business.

I have a comment and two quick questions.

The first comment is with respect to the summit. I support any opportunity for more dialogue, but the only condition I think we will put in getting this forward is that when we come together, it should be on equal footing in line of NETmundial. So we'll

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support the opportunity for a summit, for discussion, but it should be on an equal footing.

And then Question Number 1. Markus, you talk about the General Assembly, that countries from -- developing countries, they are kind of averse to opening up. There's a saying that in the multitude of counsel, there is safety, so the more we get, more stakeholders in the room, the better. Even for us from developing countries. So what do you think we can do to get them to change their opinion in this regard? That's one.

And two, Nigel, really -- this is to you. What do you think ICANN can do, you know, to -- because ICANN is right in between the two layers, the infrastructure and content, and you are very important. ICANN is very important. So what do you think ICANN can do to fast-track dialogue across this space as a middleman? Thank you.

MATTHEW SHEARS: Okay. Thank you very much. So we have some very good questions.

So I think we've addressed the issue of the summit.

So we have a couple of other questions on the importance of gender divide, open standards, why there isn't greater reference to them in the zero draft, why there isn't a greater reference to

the technical organizations and the role that they play, a question on net neutrality. It's a one-liner in the zero draft. How is that supposed to be interpreted?

The question about post-December what happens I think is a key one.

The issue of have we seen any evolution in Internet governance over the years. And perhaps the zero draft doesn't really show any evolution over the years and I think there are probably a number of reasons for that.

Do we need a reference to ICANN and the IANA transition?

And how do we get more involvement and more participation in developing countries generally? I think I'm paraphrasing a bit there, but that's the sense of the question, I think.

So who would like to take a stab at any one of those? Konstantinos, yeah.

KONSTANTINOS KOMAITIS: I can just very briefly.

On the issue of introducing new issues into the text of WSIS like IANA, the IANA transition, for instance, I would just say that let's do not give ideas that are not there. Let's -- I would generally be very skeptical of actually introducing new things that the

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governments or other stakeholders have not thought of introducing, so I don't see any reason why we should go down that road.

On the issue of -- and just very briefly, on the issue of the technical community, I think I will answer with sort of a question. Do we want -- and I'm not sure I have the perfect answer, but do we want mention of technical standards and of the work of the technical community in a highly political document? Is this going to get us anywhere? The technical community has operating procedures and they have been working and they are responsible for the Internet and they're responsible for creating standards that are open and interoperable and those standards continue to be created, they're voluntary based, they have ensured the growth of the Internet, they have ensured an Internet that is able to go back to users and users are able to play with it and create the next best thing.

So the -- and do we really want this -- do we really want the work of the technical community to be addressed through a political document?

MATTHEW SHEARS: Thank you, Konstantinos.

Jeremy, I think you wanted to step in.

JEREMY MALCOLM: So the lack of Internet governance focus in the zero draft I think is partly a reflection of the political reality that since the enhanced cooperation mandate was added in the first WSIS document and there's been really no agreement or any progress since then, despite the CSTD Working Group on Enhanced Cooperation sitting and trying to bash these issues out, I think people realize that there's no point in beating a dead horse.

There's -- that proposal again for an international legal framework on Internet governance, I think that probably falls into the same category, the kind of thing that we could argue over and never reach agreement.

People realize that there -- we're having enough trouble with things like the transition of the -- of ICANN and reforms to the IGF. Those are enough to be getting on with, rather than trying to introduce any more significant Internet governance changes through this sort of U.N. process.

MATTHEW SHEARS: A couple more responses and then we'll come right back to you.

I think Marilia wanted to jump in and then Nigel. Thanks.

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MARILIA MACIEL: Just coming back on the issue of the summit because you mentioned that maybe NETmundial format would be a good way to move the discussions forward, I do think that NETmundial had a purpose when it was called upon and organized in Brazil. The aim was to foster trust in a moment in which actors were shaken by the Snowden revelations. The document that was produced was an extremely good document. I think that reflects some very important things that resonated with the community at that time. But I think that it is a document that is soft and the importance of the document will be given by actors that carry this document forward and that make reference to it or not.

And we know that making reference to this document has not been particularly easy. The CSTD could not include this document in one of its outcome statements, for instance. And I do feel that we have issues that have even been identified by the NETmundial outcome document itself, such as jurisdiction, surveillance, the role of actors, that it was not appropriate for that document to tackle these most difficult issues.

So I do feel that we have issues that are open, such as eCommerce and taxation, for instance, that has been in the agenda since a long time, and if we do not tackle these things in

a way that is clear and procedurally sound, they are going to be included in instruments like the TPP. They are going to be discussed and addressed anyway. Because countries feel that they need to be discussed.

But the WSIS framework gives us a clear path in which we can push for multistakeholder participation.

So if we include these discussions in the WSIS process, I think that we have more chances to make these discussions transparent and accountable. It does not need to be a summit, as I said, but I do feel that we need to include them in a predictable framework.

In terms of the discussion on network neutrality, I think that it's very important to include network neutrality there in this -- you know, in this zero draft, even if it's just a line, because this is a principle that as we know is fundamental for innovation, openness of the Internet, for the exercise of rights, freedom to access and impart information, and this principle has been threatened by different initiatives around the globe. We are still discussing things if things like internet.org are in agreement with network neutrality principle or not. So I do feel that we know that with network neutrality, the devil is in the implementation, the devil is in the regulation and on the details. But I do feel that

as a general community, it is important to see this principle included there.

Just a very brief comment on open standards. Open standards has been a very important point raised by developing countries in the first two phases of WSIS. It has been included in the first documents coming from WSIS in a very strong manner. Developing countries made a direct link between the importance of having open standards and being accountable, having the conditions to be transparent with regards to standards, and we know that this is very important in a context of mass surveillance, so I do feel that standards should have been more sharply included in this document, taking us one step forward from the discussions that were taking place in WSIS, and I don't think it happened. I would like to see more of that in the next document, so I think it's a very important comment.

MATTHEW SHEARS: Thank you, Marilia. We do have another topic that we have to go to which is the renewal of the IGF, so we'll take these three questions and then we'll switch over to discussing the IGF.

But Nigel, just very briefly in response to some of those that we've already taken.

NIGEL HICKSON: Just very briefly, indeed.

The gentleman from Tunisia that talked about the need for action, clearly -- clearly there is a need to follow up what comes out of the -- out of the resolution.

The ITU obviously have the WSIS forum and they've already scheduled a WSIS forum for May next year, and indeed, I mentioned that the CSTD will be discussing what to take up from the -- take up from the UNGA discussions, but I think it is very important and one of the -- I think one of the problems of the WSIS process for some has been that you have action lines, you have targets, but there's no real holding people to account for that process, apart from the WSIS forum, and that's something that perhaps needs to be addressed.

In terms of including ICANN, I don't think one needs to mention individual organizations. Otherwise, you'd have to list a lot of organizations that do -- do marvelous work. And indeed, I think what the draft does say about the open and transparent approaches to Internet governance and recognizing that there has been progress in this -- in this area is very useful. Thank you.

MATTHEW SHEARS: Thank you, Nigel. This gentleman over here, please. Thank you. We'll take the three questions and then we'll put them to the panel.

PIERRE BONIS: Okay. Thank you very much. Pierre Bonis from AfNIC, the .FR registry. So I would have loved to speak French but I don't see earphones, so I will try to speak English.

First of all, thank you very much for being a little bit positive about the WSIS, Marilia, because it feels like we have an approach in the WSIS process that is not very positive, and I really think that it brings something to the community.

I will -- I will go further on NETmundial. Sorry to come back to that.

Because I feel that as you said, players were -- had the opportunity to make sure that the NETmundial -- the NETmundial outcome would be shared everywhere, and I'm very disappointed that there is no reference to NETmundial outcomes in the zero paper because it's one of the most concrete things that has been done in defining what is Internet governance principles since Tunis.

As for the need for the new summit, I'm -- I like very much what you said, Markus, saying that it's an opportunity for civil society

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to be heard, when you have a summit, because when you have a high-level event in New York, it's only governments.

If you have a summit, it's larger, so maybe more people can speak.

And I have a question. What do you think of the schedule of the IANA transition and the schedule of WSIS+10? Don't you think that there is a danger of confrontation between these two schedules? What do you think about it?

Because it's not enough to say we don't want to talk about ICANN or IANA -- or IANA in a U.N. format. You will not prevent people to ask "What have you done since 10 years and where are you in the IANA transition?"

So it seems to me that it's a very important point that will be discussed in New York and maybe it gives us a sense of urgency in working towards the IANA transition. Thank you very much.

NIGEL CASSIMIRE: Thank you. Nigel Cassimire. I'm the Caribbean Telecommunications Union representative on the GAC. Simple practical question. With respect to the WSIS+10, if you're not a member of a government delegation, how might one become involved with the -- the process, the meeting? Are there any

avenues through any other stakeholders that might be -- it might be possible to get involved in? Thank you.

MATTHEW SHEARS: Sorry. Cheryl. Then I have a question from one of the hubs and I'm afraid I'm going to have to stop there because we need to go to -- we need to move on to the IGF. Thank you.

ALLEN MILLER: --

CHERYL MILLER: Thank you. Cheryl Miller of the GNSO.

I just wanted to follow up on the point on net neutrality because I think the gentleman actually raised a very important point.

You know, I'd have to disagree in terms of just putting something in the draft that's not fully fleshed out or doesn't make sense in the way it reads, and we discussed this with a lot of the different engineers across the business community. And the way the line reads right now actually is very confusing. And so they have proposed language, and I'd like to read it because I think that it makes much more sense and could be part of the draft. So the language that they've proposed -- and it's paragraph 35 those for those who aren't familiar with it -- to

instead change it to, "We recognize the importance of an open Internet that enables consumer choices and improves the free flow of data and call for its advancement globally." Thank you.

MATTHEW SHEARS: Thank you, Cheryl. Could we have the question from the hub, please? Hello. Please go ahead.

REMOTE HUB: Hi. This is Mubashir Sargana from ISOC (indiscernible). I have got a comment on role of IGF. I think -- I can see the -- we can see a lot of focus on developing countries toward (indiscernible) Internet governance related issues and some guidelines to their solutions also. But I think there should be some more focus on building up a strong ground by investing in building civil society which can actually push the enrollments. Thank you.

MATTHEW SHEARS: Thank you very much. We'll come to that question in the next session. We're just going to finish on the WSIS, and then we'll come back to that question when we discuss the IGF. Thanks. Okay. So I need to -- I'm really -- can you make it quick?

UNKNOWN SPEAKER: About the IGF, yes.

MATTHEW SHEARS: On the IGF?

UNKNOWN SPEAKER: Yes.

MATTHEW SHEARS: Can you wait until we come to that? Thank you. Panelists, if any of you wish to address the last round of questions. Thanks.

JEREMY MALCOLM: There is a bit of a natural transition from the question about net neutrality into the IGF because I think arguably it isn't an issue that's mature enough to go into the WSIS+10 text but it is something that we can explore and are exploring at the IGF. And one of the things that's happening this year, as we'll be discussing shortly, is that the dynamic coalition on net neutrality is putting forward its input document for a discussion by the IGF community with the aim of eventually reaching some form of consensus on net neutrality principles.

MARILIA MACIEL: Thank you, Matthew.   There is a very interesting growing discussion in the IGF on the network neutrality for many years. There's a dynamic coalition on network neutrality. And thinking

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about the request that has been made by CSTD working group on the IGF to make the IGF more outcome oriented, this year for the first time the dynamic coalitions are going to have a session for them and they're going to report back on their work. Some of the dynamic coalitions have matured more than others and particularly the dynamic coalition on network neutrality is going to present a statement that they have made that I think helps to flesh out the idea of network neutrality in a way that maybe we can converge.

So I do feel that these efforts are quite complimentary. It's very important to carry out more in-depth discussion to flesh out network neutrality in spaces such as the IGF. But I do feel, as well, that a high-level commitment to the network neutrality principle -- and we know that we can, of course, define many different ways -- is something positive to see in this document. We would prefer to have a more clear language. Civil society has also proposed text to this particular reference, but I don't think that the text has had political conditions to fly. But I do feel that it's positive to mention it even if a brief way.

And just coming back to -- you want me to come back to the other questions or maybe should hear others on network neutrality? I don't know how you want to --

MATTHEW SHEARS: Olga, I know you wanted to jump in here.

OLGA CAVALLI: Just a brief comment. First apologies for being late. I am a member of the cross community working group on accountability and we are very busy this week. We're very, very happy we're doing great progress. And also we stayed yesterday very late to finish the ICANN and GAC communique. So it's been a tough week for me. I would like to concur with Marilia that the discussion in the IGF is ongoing and it's very interesting, but I would like to point the fact that as we are in ICANN meeting we organized a session about openness in the Internet and it turned out to be somehow a discussion about neutrality and it -- it turned out to be very interesting. So I encourage you to, perhaps if you're interested in checking the transcripts and the record of the session, it was held at noon yesterday. And so if you need more details, please send me an email. Thank you very much.

MATTHEW SHEARS: Thank you, Olga. Okay, we've run over time on the WSIS, but I think it was a very good discussion. And I think two key questions that do -- we do need to spend some time on that we haven't but I think this is just to take away and think about. One is which is -- I think the gentleman from Tunisia raised which is

what happens after December. And the other one is, to what degree do we need to see the WSIS process post-2015 tied into the SDGs, the sustainable development goals. We really haven't touched on that in any detail but I think it's a very important question that we probably all need to think about.

Now in the remaining 20 minutes or so let's switch over to the IGF, the renewal. Of course, it's a key element of discussion in the WSIS, and it's renewal will be determined and the length of that renewal will be determined at the General Assembly meeting in December. So I was hoping maybe Olga, you could just give us a quick overview as to where we are and then rather than going through any structured approach to talking about the IGF, I think we'll throw open the IGF issue generally to the panel and then go straight into questions and hopefully you've got a number of questions on the IGF. So Olga, maybe you can give us a little bit of a scene setting. Thank you.

OLGA CAVALLI: Thank you. It brings me to some memories in the IGF in Kenya. We were somehow in the same situation. We were waiting for the resolution of the General Assembly and finally it was a very extremely successful IGF. So I think we are in a position now, perhaps waiting for the -- for the decision of the General Assembly. Many countries have expressed -- and Argentina has

expressed its support for the IGF and many others have done. And I think the IGF has proved to be the -- the space for consolidating the multistakeholder model, that it's somehow different in -- for example, in ICANN and at the national level or regional levels, it has different formats or types of engagement. So I think it's a very important moment. We think it should continue as -- at this space for consolidated multistakeholder and as -- again, as I said, as we are in ICANN now, I have seen the increasing evolve -- involvement of ICANN in the IGF. I've been lucky to participate in all the IGFs since its start in -- when it was decided in Tunis I was there and also since the first IGF in Athens, and I have seen the involvement of all the community, governments, and also ICANN. And so that's remarkable how the whole board and many members of the staff and different SOs and ACs get involved.

So I think we're in a crucial moment. I'm as always very optimistic. If not, I would not have stayed yesterday until 11:00 p.m. trying to draft a text. So I'm always optimistic. So I think we are on a good track and we should wait for the outcomes. Thank you.

MARKUS KUMMER: Yes, thank you. Thank you, Olga, for this introduction. Well, first to the mandate. Yes, the mandate is up for renewal, but the U.N.

is notoriously bad at stopping anything. So my guess is cautious optimism that there will be another renewal and my guess is also it will be another five years because that was in the Tunis Agenda and that is sorts of the logical compromise. Yes, it would be nice to have a longer mandate, but I think we have to live with that.

One of the positive outcomes of the IGF was actually the spread of national regional IGFs. You can visit the Web site of the IGF and you see then all the continents. You have regional, subregional, national IGFs, and that in response to the question from the gentleman we had on the remote participation on helping building up civil society in developing countries, I think this has done a tremendous job in raising awareness for the need of having multistakeholder approaches in developing countries. I participated in many of them and I do remember, I think it was in West Africa, where a member from the Internet community said this is the first time actually that the government person talks to us because it was held under a U.N. umbrella, however loose this U.N. umbrella is. So the government took it seriously and they realized there's merit in having these discussions.

And also, the example I always mention through the IGF, the multistakeholder approach also found its way into the Kenyan

Constitution as a mandatory way to proceed to have multistakeholder consultations before changing a law.

Now, the IGF has evolved. To begin with, there were many people that were very nervous. We can't do this, can't do that, that would be the end of the world as we know it. But it has matured, it has evolved. And we have agreed to take it a step further. The CSTD working group was mentioned, and I argued in an article I wrote after the NETmundial that the IGF had built the ground on which the IGF -- the NETmundial could evolve because the IGF had created an atmosphere for multistakeholder cooperation so people actually accepted the rules when they were in NETmundial. But at the same time NETmundial has also shown the way forward to the IGF. So there's a cross fertilization. And now we're in the process of preparing the next meeting in Brazil, and we have moved towards creating intercessional processes. Jeremy and Marilia mentioned the dynamic coalition on net neutrality, but that's not the only one. We have best practice forums. We have an intersessional process on connecting the next billion and we try to bring in the dynamic coalitions and to get them to bring their findings to the community so the community can react to their findings. They have over the years developed a bit in the margins of the IGF, but they are the ones where a lot of the work gets done, the actual kind of working groups and we're trying to

integrate them. And we have been fortunate to work with Jeremy who has developed or promoted the methodology for bringing that in, and I presume you will talk a little bit about that so I will not expand on that. But there is movement, and the question is, has anything happened?

The thing is with the IGF a lot of it is in -- you may not get a sort of outcome document but when you have -- and Olga mentioned you were in Athens nine years ago and Bali and Istanbul was totally different. Ten years ago would have been unthinkable to have a discuss on net neutrality. People would have feared, there would be blood on the floor. But in Istanbul we had a reasoned discussion on net neutrality, and as Jeremy said, this is a delicate issue we are not ready to conclude, but at least the IGF allows this discussion in a sense of neutral respect. And I'll close with that. Maybe Jeremy wants to follow up on it.

JEREMY MALCOLM: Sure. So I can say a little bit about the methodology that Markus alluded to. But maybe before I go into that just a bit more background into why we're moving in this direction for the IGF. And when we're here at ICANN, particularly for people who aren't following the IGF as closely, it might seem strange that there is such a big debate about whether the IGF should produce some kind of recommendations or outcomes because we do

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that at ICANN all the time. And so you might wonder why is the IGF seen as just being a talk shop or a conference that can't produce outcomes. And it's a good question because it wasn't always intended to be that way. If we look at the IGF's mandate in the Tunis Agenda it does actually provide for the IGF to be able to make recommendations. So it could in a way have become the ICANN for issues other than names and numbers, if it had been structured in that way. With the difference that its recommendations would be non-binding, of course, because the Tunis Agenda does say that and also it says there should be no duplication of existing mechanisms.

But having said that, there are really few, in any, existing mechanisms for Internet policy issues to be dealt with in a multistakeholder way. So there is a lot of scope potentially for the IGF to act as a body to produce these non-binding policy recommendations. Unlike at ICANN, however, there's been a lot of historical reservation to that, from certain stakeholders, such as some developed country governments and some of the private sector stakeholders. And when the IGF was originally being formed, I guess there was perhaps one might argue some undue influence by certain stakeholders who didn't want it to develop in that way. So baked into the IGF's original DNA we see a conference-style format which didn't have the capacity to develop recommendations through structures that were

designed for that purpose. Unlike ICANN where those structures do exist.

So now we have the opportunity to try and revise the way that the IGF does things, but it has to be in an incremental way and hence these -- these slow reforms that we're now seeing. And I do think it is important that we do allow the IGF to develop these capacities, because otherwise, as I think it was Marilia alluded to or someone alluded to the fact that Internet issues are otherwise going into places that we don't want to see them like multilateral trade agreements which are very closed to civil society are being used to decide issues like IP, free flow of information that is personal data protection, and even ccTLD management which has popped up in the transpacific partnership agreement. So we don't really want to see closed for like trade agreements or even necessarily the ITU deciding Internet governance issues and it would be better if we did have a way for the IGF to produce some non-binding policy recommendations.

So the way we're doing that is in a very lightweight, non-threatening way. And the methodology that we're looking at for this year for the dynamic coalitions at least is the use of something called idea rating sheets. So the dynamic coalitions have all produced input documents of their own using whatever methodology they had developed internally. But those

documents are really just the product of the dynamic coalitions themselves. They're not -- they don't have any greater validity than that. So what we're trying to do is to publish those, to explain them to the IGF community, to reduce them into a set of ideas or propositions that the IGF community can express agreement or disagreement on. And then to have a session which is actually split into two where we can invite the IGF community to -- to rate or to validate the ideas that it agrees with and to show the extent to which it may disagree with the outputs as well. And so we're going to have the break between the session on the second to last day and the session on the last day for people to complete these idea rating sheets which will be placed around the room and also made available online. And then on the second day we'll come back and review what that feedback has been. And how we take the feedback forward is really a matter for the dynamic coalitions and the chairs of the session. If there seems to be an overwhelming consensus in favor of something that a dynamic coalition has proposed then there is the option that the chair of the session could say hey, I think we have a rough consensus on this. But for more contentious issues -- and net neutrality is probably one of those -- we likely won't see such a strong consensus that we can say there's a validation of the output by the IGF as a whole. But what we may see is that the IGF has given enough feedback that the dynamic coalition can then go away and over the next year

work to revise its document and to undergo further discussions and then maybe come back later once more of a consensus has developed. And in that way we can gradually see the accretion of some outputs from the IGF without falling into the trap of having something like an intergovernmental negotiation process which as many people have long feared would be dangerous -- a dangerous road to head down.

So on the other hand, if these experiments do work, I think we can then become bolder over time, and then not be so afraid of the IGF producing outputs. And so that's my hope for the future, that we will be able to see an IGF that eventually does produce some useful actionable policy recommendations for other institutions to take forward. Thank you.

MATTHEW SHEARS: Thank you, Jeremy. I think that given that we've got so little time now, I'd like to go to questions now. So if people have questions on the IGF, please come forward. We'll start over here. Thank you.

RIDHA GUELLOUZ: Thank you. I will try my best English.

When the IGF has been created in 2006, in fact, it was the result of the best compromise we could reach in Tunis. I'm saying --

talking about the best compromise because the IANA transition issue that is now at the middle of the discussions in ICANN, this issue was a central issue already in 1998 when ICANN has been created and in the year 2000 and 2003 and 2005. So we had already that problem and we wanted to avoid talking about that. We have created the IGF to provide the space where people could talk, talk, talk, talk, talk, and continue talking, and we are continuing talking, actually, without no specific outcomes or recommendations, and even our -- the IGF recommendations are not binding.

This means that -- I want to say by that that now that we have reached the bottom issue of the Internet governance, which is the IANA transition, we have no advice from the IGF.

As far as I remember, the discussion about the IANA transition in the IGF is not as wide as it should have been, and in ICANN, there are some hesitations to ask for some advice or some opinions about the IANA transition from the IGF.

So we have two structures. ICANN from one side and IGF from the other side. They are not talking as they should between them. They are not taking into account what the others think. It is right that in the IGF we have a multistakeholder community. It is right that in the -- in ICANN we are trying to develop a multistakeholder model. But there is no relationship. Probably

even we have not the same definitions of what is multistakeholder model.

So if we continue with the IGF as it is now, as it is understood and as it has been understood from 2006 up to now, I am afraid that we will continue not getting interest from the IGF as it is and in ICANN as it should be. Thank you.

MATTHEW SHEARS: Thank you. We'll do as we did before. We'll take the questions and then put them in the panelists.

Lee. Thank you.

LEE HIBBARD: Thank you. Hello to everybody. Lee Hibbard from the Council of Europe, an IGO with 47 countries based in Strasbourg, so I come from an IGO perspective.

But a very -- a very clear position has been taken by those countries, by the 47 countries, on the IGF and the WSIS.

This year, on the 3rd of June this year, they agreed, in a declaration, their support for the WSIS and for the effectiveness of multistakeholder Internet governance dialogue, and they underlined the need to take into account all the views of stakeholders in the runup to New York in December.

And they also -- they called on -- they called for the extension of the U.N. General Assembly to extend the mandate of the IGF for the next 10 years. That's black on white. So there is a bloc of countries which really believes in the IGF process. They believe -- they understand the value and they're there saying, "This needs to be continued."

So from their perspective, it's very valuable. This space is very valuable.

And from my point of view, being in this space for quite a number of years now, the Internet Governance Forum is like a boat, in my perspective. It brings together -- we're on the same boat, we're bringing things together. You -- if you don't cross over into -- well, there's a natural cross-over into all fields. You talk about cybercrime and people are working in the field of cybercrime but there are cybersecurity issues, and unless you bring those things together, are you really -- do you really have the full picture?

What I'm trying to say is that the value of the IGF is that it brings about new thinking, it crosses over silos, so it's silo-busting. It takes you out of your -- your perhaps narrow field and forces you to engage in a much more transversal way because that's the nature of the Internet, of course. That's the way -- that's where we're going. So I think there's a risk for those who work in fields

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just to stay too narrow. They need to think beyond that. But of course everything is interconnected. Look at the Internet of Things, for example. Can we really afford to work in our narrow silos?

And I think the other really important and valuable thing is that while it's busting those silos, it's also giving people a voice where they may not have had a voice before.

So it's creating -- it's giving new legitimacy to actors, to people, to Internet citizens, to do things which perhaps in a previous time they wouldn't have the standing, the nameplate in which they could speak up.

For example, children, young people, are they only going to be represented by, you know, children's organizations in meetings with closed doors or do they have the chance to speak up and these sorts of things? I mean, quite clearly children are the future of the Internet, of course. They're -- I don't know how many people -- there's probably more children coming on the Internet of the next billion, coming on line, than adult -- than 18-plus adults, and so I think we really need to understand the value of the voices of these people.

So silo-busting and giving voices to those who do -- who maybe have had not had the same legitimacy as before and understanding it's value is really important, so thank you.

MATTHEW SHEARS: Thank you. We're really running out of time so very briefly and then we'll wrap up. Thank you.

To Cheryl and then the gentleman. Thank you.

CHERYL MILLER: Cheryl Miller, and I just wanted to touch on a couple of points because I sit on the Multistakeholder Advisory Group and so we've been really involved in a lot of these issues.

So I wanted to just clarify a few things. I don't think it would be accurate to say the private sector doesn't support outcomes. I think for a long time we've not been in favor of turning the IGF into more of a negotiated body, and I think the gentleman's points before really are testament to that, because a lot of the value and the benefit that we do receive from the IGF and from participating in it is breaking down the silos and having some of the discussions on net neutrality and other issues where we can't discuss them in other ways and in other forums in that way.

I also wanted to comment on the intersessional work because it may seem lightweight to some right now, but I actually think in particular Constance Bommelaer of ISOC has done a really incredible job of pulling together five best practice forums from

last year and into this year. And for those who aren't familiar with this, it's all on the IGF Web site and they're all open for all to participate in, and that's really what we need more of. We really need more of support from the -- the community as a whole, to be putting inputs into all of these different intersessional streams.

So you have the best practice forums. You also have the work of the dynamic coalitions, and those are open to all and anyone can join and contribute in those. And then you also have the overall intersessional work. And the theme this year is "Connecting the Next Billion," although it perhaps should be "Connecting the Next 5 Billion." But I also want to mention, I think, you know, in terms of outputs, I think what's difficult, what most people don't realize is that the secretariat isn't not a big office and so it doesn't have a lot of resources and so we're really trying to address that and enable the IGF to be able to have the support it needs to produce outputs.

And so the Internet Governance Forum Support Association has been doing quite a bit of work in order to help that and help to fund the secretariat so we can have the proper resources moving forward on all of that.

And then I guess my question to the panel would be: We've had a lot of discussion within the MAG about MAG self-assessment

and IGF self-assessment, and so you all have been involved in this for many more years than some of us new members such as myself.

What are specific things that you think we as MAG members can do to make some of the changes that you think are really important to support the IGF and make it a stronger body moving forward?

Thank you very much.

MATTHEW SHEARS: Thank you, Cheryl.

FLAVIO WAGNER: Good morning. My name is Flavio Wagner. I am a member of the board of CGI.br in Brazil, but I am speaking here in my role as a MAG member. And the NETmundial outcome document on the NETmundial event has been mentioned by several people here in this meeting and I would like to draw your attention to the fact that during the next IGF in Brazil, there will be a main session on NETmundial that will address I think very important policy questions such as how is the Internet governance community advancing towards the NETmundial proposal of strengthening IGF to better serve the platform for discussing long-standing and emerging issues that are not being fully

addressed by the current ecosystem with a view to contributing to the identification of possible ways to address them, and how are the issues in the NETmundial roadmap being covered by the current Internet governance ecosystem. Are those issues being covered by processes that align to the NETmundial principles or what else should be initiated by the community in this regard.

So I also personally regret the fact that the WSIS zero draft did not mention the NETmundial outcome document as a result of a real multistakeholder, bottom-up process that involved all the community.

So I think that we have the chance now at IGF to revive the -- the spirit of NETmundial and discuss and try to catch NETmundial again, the NETmundial outcome document, as a roadmap for the future evolution of the Internet governance ecosystem.

So please, if you are coming to IGF, join us at this main session.

MATTHEW SHEARS: Thank you very much. Yes. I'm not sure I got a question out of those but they were very -- thank you very much for those last statements from -- and I know Tarek wants to have a word.

TAREK KAMEL: Yeah. Thank you very much, Matthew, and I would like to thank all the panelists for their contributions. I just wanted to comment for the question that my friend, Ridha, from Tunis has asked about the coordination between ICANN and between the IGF and IANA issues.

No, there is ongoing coordination.

First of all, in Brazil, we have a couple of sessions. On day zero, there is a 90-minute session that is planned and designed by Theresa Swinehart as well as the chairs of the CCWG and the ICG, whoever is -- will be available, in order to give an update about the IANA transition and to address the communities that are not here at ICANN meetings regularly.

There is some overlap between communities, definitely, at ICANN meeting and at IGF meetings, but they are not necessarily the same. Specifically, on day zero, on the ministerial day, so that's the first thing.

The second thing, this cross-community working group on IG itself, on Wednesday -- or is it Thursday, Nigel? Wednesday. Wednesday they are at the IGF doing a session about the IANA transition from a process point of view, and how it is a role model for the multistakeholder model.

So the first session on day zero will be about the substance update. On Wednesday, it will be about the process.

The third thing, there is ongoing coordination also with the MAG chair, Janis Karklins. We have ongoing update meetings with him. We get his input in various ways, informal ways, and he's contributing definitely to the dialogue.

I would reiterate we don't want IGF to be the place for IANA to be discussed from another point of view, but there is no disconnect at all. Thank you very much again.

MATTHEW SHEARS: Thank you, Tarek.

We have run over and I apologize for the poor time management. I'm not sure if any of the panelists have a last very brief comment to make or -- yeah. Very brief, Olga. Thank you.

OLGA CAVALLI: Very brief. I think that we are discussing today the transition in such a multistakeholder and collaborative way because we had the IGF for all these years. Thank you.

MATTHEW SHEARS: Thank you. Okay. Nigel.

NIGEL HICKSON: I was not going to -- I was just mentioning those that are interested in following in the WSIS process in New York, #wsis10. Samantha Dickinson is tweeting live. She's marvelous.

JEREMY MALCOLM: There was one question that came in this last round of questions about how the MAG can help the IGF to evolve and I think the MAG has got a problem in terms of its own working methods, in that it really relies on a full consensus to be able to make any changes to the IGF and that's rather stifling. I think the MAG needs to self-assess how it can move beyond some of those roadblocks that may be raised by just one or two members which can stop the IGF from moving forward, being more open to outside ideas as well.

For this year, one of the independently organized sessions is deliberative poll, which is another idea of how the IGF in the future might be able to deliver some outputs. So ideas like that I think the MAG should consider and try and work through those internal roadblocks that stop it from actually making evolutionary changes to the way the IGF works. Thanks.

MARKUS KUMMER: So to pick up on Jeremy, there is, of course, a legacy but I think it's time to move forward. I fully agree. And thanks to Flavio for mentioning the NETmundial session. I think that makes the point that there should be a cross-fertilization between the two initiatives, the NETmundial and the IGF, and I hope we can learn further from NETmundial. Thank you.

KONSTANTINOS KOMAITIS: Just very briefly, the only thing that I will say is that in the context of WSIS, focus on the sustainable development goals is very important and this needs to -- the discussion needs to continue. Access and development, how can we connect people, how can we make sure that more and more people get on line. Thanks.

MARILIA MACIEL: Thank you. Marilia speaking. There were some very excellent questions and it would be wonderful to explore them further, so do approach us, if you want.

In terms of the question that you asked with regards to what we could improve, I think that the role of the MAG would be something very important to look into. The MAG has been a program committee that plans for the next IGF, and maybe it could be a further -- more than that. Funding for the IGF, it's a

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very important point. We have high expectations from the IGF but with the funding and the staff that we have, it's very hard for them to live up to these expectations. And of course to improve the outcomes and to document the process through which we are improving them, this was very important in NETmundial. A lot of the process that we followed to arrive at the outcome document, they were developed on the fly because, of course, it was an experimental event, and CTS and other organizations have drafted a case study on NETmundial to document the process and it's very important that the same thing is done in the IGF.

Just two quick informations. Just to compliment Tarek. Very good overview of ICANN and its participation in the IGF. Several people from the community are putting together -- have put together workshop proposals that have been approved, so look in the program. There are several workshops about ICANN as well, so do participate.

And the day zero, there will be a meeting about the NETmundial Initiative, so one of the things that we're trying to do is, first of all, to move the outcome document of NETmundial forward in terms of implementation, and a lot of that has to do with the platform that will be launched, and to receive ideas of projects and to find the -- identify the supporters and donors and experts

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that would like to work in this projects, concrete projects to implement the NETmundial outcome document. Thanks.

MATTHEW SHEARS: Okay. Thanks, everyone. I must make a quick point that this was organized by the cross-community working group on Internet governance, which is open to all to participate and get involved in, so please do.

And thank you very much. A quick round of applause for our panelists, please.

[Applause]

And I guess looking forward to seeing you at the IGF. Thank you.

[END OF TRANSCRIPTION]