NETmundial, Marco Civil and CGI.br: The modern Brazilian regulatory environment for the Internet

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Roadmap for Internet Governance

• Chronology

- 1995: The Internet Steering Committee – cgi.br

- 2009: Principles for Internet use and governance


- 2014: NETmundial
Brazil
Facts and figures

- **Population:** 195 million
  85% living in urban area
  
  *IBGE PNAD 2011*

- **GDP/capita:** USD 11,640
  
  *Tradingeconomics / The World Bank 2011*

- **8th largest ccTLD:** 3.3 million
  
  *NIC.br Dez/2013*

- **105 million Internet users (2014)**
  
  *CGI.br, ICT Households Survey 2012*

- **40% HH with Internet access**

- **5th largest territory in the world**

  *Worldatlas.com 2013*

- **GDP:** USD 2.5 Trillion

  *Tradingeconomics / The World Bank 2011*

- **5,565 municipalities**

  *IBGE Census 2010*
About cgi.br

• Created in 1995, the Brazilian Internet Steering Committee - CGI.br coordinates and integrates Internet services in Brazil, promoting technical quality, innovation and dissemination of the use of Internet services.

• Propose policies and procedures related to the regulation of Internet activities;
• Recommend standards for technical and operational procedures;
• Establish strategic directives for the use and development of the Internet;
• Promote studies and technical standards for network and Internet security;
• Coordinate the allocation of Internet addresses (IPs) and registration of domain names under the ccTLD “.br”;
• Promote specialized research on the use of ICTs;
• Collect, organize and disseminate information on Internet services, including the production of indicators and statistics.
Brazilian Internet Steering Committee

1995 - 2003

9 representatives from the **government**
4 representatives from the **private sector**
4 representatives from the **non-profit sector**
3 representatives from the **scientific and academic community**

### Multistakeholder model

| 1 – Ministry of Science and Technology | 11 – Access and content providers |
| 2 – Ministry of Communications         | 12 – Telecom infrastructure providers |
| 3 – Presidential Cabinet              | 13 – ICTs and software companies |
| 4 – Ministry of Planning, Budget and Management | 14 – User companies |
| 5 – Ministry of Development, Industry and Foreign Trade | 15 – Third Sector |
| 6 – Ministry of Defense                | 16 – Third Sector |
| 7 – National Telecommunications Agency | 17 – Third Sector |
| 8 – National Council for Scientific and Technological Development | 18 – Third Sector |
| 9 – National Forum of Estate Science and Technology Secretaries | 19 – Academia |
| 10 – Internet expert                   | 20 – Academia |
|                                        | 21 – Academia |

History of CGI.br

Multistakeholder model
Legal Framework in Brazil
*Law, resolutions and legislation*

- CGI.br’s Principles for Governance and Use of the Internet
- Information Access Act
- W3C Open Data Principles
- The Civil Rights Framework for the Internet
- Privacy and Personal Data (not sent to Congress yet)

Approved by consensus in April/2009
• Defines principles, rights and responsibilities for citizens, companies and government agencies.

• It articulates the interconnection of technological and legal codes

• Process:
  – Participatory
  – Bill proposed by Ministry of Justice, inspired by CGI Charter of Principles
  – 2009: online consultation process and public debate on the internet
  – Open source platform created by Ministry of Culture: Digital Culture, received 2000 suggestions from institutions (eg.: Globo, Federal Police, etc) and citizens.

• Law sanctioned by the President on April 23, 2014: No. 12.965/2014
• Key points:
  – Rights and principles
  – Data retention
  – Net neutrality
  – Intermediary liability
  – Privacy protection

• Important value:
  – Minimizes legal uncertainty

• Regulamentation: not completed yet.
Netmundial: chronology of events

- Sept 2013: President Dilma Rousseff’s speech at United Nations;
- Oct. 2013: Montevideo meeting: ICANN, ISOC, IETF
- Oct. 2013: President Rousseff and Fadi Chehadé met in Brasilia
- Oct. 2013: President Rousseff announces a Multistakeholder Internet Governance meeting in Brazil in 2014
- Oct. 2013: Initial discussions about Netmundial held in Bali/IGF
- Nov. 2013: Partnership between CGI.br and 1/net to organize Netmundial meeting;
- Dec. 2013: First meeting of the organizing committee;
- Apr. 2014: Reference documents are published for public comments
- Apr. 2014: Netmundial - Global Multistakeholder Meeting on the Future of Internet Governance was held in São Paulo on 23rd and 24th.
Goals

- Internet governance principles
- Roadmap for the further evolution of the Internet governance ecosystem
NETMUNDIAL: overview

MAJOR GOAL
To produce an outcome document with international and multistakeholder legitimacy with “rough consensus”.

INNOVATIONS
1. Committees, reference document preparation, modus operandi of the meeting and global real time participation.
2. Separate queues by stakeholder (FCFS + round-robin way)
3. Transparency during the document preparation process
4. Open drafting rooms (night sessions)
5. International hubs
6. HLMC+EMC decision-making process
7. ArenaNetMundial – parallel pop event

POINTS OF TENSION
1. The nature and scope of the Internet Governance processes, e.g. technical and non-technical issues, binding and non-binding document.
2. Conflict between two schools of thoughts: multistakeholder vs multilateral and the role of governments.
**PARTICIPATION**

- Expression of interest: 869
- Attendees: 933
- Press: 183
- Countries: 110

**OUTCOME DOCUMENT**

- Content contributions: 188
- Comments on first draft: 1,370

**REMOTE PARTICIPATION**

- Worldwide hubs: 33
- Countries: 28
- Cities: 30
933 participants from 110 countries

Top 33 delegations:

- BRAZIL: 221
- UNITED STATES: 110
- ARGENTINA: 30
- FRANCE: 30
- UNITED KINGDOM: 23
- SWITZERLAND: 18
- CANADA: 17
- INDIA: 17
- NETHERLANDS: 13
- MEXICO: 13
- SOUTH AFRICA: 11
- NIGERIA: 9
- PARAGUAY: 7
- CUBA: 5
FROM COLOMBIA: COLOMBIA, YOU ARE ON SCREEN. YOU CAN TALK.

REMOTE INTERVENTION: GOOD MORNING, GOOD AFTERNOON, GOOD NIGHT BECAUSE IT WILL DEPEND WHERE IN THE WORLD YOU ARE. MY NAME IS (SAVING NAME). I'M FROM COLOMBIA FROM THE TELEPHONIC FACILITIES TOGETHER WITH THE INTERNET USERS TELEPHONICCA, THE NATIONAL PLANNING DEPARTMENT, TRANSPARENCY FOR
Stage LAYOUT

BIG SCREEN

Session Chairs
Advisors

Remote hub bidirectional manager

Remote hub unidirectional manager + Individuals

AC/TC
Gov/IGO
BS
CS

Translation into 7 languages

4 microphones

Separate lines per stakeholder sector

Interpretation booths
Multistakeholder and Equal Footing Participation
Principles

• HUMAN RIGHTS AND SHARED VALUES
• PROTECTION OF INTERMEDIARIES
• CULTURE AND LINGUISTIC DIVERSITY
• UNIFIED AND UNFRAGMENTED SPACE
• SECURITY, STABILITY AND RESILIENCE OF THE INTERNET
• OPEN AND DISTRIBUTED ARCHITECTURE
• ENABLING ENVIRONMENT FOR SUSTAINABLE INNOVATION AND CREATIVITY
• OPEN STANDARDS
1. The Internet governance framework is a distributed and coordinated ecosystem involving various organizations and fora. It must be inclusive, transparent and accountable, and its structures and operations must follow an approach that enables the participation of all stakeholders in order to address the interests of all those who use the Internet as well as those who are not yet online.

2. Issues that deserve attention of all stakeholders in the future evolution of Internet governance.
   – Multistakeholder environment,
   – Enabling capacity building and empowerment through such measures such as remote participation and adequate funding, and access to meaningful and timely information are essential for promoting inclusive and effective Internet governance.

3. Issues dealing with specific Internet Governance topics
   – Security and stability, cyber-security initiatives, mass surveillance, capacity building and financing.
LESSONS LEARNED FROM NETMUNDIAL

1. Need to tailor the event to the multiple stakeholders’ specificities;
2. An open, transparent, participatory and multistakeholder preparation process pays off;
3. Innovation is the name of the game;
4. Multistakeholderism should pave the way to the future of internet governance;
5. Need to improve working methods, specially in regard to the decision-making procedures;
6. Need to construct narratives for global Internet governance: economics of internet, free flow of information, human rights could be possible approaches.
Beyond Netmundial: What Comes Next?

- Netmundial principles and roadmap should feed into other IG processes and forums:
  - ITU Plenipot – Busan
  - IGF 2015 – Brazil – Joao Pessoa
  - Overall review of the implementation of the WSIS’ outcomes – 2015
  - Netmundial Initiative

- Netmundial format innovations and organizational improvements could be adapted to other IG forums;

- Netmundial multistakeholder principles could be used as inspiration for the creation of national internet governance ecosystems.
Points to be further discussed

1. Different roles and responsibilities of stakeholders in Internet governance, including the meaning and application of equal footing.
2. Jurisdiction issues and how they relate to Internet governance.
3. Benchmarking systems and related indicators regarding the application of Internet governance principles.
4. Net neutrality: there were very productive and important discussions about the issue of net neutrality at NETmundial, with diverging views.
5. Open Internet and individual rights to freedom of expression and information; issues: how to enable freedom of expression, competition, consumer choice, meaningful transparency.
Brazilian Roadmap to Internet Governance

**Multistakeholder model of CGI.br**
- Business, civil society, govs., academia;
- Stakeholder’s interests, conflicts;
- Best practices;
- Standards, Policies.

**CONGRESS**
- Laws that combine technical code and political rights

**Global Internet Governance**
- Netmundial
  - As a member of Global South and BRICS, Brazil could offer a bridge between Western/Eastern countries or developed/developing.
THANKS!

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