

India's Inputs to the Questionnaire circulated by the Chair of the CSTD Working Group on Improvements to Internet Governance containing broad elements of the final report

1. Review of IGF vis-à-vis Tunis Agenda - paragraphs 72 to 80

Introduction: An examination of the specific mandates given to the IGF in section 72 of Tunis Agenda will reveal that most of them refer to a policy-related role (72a, b, c, e, g, i, j, k), and some to a capacity-building role (72 d, f, h). While recognizing that there is some degree of overlap between the two functions, recommendations for improvements to the IGF should separately address these two different roles of the IGF.

Global Public Policy Issues: The Internet is inherently a global phenomenon, whose strength and value lie in its inclusiveness and global connectivity. For the same reasons, the economic, social, cultural and political impacts of the Internet are growing quickly and exponentially, necessitating urgent and important global public policies in many diverse areas. Governments and other stakeholders require an appropriate policy forum where key global Internet policy issues of common concern are discussed inclusively and different policy options debated, with tangible movement towards effective policy development processes that redress these shared concerns. The fact that there is no effective and inclusive global policy forum to address these important emergent issues was firmly recognised by the Tunis Agenda and the WSIS process, and the IGF was set up to fill this critical gap, to some extent. It is recognized today that if the internet is to grow in its role as a powerful catalyst for global connectivity, openness, freedom and socio-economic development, timely addressing of global public policy issues of common concern is a vital necessity. **While the Enhanced Cooperation process mandated under the Tunis Agenda should translate into the setting up of such a multilateral, democratic and transparent decision-making body in the near future, the IGF as a unique, multi-stakeholder body should provide its valuable inputs to the ongoing global dialogue on internet policy making and continue to feed its insights into any future body set up in the future to operationalise Enhanced Cooperation. In this sense, a more outcome-oriented IGF that is improved on the lines as proposed below, will supplement and complement any initiative under Enhanced Cooperation in the future.** The primacy of the policy-related role of the IGF over its capacity-building functions is, therefore, important to keep in mind when seeking improvements to the IGF. This is especially so in view of the fact that the capacity-building role has perhaps been more in focus in the first five years of the IGF's existence.

Capacity-building: India believes that the IGF has succeeded in good measure in bolstering the capacities of various stakeholders through open and inclusive dialogue, awareness generation, dissemination of information and best practices, national and regional initiatives etc. The IGF's open, multi-stakeholder, democratic and transparent character has significantly contributed to such capacity-building. While a promising beginning has been made in this regard, much more needs to be done to enhance capacity-building, as pointed out in the UN Secretary-General's Report of 7 May 2010 on

the *'Continuation of the Internet Governance Forum'*.

Conclusion: While the IGF has achieved some success in capacity-building, it has not done as well in contributing to public policy making, especially global public policy making. It has struggled to evolve an effective format and methodology to make meaningful contributions to global Internet-related public policy. We are, therefore, of the view that it is this area of less-than-satisfactory progress that the recommendations of the Working Group on improvements to the IGF should largely focus on.

A more detailed review of the IGF's performance vis-a-vis specific elements of IGF's mandate as provided in para 72 of the Tunis Agenda, from our perspective, is given below:

REVIEW OF SPECIFIC ELEMENTS OF THE TUNIS MANDATE AND SUGGESTED RECOMMENDATIONS:

72(a): Discuss public policy issues related to key elements of Internet governance in order to foster the sustainability, robustness, security, stability and development of the Internet.

The paragraphs preceding para 72 of the Tunis Agenda mandating the creation of a "new forum for multi-stakeholder policy dialogue—called the Internet Governance Forum" clarify the context and purpose of the creation of the IGF and make it amply clear that the key remit of IGF is to deal with global policies in the area of the Internet. It is also clear that the primary mandate of the IGF is to identify gaps in addressing significant global Internet-related public policy issues. This is also reiterated in para 4 of the UN Secretary-General's report, which states: "*The main function of the Forum is to discuss public policy issues relating to key elements of Internet governance, such as those enumerated in the Tunis Agenda*".

Recommendation: In order to meaningfully realize the IGF's mandate in this area, such a global policy dialogue should, in the first place, identify and place on the global agenda, key global Internet-related public policy issues of common concern and interest. There should be focused debate on these specific issues among a wide range of stakeholders, eliciting different views and opinions. Thereafter, existing convergences and divergences on specific issues should be identified and attempts made to synthesize recommendations on areas of convergence, while delineating specific alternative options on issues where there are multiple views. These should then feed in to multilateral and other policy-making processes, to ensure that the IGF makes tangible contributions to global policy-making on internet-related issues. This would, in our view, ensure that the high quality of discussions and the valuable contributions in the IGF discussions are appropriately factored into policy-making and are not allowed to go to waste. By focusing on meaningful outcomes in specific areas of public policy, the IGF would be bringing in value-addition and contributing productively to the global discourse on internet governance, as envisaged under the Tunis Agenda.

72(b): Facilitate discourse between bodies dealing with different cross-cutting international public policies regarding the Internet and discuss issues that do not fall within the scope of any existing body.

This two-fold mandate of the IGF makes it clear that the IGF's role is to: (i) link various agencies and bodies dealing with disparate but inter-related internet-related issues by bringing them together on a common IGF platform to dialogue with one another, and (ii) to proactively identify and initiate deliberations on issues that are not being addressed by any agency. We believe that this is a very important element of the IGF's mandate since the Internet impacts in some way or other, almost all economic, social, cultural and political spheres of life. This gives rise to many cross-cutting policy issues which simultaneously fall in the remit of more than one existing public policy-related global/ international body. The IGF has been given the specific role of facilitating discourse between these bodies on such cross-cutting issues. In our view, the IGF has not specifically addressed this mandate. While representatives of some of these bodies may be attending the IGF, what is required is to put in place specific formats and procedures to get all relevant bodies together around specific cross-cutting policy issues, so as to facilitate a focused dialogue and possible ways forward on addressing these issues.

Recommendation: This will require sufficient preparatory work to be done in engaging with the concerned bodies sufficiently in advance with regard to the specific policy question(s) that are sought to be discussed. It may also require developing background material, including through requesting the services of subject-matter experts. Once an engagement among the concerned bodies is ensured at the IGF in a format that facilitates clear focussed discussions towards possible outcomes, it will be necessary to sum up the discussion, identifying areas of further work while feeding the required inputs into appropriate internet policy-related bodies. Since policy issues are often complex and do not get resolved in a single meeting, but require a sustained engagement, it will be necessary for the IGF secretariat and its core management/preparatory body (the MAG at present) to maintain sustained contact with the relevant bodies, including requesting reports on progress on the concerned policy issue within these bodies.

72(c): Interface with appropriate intergovernmental organizations and other institutions on matters under their purview.

This mandate flows from the previous one, but builds further on it. It specifically identifies 'intergovernmental organisations' and 'other institutions' and asks the IGF to interface with them on 'matters under their purview', which widens the scope of issues to all internet policy-related issues, not just cross-cutting issues. In our view, the IGF needs to do more in regard to this very specific and clear mandate.

Recommendation: As elaborated in the preceding recommendations, we believe that to fulfil this mandate, the IGF needs to discuss internet-related key policy issues currently being dealt with in various 'intergovernmental organisations' and 'other institutions' into the IGF's multi-stakeholder policy dialogue for focused deliberations

and take the outcomes of this dialogue back to these bodies for their consideration, consistent with their respective processes.

a) Facilitate the exchange of information and best practices, and in this regard make full use of the expertise of the academic, scientific and technical communities.

We believe that the IGF has delivered well on this mandate. The IGF's unique multi-stakeholder, inclusive, democratic and transparent character has contributed greatly to the free exchange of information and dialogue among competent experts from the academic, scientific and technical communities.

Recommendation: To further optimize on the diverse expertise and rich dialogue in the IGF, as suggested by the UN Secretary-General in his Report, it is recommended that: (i) There should be a more streamlined format for the meeting, with clear and strong linkages between the workshops/'Dynamic Coalitions' and the main sessions. (ii) Discussions should be focused on specific and clearly defined themes (iii) There should be more synthesis of discussions, with delineation of recommendations or alternative options. (iv) The exchange of information and best practises should be documented in a better way to ensure their durability and enable more purposeful use by different policy actors and other stakeholders (iv) Provide for more equitable participation and representation of stakeholders, especially from developing countries, both in the preparatory processes in MAG and in the IGF to enable a more inclusive dialogue and exchange of best practices.

a) Advise all stakeholders in proposing ways and means to accelerate the availability and affordability of the Internet in the developing world.

This mandate recognizes the global inequities with regard to access and affordability of the Internet and highlights IGF's special responsibility towards the developing world by specifically tasking it to propose ways and means to enhance the availability and affordability of the Internet in the developing world. Keeping in view the importance of this task, we believe that while some progress is being made at the IGF lately to bring development issues in focus, much more needs to be done to realize this critical element of the mandate.

Recommendation: Currently, there is no format or process in place whereby the expertise shared at the IGF and insights coming from its discussions, can be shaped into a set of 'advices' or recommendations towards spreading and fostering the Internet in developing world, as mandated by this sub-section of paragraph 72 of the Tunis Agenda. To be able to do so, the IGF needs to not only focus more on development issues, but also design the necessary processes whereby it can shape and deliver the necessary advice, as mandated. A proposed format/process is attached in the enclosed **annexure**.

72 (f): Strengthen and enhance the engagement of stakeholders in existing

and/or future Internet governance mechanisms, particularly those from developing countries.

With its inherently multi-stakeholder and open format, the IGF has enabled, to a great extent, an inclusive and broad-based dialogue among different stakeholders. However, nominal openness and inclusiveness should be converted into a substantive one by extending 'protective discrimination' to ensure proportionate representation of groups that otherwise suffer structural exclusions. It has been acknowledged, even in the UN Secretary-General's Report that the participation of developing countries (both governmental and non-governmental) in the IGF is not adequate, and it needs to be enhanced and strengthened, as this part of IGF's mandate specifically requires it to. This is even more true of various marginalised groups coming from these countries. Remote participation cannot be considered as a substitute to the physical participation and engagement of developing countries and their stakeholders. Some specific suggestion regarding this are provided in the section below.

Recommendation: (i) As mentioned in the UN Secretary-General's Report, a better funding mechanism with enhanced funding should be put in place to enable greater participation of developing countries in the IGF and its preparatory processes. A special Fund could be created for this purpose. (ii) Provide innovative educational and training resources on a range of internet issues to enhance developing country expertise in the area (iii) Avail the services of relevant intergovernmental and international organisations in delivering customized technical assistance in this area to developing countries.

72(g): Identify emerging issues, bring them to the attention of the relevant bodies and the general public, and where appropriate, make recommendations.

The Internet and today's global, Internet-mediated society, is a fast-changing phenomenon. Very important policy issues get thrown up at a bewildering pace, and due to the essentially global nature of the Internet, most of these issues are global in nature, that require to be addressed/resolved at a global level. The Tunis Agenda clearly recognises such a context and imperative *vis a vis* global Internet Governance, and therefore, specifically mandates the IGF to take note of such emerging issues, and address them adequately and in a timely manner. Recognising that the IGF is not a policy-making body, it clearly mandates the IGF to furnish its recommendations on such emerging policy issues. However, the IGF has, thus far, been unable to come up with any such recommendations, or even develop internal processes to be able to do so. In our opinion, this is an area of most significant under-performance for the IGF in its first phase, and the Working Group's Report should recommend improvements to the IGF in this area by outlining specific measures to enable the IGF to fulfil this mandated role.

It may help to clarify that 'emerging issues' here clearly means 'emerging policy issues' (as per earlier text of section 72 of Tunis Agenda; for instance, the opening sub-section 72a mandates the IGF to 'discuss policy issues') and not just cutting-edge technology issues in themselves. This point is being made here to highlight that there

are often 'emerging policy issues' in areas which are technologically mature. Certain issues can still be of emerging importance to developing countries long after they have technologically 'emerged'. Global inter-connection regimes, for instance, which was identified as a key public policy issues by the WSIS, has not ceased to be a key issue that still requires to be addressed adequately. In fact, more complexities may have been added to this issue *vis a vis* global network neutrality-related issues. A policy issue remains 'emerging' until it has been resolved to some significant extent, or, at the very least, processes of addressing it are well under way.

Recommendation: Some may take the view that the mandate for the IGF to provide 'recommendations' is only with regard to a very small set of 'emerging issues'. The above discussion, however, should make it clear that this mandate is rather broad, and extends to all unaddressed current and emergent policy issues, which still await satisfactory resolution. The term 'emerging' is mentioned in the Tunis Agenda not to limit the recommendation-giving role of the IGF to a few cutting-edge technology areas, but to highlight the fact that in the area of Internet Governance, new policy issues keep emerging at a rapid rate, and the IGF should be alive to recognising and addressing them in a dynamic manner. The IGF should devise its format and processes in a manner that would enable it to fulfil this central aspect of its mandate. A proposed format is in the annexure.

72(h): contribute to capacity building for Internet governance in developing countries, drawing fully on local sources of knowledge and expertise.

Participants from developing countries have simultaneously benefited from participating in the IGF and also contributed substantially to its proceedings. As the mandate clarifies, IGF's capacity-building function should not be limited to a one-sided transmission of expertise from the North to the South. It has to be an equal and mutually beneficial dialogue that also benefits from the 'local sources of knowledge and expertise' from developing countries. IGF's mandate gives clear and specific guidelines as to how the IGF format and process should be shaped, to ensure adequate and equal participation of diverse sources and forms of knowledge, especially from developing countries.

Recommendation: While the IGF has developed an open and participatory format which attracts expertise and participation from diverse areas, more needs to be done to enable diverse participation from developing and least developed countries. The format and preparatory process have to be suitably modified, as indicated in the annexure. Some other specific recommendations in this regard have been made with regard to para 72 (f) above.

72(i): Promote and assess, on an ongoing basis, the embodiment of WSIS principles in Internet governance processes.

WSIS identified many high principles that should inform information society policy and practice generally and Internet governance in particular, specifically in the

Geneva Declaration of Principles and other WSIS outcome documents, including the Tunis Agenda. In this sub-section, the Tunis Agenda clearly mandates and authorizes the IGF to play a watch-dog role *vis a vis* the adherence of broader global processes on internet governance, to the globally accepted WSIS principles.

Recommendation: The IGF should have an express role and set up the required format and process to assess and report on how different Internet Governance processes are aligned with WSIS principles. (i) One way of doing this would be to have one session dedicated to this discussion in each IGF meeting. In this session, representatives of intergovernmental and other organisations engaged in particular aspects of internet governance can be invited to brief the IGF about the processes underway in their respective organisations and to what extent they are aligned with WSIS principles. The IGF discussions pursuant to these presentations can be distilled into observations/recommendations that can be fed back into these organisations for consideration. This should also be included in the IGF's report that is submitted to the CSTD and ECOSOC for its consideration, since CSTD is the focal point in the UN system for follow up of WSIS implementation. (ii) A Working Group can be set up under the MAG to assess and report on this aspect of the mandate to the annual IGF.

72(j): Discuss, inter alia, issues relating to critical Internet resources.

Whereas the mandate of the IGF extends to all Internet-related policy issues, the Tunis Agenda specifically highlights the need to discuss issues related to critical Internet resources. We are glad to note that after initial hesitation among some stakeholders in the first two years of the IGF, discussion on critical internet resources is now on the agenda of the IGF.

Recommendation: We note that critical internet resources represent only one part of a large gamut of global public policy issues related to the Internet. However, critical internet resources represent a very important public policy area that requires continued engagement, and the IGF must seek to address the specific policy questions that arise in this area.

72(k): Help to find solutions to the issues arising from the use and misuse of the Internet, of particular concern to everyday users.

This sub-section mandates the IGF to keep the context and needs of everyday Internet users in focus. The IGF should help find solutions to the diverse issues that everyday users regularly face, many of which have global dimensions. Such issues of everyday use of the Internet that are global in their implication do not have any forum for addressing them, especially in case of users from developing countries, since most of global Internet business is based in the North.

Recommendation: To be able to fulfil this part of the mandate, the IGF will have to put in place a more deliberate and focussed strategy including coming up with appropriate

policy recommendations in these identified areas, related to everyday use of the Internet. The suggested process in the **Annexure** may be seen.

72 (I): *Publish its proceedings.*

Recommendation: While a Chairman's summary of the IGF proceedings is published at present, and it serves as an important resource, more specific policy-related outcomes will need to be published, and forwarded to the concerned bodies, with a view to fulfilling the various parts of IGF's mandate as discussed above. Such a report also needs to be submitted to the CSTD, ECOSOC and the UN General Assembly.

2. Improving the IGF with a view to linking it to the broader dialogue on global Internet governance as directed by the UN General Assembly Resolution on "Information and communications technologies for development" (adopted on 24 November 2010)

An assessment of the IGF in its first phase of 5 years makes it clear that its areas of under-performance, and thus areas for improvement, are in terms of its specific contributions to global Internet policy processes. This is also endorsed by the UN Secretary-General's Report and explicitly stated in the UN General Assembly resolution of 22 November 2010 that mandated the setting up of the CSTD Working Group on improvements to the IGF, by "*recognizing ...the need to improve it, with a view to linking it to the broader dialogue on global Internet governance*".

Recommendation: This reinforces the point that the Working Group's recommendations should focus on substantive improvements to the IGF with regard to its linkages and contributions to global policy dialogue, spaces and institutions, as proposed in the **annexure**.

3. How to enhance the contribution of IGF to socio-economic development and towards IADGs including enhancing participation of developing countries

To answer this key question, we must first thoroughly examine the impact of the Internet on the social and economic landscape of our societies. Too much of the Internet governance discourse currently is centred on technical issues, with not enough economic, social, cultural and political analysis. One of the main functions of the IGF should be to bring such analyses, and the policy questions that they raise, to the fore. In fact, many of the technical governance issues will then need to be revisited from the standpoint of these more fundamental considerations.

The Internet globalizes economic, social, cultural and, even, political flows, setting up new forms of comparative advantages as also new forms of exclusions. In this, there are immense opportunities as there are challenges for the developing countries. It is generally appreciated that the Internet can contribute to connecting everyone, or most, to the global economic and social systems, and thus probably enhance the overall opportunity availability for everyone. What is, however, much less examined is the question: what kind of an Internet, and what kind of social phenomenon shaping around the Internet, would provide a level playing field for all in the emerging Internet-

enabled global systems, especially for developing countries, and more so, for the marginalised sections in the developing countries? Global Internet-related policies have an important role in this regard. They should not only ensure that everyone is connected, but also that the Internet is developed in a manner that provides a level-playing field for all.

While the manner of development of the Internet at present poses challenges to the possibility of a level-playing field (increasing violation of the network neutrality principle, for instance, can be a major disadvantage for late entrants from developing countries to global Internet businesses), what is needed is to go even further and provide protective discrimination to the structurally disadvantaged countries and groups. What looks equal and participative from a mature market/ Northern point of view may not be so equal and participative from a developing country's point of view. These kinds of structural inequalities obtaining among countries, and among different groups within each country, require a well-considered and nuanced approach to Internet policies which alone can ensure that the future shaping/development of the Internet contributes to sustainable and equitable socio-economic development. Addressing such structural issues underpin most developmental discussion in global forums like the WIPO, WTO, UNESCO (for instance, the recent cultural goods treaty) etc. However, the global discourse on Internet governance remains peculiarly 'technicalized' and individual user-centric – a standpoint which tends to ignore larger structural issues of exclusion and marginalisation.

Recommendation: There is no global forum which provides space for shaping such a developmental perspective of Internet governance. The IGF is well-suited as it is expressly mandated to take up this task, and has the benefit of a diversity of views from a multi-stakeholder format. The IGF should, therefore, focus more specifically on addressing structural issues of exclusion and marginalisation and the inequalities among different regions, countries and marginalised communities of various kinds, to usher in a more level-playing field.

4. **Shaping the outcome of IGF meetings**

One of the major challenges of the IGF is the question of how to maintain its open and inclusive character, while enabling it to make strong and specific contributions to global Internet-related public policy. Since the IGF is not a policy-making body, its contributions must come in the form of policy advice and recommendations. Shaping outcomes from the IGF in form of policy advice/ recommendations is, therefore, the key task that this Working Group should address itself to. It is also the impression gathered by the UN Secretary-General's report on consultations with IGF participants during the fourth IGF in Egypt in 2009 that this area is considered by many stakeholders as the one which requires most attention vis a vis improvements to the IGF.

When IGF outcomes are discussed, often two kinds of impacts of the IGF are mentioned – (i) the capacity-building role of the IGF, and (ii) its impact in terms of certain regional and national IGF's. While IGF's outcomes in terms of its capacity-building role are significant, a more important and primary mandate of the IGF where it has under-delivered, is in the area of global policy-making. As for the development of

regional and national IGFs, while it is indeed a welcome development, it relates to para 80 of the Tunis Agenda which encourages regional and national multi-stakeholder initiatives, and not so much to the basic mandate of the IGF contained in para 72. In any case, the 'global' role of the IGF remains primary and that cannot be substituted by its regional and national level impacts.

Recommendation: We, therefore, suggest that while this Working Group's report should mention the positive aspects of the IGF in terms of its capacity-building impact and the emergence of regional and national IGFs, its substantive parts should focus on what is both the primary mandate of the IGF, and the area of its most significant under-performance - the global Internet policy-related role of the IGF.

Structuring an open and inclusive process towards outcomes will require considerable innovation as well as some additional resources. The outlines of such a process that can provide clear outcomes in the form of policy-related recommendations from the IGF, while adhering to its open, participatory and inclusive nature, are elaborated in the **Annexure**.

5. Outreach to and cooperation with other organisations and fora dealing with IG issues

The Tunis agenda mandated the IGF as a policy dialogue forum and mandated it to link with other global fora dealing with Internet Governance issues. Many parts of the mandate of the IGF, as discussed above, directly speak to this issue and seek various kinds of linkages with such fora. The UN General Assembly resolution of December 2010 specifically seeks IGF improvements with a view to link it to the broader dialogue on internet governance. Section 72 (i) mandated the IGF to 'promote and assess, on an ongoing basis, the embodiment of WSIS principles in Internet governance processes'. This provision clearly establishes 'a watchdog function for the IGF' *vis a vis* all other global Internet Governance processes. It is, therefore, important that specific improvements are proposed in the IGF for it to meet its responsibilities in this regard.

As an open and participative public forum on Internet-related issues, the IGF should be seen to have the legitimacy and 'power' of the common people of the world to have their views listened and responded to, and to be able to seek any information or clarification as required. On the other hand, their considered views should be routed into policy-making process. At present, the IGF is the primary institution of global deliberative democracy in the area of global Internet policies. Its formal linkages with institutions of policy-making, therefore, need to be ensured.

Recommendation: All the relevant policy-making organisations should be invited to IGF meetings where they should submit their work to public scrutiny and duly respond to all issues and questions that are raised. As mentioned above, para 72 (i) of the Tunis Agenda mandates and authorises the IGF to undertake such a watch dog role. A clear and effective protocol should be established for outcomes from the IGF, and other kinds of communications like specific clarification or information that may be sought, to be conveyed to all concerned Internet-related bodies in a relatively formal manner, with an

expectation not only of due acknowledgement, but of full response and sustained engagement. The MAG and the Secretariat will have an important role in maintaining such liaison on a continued basis. These bodies will have to appropriately structure themselves for this purpose. The format and outcome of the IGF meetings as also the preparatory process will also have to be modified accordingly, as outlined in the Annexure.

6. Inclusiveness of the IGF process and of participation at the IGF meetings (in particular with regard to stakeholders from developing countries)

Openness, as admirably achieved by the IGF, is just the first condition of inclusiveness. It requires further specific measures to ensure that openness does indeed lead to equitable participation. In this regard, we find that the IGF still has much to achieve. It is obvious that any process where anyone can come and be part of, will get crowded by those with most resources to attend. This skews the very identity and thus legitimacy of the concerned forum, because it is perhaps more important for those people and groups who are least likely to have resources to attend policy forums, to do so. Any open process thus requires countervailing measures of 'protective discrimination', whereby those sections that are identified to be under-represented are provided special enabling measures as well as incentives to participate.

Recommendation: (i) Adequate funds and other forms of support should, therefore, be made available for participants from developing countries. It must also be recognised that even within developing countries there are various socio-economic divides and other kinds of marginalisations. Special proactive funding and other support for developing country participants should expressly target these groups that represent marginalised interests. While providing support within all categories of stakeholders from developing countries, it is important to recognise the claims of groups that are more marginalised like those associated with women's rights and those working with various kinds of disadvantaged communities. Making linkages with groups that actually work with, and represent, marginalised sections of the society in the developing world, is an important requirement that the IGF process should address itself to. Multi-stakeholderism is not fulfilled by getting one representative each from governments, civil society, private sector and the technical community. This is only a nominal and insufficient representation of the diversity of views and interests related to internet policies. It is important to have representatives from various under-represented groups from the developing countries. An active attention to these imperatives throughout the IGF process is required to ensure inclusiveness.

(ii) Inclusion, however, does not stop at ensuring attendance. It means much more - from consciously taking up issues on the agenda that relate to the interests of the marginalised groups; getting representatives of these groups on the MAG and other committees; getting them on panels of the Plenary as well as workshop sessions; and ensuring that policy-related outcomes specifically focus on the interests of these groups. It should be ensured that for every plenary session and every workshop, there is at least one person on the panel specifically representing the interests of marginalised groups.

7. Working methods of the IGF, in particular improving the preparation process modalities

7.1. Current modalities: open consultation and MAG

A large part of our response to this question is already covered in the earlier sections. The MAG clearly needs to be much more than just a program committee: it should be focussed on the outcomes of the upcoming annual IGF. As explained earlier, this can be done through meaningful contribution on key Internet policy issues to relevant policy-making forums. It has been 5 years now and the IGF needs to urgently address itself to the number of very pressing global Internet policy issues that await resolution, and regarding which the IGF has not yet been able to achieve much in terms of direct and concrete contributions.

Recommendation: (i) The MAG has to get functionally more differentiated, with different sub-groups taking the responsibility of IGF preparations around each key plenary theme; liaising with different Internet policy institutions; and perhaps also for key internal/administrative functions.

(ii) The selection of non-government representatives to the MAG has to be made more transparent and democratic/representative to better represent different sections of the society, more so the marginalised. Efforts have to be made to obtain as globally representative a group as possible. At present, there are no specific processes to ensure these imperatives, and the selection process is largely *ad hoc* and mediated by some key global stakeholder bodies, without due transparency about the process followed to ensure that the diversity of interests and views in that particular stakeholder group are duly represented.

We recommend an accountable, transparent and diversified stakeholder selection process for stakeholder representatives. Such a process should demonstrate its connectedness to the full range of diversity within each stakeholder group, especially those from developing countries, and otherwise less represented groups. Each stakeholder group while selecting its representatives should describe the process used in making the selection, and also specifically mention what steps were taken to include a full diversity of views and interests, and less represented groups, including those from developing countries. To get the selection process right is very important for the success of the unique multi-stakeholder experiment in global governance that the IGF represents.

(iii) One way of ensuring that specific interests are kept out of MAG is by stipulating that the business sector members should not be representatives of specific private companies, but represent different trade associations like in the areas of telecom, software companies, etc. The technical community members could similarly include representatives from key technical and academic institutions. The selection process for civil society members could be made similarly democratic, with representatives selected by a network of NGOs working in areas associated with Internet policies, thus representing a really broad spectrum of civil society.

(iv) The composition of the MAG should be based on procedures that are predictable, transparent, inclusive and ensure equitable representation and rotation, and should adhere to the following well-established General Principles:

- 1) The selection process for the membership should be transparent.
- 2) The membership should be inclusive. Each stakeholder category should have balanced participation of the developing countries and developed countries.
- 3) There should be periodic rotation of the membership.
- 4) The Chair should be elected and not nominated.

In order to put in place an institutional mechanism and avoid *ad hoc* processes, a revised model for composition of MAG membership in line with the above General Principles and established ECOSOC procedures, is given below:

	ECOSOC membership	Internet Community	Private Sector (A)	Civil Society (B)	Total Non-Government Stakeholders	Member States (C)	Total for MAG (D)
African States	14	02	02	03	07	07	14
Asian States	11	02	02	02	06	05	11
Eastern European States	06	01	01	01	03	03	06
Latin American and Caribbean States	10	02	02	02	06	04	10
Western European and Other States	13	02	02	03	07	06	13
Total	54	09	09	11	29	25	54

Intergovernmental/International Organisations: 5 slots

Total number of MAG members: 59

In our view, such a representative and transparent model will ensure balanced participation across geographical regions and stakeholder groups and bring predictability and inclusion to the MAG, making it more credible and effective.

7.2 IGF Secretariat

Recommendation: The secretariat is required to be expanded from its present size to

be able to take on the additional work that meaningful improvements to the IGF would entail. It also needs to be provided with more resources to be able to steer the process between the sessions that has been recommended in the various parts of this document. The staff selected for the secretariat should have special competencies to manage the uniquely multistakeholder nature of the IGF and should be representative of diverse geographical regions and levels of development.

8. Format of the IGF meetings

The format of the IGF should follow from its intended functions which, in turn, should derive from its mandate. The capacity-building functions are largely being performed well by the present format. We have elaborated how the global policy function should be the primary focus of IGF improvement. This function greatly depends on whether a successful process of obtaining outcomes from the IGF can be developed and sustained. The improvements to the format of the IGF should focus on this key functional imperative.

Recommendation: We have listed in the Annexure, a set of processes that can help develop outcomes in the form of policy assessments and recommendations from the IGF. These also propose specific changes to the format and structure of the IGF.

9. Financing the Forum (exploring further options for financing)

9.1. Review of the current situation

and

9.2. Options for ensuring predictability, transparency and accountability in financing IGF

Recommendation: The accepted norm worldwide is that policy forums can function independently only when they are based on public funding. Indeed, it would be unthinkable for our national policy level institutions to have private funding. In the case of the IGF, this would mean a transition to full UN funding. In addition to predictable and budgeted UN funding, voluntary contributions can be allowed, as is the practice in many UN agencies. In this context, it may, however, be desirable to agree that such voluntary contributions should be un-earmarked to the extent possible, and that they would be used almost exclusively to fund participation of stakeholders from the developing countries, particularly the least developed countries, and marginalised groups among them. The independence of the Secretariat and other facilitative processes of the IGF are frequently spoken of in discussions regarding the IGF. Relying solely on short-term contributions by private actors who may be interested in the outcomes of the IGF goes against the imperative to ensure independence and neutrality of the process, especially in the management of a Forum that itself exemplifies the values of democracy, openness, neutrality and independence.

**PROPOSED IMPROVEMENTS TO IGF OUTCOMES, IN KEEPING WITH THE UN
GENERAL ASSEMBLY MANDATE**

1. **MAG identifies key policy questions:** At the start of the annual IGF cycle, the preparatory body (MAG) selects a set of 3-4 key questions (*not just broad issues, but clear, specific questions*) for consideration at the IGF every year. These questions should reflect the most important policy concerns at the global level in the area of Internet Governance. This selection should be based on wide and inclusive consultations with different stakeholders, including those who may not be able to attend these consultations in person, but are recognised as key actors and interested parties in the area of Internet governance. This selection should also take into account internet-related key policy issues currently being dealt with in various intergovernmental organisations and should specifically focus on how global Internet governance affects development.
2. **MAG establishes Working Groups around the key questions:** Around each such key policy question, issue-based working groups (WGs) should be formed. These WGs should have MAG members plus external experts where necessary, while maintaining overall balance in terms of various forms of diversity, with special consideration for developing country participation, both governmental and non-governmental.
3. **Working Groups develop background material on the theme:** The issue-based WGs will work during the preparatory process to develop the theme with regard to the assigned key policy question; develop appropriate background material (*including commissioning out work to experts if required*); prepare the format of the corresponding plenary sessions; undertake the selection and review of the feeder workshops, etc.
4. **Feeder Workshops followed by 'Round Table' discussions:** IGF participants will be encouraged and helped to hold workshops on various themes linked to the chosen key policy questions. These workshops will be called feeder workshops. These Workshops will examine various aspects of the issue and provide an opportunity to present diverse views and engage in a substantive dialogue. Members of the WG will try to attend as many of the feeder workshops as possible. After the feeder workshops, they will help organise discussions in a 'Round Table' format, involving workshop organizers and other key IGF attendees, to further shape perspectives around the 'key question' and look at seeking convergences, as well as capturing the diversity of views.
5. **Inter-Sessional Thematic meetings:** Where appropriate and possible, inter-sessional thematic meetings or thematic IGFs may be held on the policy issues identified for the IGF's consideration in order to facilitate dialogue and identify possible outcomes.
6. **IGF Plenary:** The convergences and alternate views from the Round Table discussion and Thematic Meetings (if held) will be presented to the IGF plenary for a

structured discussion with as wide a participation as possible. *(Alternatively, the policy round table format may be tried out after the plenary discussion, depending on how best coherent outcomes from the IGF can be shaped.)*

7. **IGF Reports on specific questions:** Based on the discussions in the IGF, the WGs produce a document on the concerned 'key policy question', which can be called as an 'IGF report on such and such issue'. Such a report will present areas of convergence and distil issues where there are divergent views, to a concrete set of policy options. The WGs should endeavour to present coherent policy options, even if there is more than one *(as the WGIG report did with regard to oversight models)*.

8. The vast amount of information and the wide array of views that may have been generated around the year-long process of focussing on a specific policy question can be captured in a background paper, or a set of background documents and annexed with the WGs reports on specific policy questions. This would ensure that the rich deliberations and exchange of views are not lost by the international community. *(This practice was also adopted by the WGIG)*.

9. **IGF Reports transmitted to CSTD:** Since CSTD has been tasked to oversee the WSIS/IGF process in the UN system, these outcome documents, or IGF reports, will then be sent to the CSTD, ECOSOC and the UN General Assembly. The UN General Assembly may forward them, as appropriate, to the concerned global/ international and other institutions involved with Internet related policy making. *(In the interests of time and efficiency, the IGF could also simultaneously forward its reports directly to relevant intergovernmental and other international organisations and/or request the ECOSOC to transmit them to relevant bodies, without waiting for the UN General Assembly to do so)*.

10. **Feedback loop and Interface with other relevant bodies:** The organisations and bodies receiving the IGF Reports should be requested to provide their feedback and report on developments that year on the relevant Internet Governance issue, to the next IGF. A session in the annual IGF should be dedicated to the consideration of such reports from other relevant bodies. This would enable the IGF to familiarize itself with other ongoing international processes in the area of Internet Governance. It would also enable it to interface with relevant bodies, as mandated by para 72 (c) of the Tunis Agenda and facilitate discourse between bodies dealing with different cross-cutting international public policies relating to the Internet, as mandated by para 72 (b) of the Tunis Agenda.

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