Dynamic Coalition on the Framework of Principles for the Internet at IGF 2008

Aims / Objectives

The dynamic coalition(DC) on 'Framework of Principles for the Internet' (FPI) has the objective to understand, influence and contribute to the processes of making international laws, conventions, treaties etc in the area of Internet Governance – both of the soft law and hard law varieties – incorporating the multi-stakeholder principle. For this purpose, the coalition will explore the possibility of civil society taking the lead in collaboratively developing some overall normative principles for the Internet which can underpin such international processes, and/or themselves be adopted through a framework convention kind of a process.

The dynamic coalition will map out the objectives and work-methods, apart from taking on substantive agenda of exploring what kind of frameworks and principles will be suitable for guiding the global public policy for the Internet. It will also seek to address the possibility of engaging and merging with the dynamic coalition on Internet Bill of Rights (IBR) while seeking a common ground of converging issues for both the coalitions to strengthen and build upon the existing issues through a rights framework.

Chair
- Parminder Jeet Singh- Executive Director, IT for Change, Bangalore

Panel
- Carlos Afonso - Planning Director, Information Network for the Third Sector(RITS), Brazil
- Milton Mueller – Professor, Syracuse University of Information Studies, USA; Member, Internet Governance Project.

Members of the DC
- Alfa Redi, Peru. (URL: http://www.alfa-redi.org/)
- China Association for Science and Technology (CAST), China. (URL: english.cast.org.cn)
- Information Network for the Third Sector – RITS, Brazil. (URL: http://www.rits.org.br/)
- International Disability Caucus
- Internet Governance Project, USA. (URL: http://www.internetgovernance.org/)
- IT for Change, India. (URL: http://www.itforchange.net/)
- Panos Institute, West Africa – CIPACO project. (URL: http://www.cipaco.org/)

Report of the DC Meeting

Parminder Jeet Singh commenced the discussions with an over-view of the nature and evolution of the dynamic coalition on Framework of Principles for the Internet (FPI), while steering the focus of the panel towards the basic principles that ought to govern the Internet such as net neutrality and expressing concerns over the threat to the open nature of the Internet. He re-affirmed the DC as a space to look at possibilities for the evolution of principles, processes and structures. He also called upon the members to explore the possibilities for a rights based framework and the principles that would emerge

It for Change, December 2008

from the coalition to be reflective of the same.

Milton Mueller stressed on the role of IGF to develop global public policy principles. Shared his experience of having worked with ICANN and its issues. He expressed apprehension at the working of GAC(Governmental Advisory Committee) . Felt GAC was not a good idea as it represented the worst of both the worlds. Initially IGP(Internet Governance Project- a Syracuse University initiative) had suggested a framework convention of principles for Internet Governance, where civil society and private sector could participate in framing global principles, but reverted from the idea of a convention, due to the broad area of Internet Goverence(IG). Mueller suggested that one idea to move ahead could be to look at the issue of rights, specially individual rights, right to privacy, life and due processes- this could make it more specific.

Carlos Afonso took the lead from Prof. Mueller to make a mention of similar efforts in Brazil to develop charters. The Brazil Internet Steering Committee over the last 4-5 months has been deliberating and working on issues of privacy, connectivity, net neutrality and thirteen such other relevant principles. He also brought to the notice of members present that APC has a broader view of rights, focusing on individual rights.

Andrew suggested the need to discuss the grounding for the principles and expressed the need to collaborate with other groups to get this grounding on issues of openness, diversity, participation. This could further help in building a coherent set of principles.

Lisa Horner (From the Bill of Rights DC) remarked about an emerging consensus between the dynamic coalitions of Framework of Principles and Bill of Rights. Made an observation on the number of overlapping issues between the two coalitions on issues such as interoperability and diversity.

Max Senges reiterated the point that the work on Internet Bill of Rights (IBR) coalition is very much related to the coalition on FPI. And expressed solidarity and interest to work together.

Milton Mueller wanted to look at the merging of these two perspectives ; Rights of people vis-a-vis Internet based communications. He warned that rights could be very broad and suggested the need to ground it in the rights of people and gave the example of Child Protection Rights.

Parminder Jeet Singh cautioned the panel and the participants not to overlook the tensions within the Human Rights discourse- Individual vs. Institution. He stressed the need to factor in the different kinds of tensions in the existing approaches. He also expressed the need to accept and debate different approaches while talking about global realities where the political thinking is particular of a place and setting.

Suresh Ramasubramanian pointed out that there are certain common set of goals between institutional perspectives and individuals. He also said that there is a need to engage with all kinds of agencies, while making a note of language and perception gaps between individual based and institution based approaches and re-affirmed that these need to be bridged through engagement.

Stephen (Chair for scientific group of rights, EU)
Spoke of the need to rationalize the approach of DC. While encouraging different approaches, the focus should be rights based plenary sessions. A critical and political mass is needed to push this. He stressed

on the need for both principles and rights and metioned some basic principles already under discussion such as network neutrality, anonymity(privacy vs. security), IP traceback, deletion of all private data, etc.

A Member of UK parliament felt the dichotomy in the context of new ICTs should be dealt through an inclusive approach, allowing for diverse interests and perspectives. He also spoke of making the Bill of Rights, principles based.

Milton Mueller pointed that Bill of Rights is too legalese. He further gave an example of a discussion on network neutrality at IGF and how it was brought under the over-arching principle of Freedom of Expression(FoE).

Lisa S brought to the attention of the participants- the APC charter, which she thinks is a good attempt to articulate human rights documents and make human rights applicable to the Internet.

Lisa Horner reminded that the dynamic coalition is a platform for debating human rights and not to legislate any specific rights.

Michael Gurstein made observations regarding the constitution of IGF and remarked about the participants and the issues being addressed as too narrow. He questioned the panelists and participants about mechanisms to address the priorities of the indigenous people and pointed that there is neither any attempt at inclusion nor any outreach to bring in those perspectives into the debate and discussions at IGF. Such an attempt, he felt would have a transformatory impact on the outcomes of IGF. Suresh Ramasubramanian further raised the issue of realizing a model of bottom-up processes.

Prof. Wolfgang Benedict spoke of the need for the Internet community to have rules, and the rights based approach, he felt, could provide a set of rules. The idea is not to draft a specific bill of rights, but to use what is already present to address the new issues of the Internet and do it in an inclusive a manner as possible.

Prof. Roman answered suresh's query by bringing to everyone's notice that the Internet Bill of Rights(IBR) had been conceptualised as a bottom up process. The IBR was conceived as a process of involving internet community and a multistakeholder representation. He emphasised that the process is critical and there is a need to confront ourselves on conflicting issues for eg Freedom of Expression and Privatised Domains of Google/Yahoo/Microsoft . He also drew the attention towards the need to refer to the Universal Declaration on Human Rights (UDHR) and to interpret these rights in the light of UDHR.

Prof. Milton Mueller proposed that the DC merger should have specific goals such as a Mains Session on Rights at the next IGF. He emphasized the role of a set of values that should guide decision making and reprimanded ICANN's way of operating while taking decisions that affect the rights of people, without indulging in dialogues. He strongly felt that the national governments should also have a role in this process.

Cetrus from Brazil felt developing countries are now consumers of services provided by transnational companies and this necessitates the need to examine new approaches of looking at jurisdiction than currently practised.

It for Change, December 2008

Prof. Milton Mueller while acknowledging the role of national sovereignty mentioned about how Internet has a scope for reducing/ overcoming national frameworks, cautioned that local and national governments can also be obstacles and affirmed that he is very much for global frameworks.

Prof. Roman expressed a need to interpret national sovereignty. Brought to the attention of DC the disclosure requirements of the Global Online Freedom Act.

Action Items- Suggestions

Max Senges of the dynamic coalition on Internet Bill of Rights expressed that it is a platform to promote different kinds of Rights approaches. Spoke of both the DCs being complementary in their work as the goal is to bring hetergenous views on rights together and was positive about the DC merger and called to explore it further.

Parminder Jeet Singh re-affirmed the need to merge the DCs if a consensus had been reached between the dynamic coalitions of Framework on Principles of Internet and Internet Bill of Rights.

Carlos suggested a convergence through the Internet Bill of Rights website and Mailing Lists.

Prof. Milton Mueller stressed the need to take concrete implementation steps while merging the two DCs. He felt the DCs should look at shaping the agenda at Cairo. Also made a suggestion of focusing on only one right such as FoE for practical purposes.

Parminder Jeet Singh retorted by saying that as a matter of political strategy focus on single right may not be a good idea but rather look at rights as a framework, as a perspective. Hence made a case for a broader agenda of looking at the IG issues.

Action Items

- Explore working with/merger with DC on Internet Bill of Rights through concrete steps such as converging the websites/ mailing lists

- Bringing Rights Issue into a Main Session at Cairo