

# **A Development Agenda in Internet Governance**

*Outlining Global Public Policy Issues  
and  
Exploring New Institutional Options*

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## Introduction

*The governance of the Internet was authoritatively recognised for the first time as a key global governance issue and priority by the World Summit on the Information Society (WSIS), during 2003-2005. While the Internet has been impacting our societies in many transformational ways, often not foreseen in 2005, public interest based global governance of the Internet is still to take off. Meanwhile, with a keen understanding of the Internet's role in determining the new social, economic, cultural and political configurations of the emerging information society, powerful interests, both in the private sector and among governments, continue to shape the Internet. Apparently, those in charge seem to have a vested interest in blocking the development of a globally democratic agenda and institutions in the Internet Governance (IG) arena. These powerful actors have been quite active in holding parleys on IG issues amongst themselves, and also making key decisions. However, any appeal for democratising the global IG arena is met with deep silence, coupled with, what appears to be, sophisticated strategies aimed at an obfuscation of available policy choices.*

*The WSIS mandated multistakeholder global policy dialogue space, the Internet Governance Forum (IGF), which was born with the promise of being a path-breaking institution ensuring broad and inclusive participation in global policy making, has unfortunately become a principal victim of such strategic obfuscation. Instead of shaping it in a complementary role with the other WSIS mandated process of 'Enhanced Cooperation' that is supposed to directly address the global Internet-related policy making imperative, the IGF is often posited as a replacement for such a required process of global Internet policy making.*

*In these circumstances, it falls upon developing countries to pro-actively take the lead in proposing and shaping a new global agenda for IG, and the architecture of global institutions that is required in this regard, building on the mandate given by the WSIS. If done in an appropriate manner, capturing the progressive and egalitarian potential of the Internet, such an agenda can capture the imagination of progressive actors from across the world who have started to strongly feel the need for a progressive global IG agenda. However, to take up such a leadership role, developing country governments must be seen as making a genuine effort at disabusing themselves from the common, if deliberately hyped perception of having a single-minded agenda of a statist political and cultural control of the Internet. At the same time, it has to be argued why and how it is needed that the democratic choices made at the national and other jurisdictional levels have to be applicable to the Internet as well, although in a manner appropriate to its inherent global-ness.*

In looking at what kind of global Internet-related public policy issues need to be addressed, especially from a developing country point of view, and what kind of institutional options may be required in this regard, it is useful to refer back to the Tunis Agenda of WSIS. Paragraphs 58 to 61 of the Tunis Agenda have important issue-framing significance and are worth re-visiting.

Paragraph 58 reads:

We recognize that Internet governance includes more than Internet naming and addressing. It also includes other **significant public policy issues** such as, *inter alia*, critical Internet resources, the security and safety of the Internet, and **developmental aspects** and issues pertaining to the use of the Internet. **(emphasis added)**

Further, paragraph 59 recognised that:

'[...] Internet governance includes **social, economic** and technical issues [...]

The significant public policy issues pertaining to the developmental aspects of the Internet, in their many social and economic implications, are yet to be systematically explored and expounded. How does global IG relate to development, or, in other words, what is the development agenda for global IG, becomes the key question in this regard. This question, implicating systemic issues relating to the very nature of the Internet, is in important ways different from the question of how to lay the infrastructure to provide the Internet to everyone. The former question of IG is to a significant extent a global policy issue, while ensuring access is largely a national and local issue. **While seeking to ensure greater access for its people, developing countries need to also ensure that they are able to influence the manner in which the Internet is shaping up. Thus, they need to own up to the future of the Internet, depending on who exercises its governance, and how the Internet can shape up in significantly different ways, with varied implications for developed and developing countries. It is not enough to simply wait to be delivered Internet goodies, which non-engagement with the core issues of governance of the Internet comes at an enormous cost. The response to the problem of the digital divide should not be to build a North-South 'digital dependency' at the global level, as is what is being unfortunately witnessed at the moment. This is the principal point of departure for this document.**

The following paragraphs from India's input to the UN Commission for Science and Technology for Development's (CSTD) Working Group on IGF Improvements make the point and context of a development agenda for IG very well.

Too much of the Internet governance discourse currently is centred on technical issues, with not enough economic, social, cultural and political analysis [...] In fact, many of the technical governance issues will [...] need to be revisited from the standpoint of these more fundamental considerations.

The Internet globalises 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 'technicalised' and individual user-centric – a standpoint which tends to ignore larger structural issues of exclusion and marginalisation.

The first part of this document attempts a quick reconnaissance of some systemic issues regarding the global Internet from the point of view of developing countries. This is not an exhaustive listing and treatment of the implicated issues. It is meant just to give a bird's-eye view of the landscape of 'Internet governance and development'. The second part of the paper takes its cue from the Tunis Agenda's mandate for new institutional development in the area of global Internet-related public policies. For instance, paragraphs 60 and 61 following the above quoted paragraphs 58 and 59, that *inter alia* speak of public policy issues pertaining to developmental aspects of the Internet, clearly underline institutional gaps in the global policy space and the need for new developments in this area.

60. We further recognise that there are **many cross-cutting international public policy issues** that require attention and **are not adequately addressed by the current mechanisms**.

61. We are convinced that there is a **need to initiate, and reinforce, as appropriate, a transparent, democratic, and multilateral process**, with the participation of governments, private sector, civil society and international organisations, in their respective roles. **This process could envisage creation of a suitable framework or mechanisms**, where justified, thus spurring the ongoing and active evolution of the current arrangements in order to synergise the efforts in this regard.

Any real forward movement in the area of global Internet-related public policies requires getting into the specifics of what kind of new institutional processes and mechanisms – and indeed, new institutions – may be needed. The document goes on to suggest some clear institutional options to move forward on, which hopefully would provoke the much-needed discussion on this subject.

## **An Overview of Some Substantive Global IG issues**

As mentioned earlier, this is merely a suggestive list of some important Internet-related public policy issues from a developing country point of view. Neither do we go into a detailed exploration of each of them, which will need to be done separately.

### **Cross border and jurisdiction issues**

A recent Council of Europe document on 'International and multi-stakeholder co-operation on cross-border Internet' addresses the need to ensure that there are some basic guarantees for all people and countries that the basic Internet infrastructure, applications and services, which have become so important to many aspects of our lives, will be ensured and not interrupted. It observes:

States should, in co-operation with each other and with all relevant stakeholders, take all reasonable measures to prevent, manage and respond to significant transboundary disruption of and interference with the stability, robustness, resilience and openness of the Internet, or at any event minimise the risk and consequences thereof.

Developing countries will need to look at this issue from their perspective, since the most important 'nodes' of 'Internet flows or traffic' are in countries of the North. This is a major global governance issue requiring urgent addressing and resolution. Earlier this year, the US government seized the domain name of the Spanish website *Rojadirecta.org* which provided links to streaming some sports events. It was based in Spain, and basically catering to the local population. Its model was tested in Spanish courts a few times and found not to violate Spanish law. US could seize the domain name and close the website simply because *.org* is run by a US registered entity. A couple of years ago, a website of a Spanish travel agency which was selling Cuban holidays to a client based in the UK was similarly seized by the US because the US has a trade embargo on Cuba. These are just two instances from innumerable cross-border issues settled by the application of extra-jurisdictional power by countries, chiefly the US, which are the home to most of the key 'nodes' of the global Internet system and traffic.

There are other significant jurisdictional issues beyond IP and selective trade restrictions as well. In WikiLeaks investigations, US officials asked Twitter to hand over the details of the Twitter account of an Icelandic Member of Parliament. The Iceland government summoned the US Ambassador to explain this matter.

The fact of the matter is that the architecture of the Internet today is such that especially, the US has significant control over the whole global Internet and its executive and judicial agencies are now increasingly leveraging this control. Rather than waiting for real problems to emerge in this regard, which no doubt will for all countries, developing countries need to seek global agreements that ensure respect for existing territorial jurisdiction in Internet-related issues, and developing the means for global coordination and harmonisation, to the extent desirable, in a manner that is democratic and fair to all involved.

### **IP and access to knowledge**

One of the most important characteristics of the Internet is that it offers a seamless platform for the global sharing of information and knowledge. At the same time, knowledge has become the key resource to be controlled and manipulated for economic domination, which makes its proprietisation

the key economic agenda of the more powerful countries. The new strong push on IP, even more so on the cross border enforcement of IP, has important connections to the phenomenon of the Internet. The Internet is being used as an instrument of cross border enforcement of IP in extra legal ways. One such way is through the use of invasive technology measures often with doubtful ethical and legal validity. These are called technology protection measures or TRMs (also known as digital rights management). The second way is to use private intermediaries as a kind of private police for IP enforcement. The recent Organisation for Economic Cooperation and Development (OECD) ministerial meeting in France in 2011 came out with principles for policy making, which stress on better IP enforcement, and voluntary codes of conduct by intermediaries. Since most intermediaries are either located in the North, are subsidiary companies of North-based corporations or otherwise have close business relationships and dependencies on them, these private codes of conduct may only help enforce the law of developed countries on the whole world.

IP law and IP enforcement on and through the Internet is a specialised subject involving both core technology as well as legal and jurisdictional issues, and needs to be seen within a larger IG context.

## **Trade / commerce and tax issues**

There are two kinds of trade and commerce issues implicated here. One is the use of the Internet only for making contact, interaction and payment, whereas the goods are delivered physically. The second kind involves digital services traded over the Internet, where the entire transaction, including delivery, and often consumption as well, takes place over the Internet. The second kind, especially, creates significant new governance challenges. It may be difficult to track the transaction to be able to apply relevant laws applicable to it. There have been numerous problems that have arisen in relation to the application of consumer rights laws to sales made remotely in this manner<sup>1</sup>. Levying legitimate taxes on such transactions is another important issue. While the digital service exporting companies pay taxes in the jurisdiction of their location and registration, authorities in the area where the consumption of services takes place find it difficult to levy their taxes on such transactions. Considerable work has been done in the EU towards a rationalisation of taxes applicable to such a cross border digital trade. However, developing countries are not part of any such arrangement. Things can become much more complex when digital services are traded using private digital currencies, like Facebook Credits. (Such transactions have also faced anti-trust complaints, including one filed by an NGO in India against Facebook Credits.)

“In France , the Zelnick Report in 2010 proposed to impose a tax on advertising revenue generated by the use of online services from France. According to estimates put forward by the authors, between 10 to 20 million euros would be collected mainly from U.S. content providers (Google, Microsoft, AOL, Yahoo and Facebook). It is pertinent to note that the report expresses concerns about the drop in advertising revenues of the French content providers, citing the poor state of competition in the French market for search engines, and certain behaviours -never clarified in the text- of Google.”<sup>2</sup>

Globalisation of trade in an especially seamless manner over and through the Internet is a fact. However, such trade needs to be subject to necessary regulations that are democratically developed and are fair to all. They should ensure a fair distribution of tax receipts. There is indeed a genuine

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1 Recently, the Taipei city government fined Google for not following a full-refund-within-7-days of a local regulation for goods bought remotely, in this case, for digital applications from the Android market. The Taipei government had earlier specifically instructed Google to follow this rule. Following the penalty, Google withdrew Android market services from Taipei.

2'Public consultations on Net Neutrality: USA, EU and France', SulanWong, Julio Rojas-Mora, Eitan Altman

problem of myriad local laws and their applicability to trade on the Internet. However, local autonomies and diversities are important to preserve, as and where required. At the same time, some degree of global coherence is also useful. Appropriate broad normative and legal frameworks allowing sufficient local autonomies, perhaps over a specific set of options, may be necessary, as has been tried in global regulation in many other areas.

## **Interconnection regimes**

Trading of global Internet connectivity is an important and complex issue, unfortunately left entirely to unregulated markets. Interconnection charges was the key development issue recognised by the Tunis Agenda of WSIS. The fact that little has been done till date with regard to this issue shows the kind of consideration systemic development issues receive in the extant global IG regimes. Now, to trading of Internet connectivity or traffic is added the issue of different quality of carriage made available at different prices, which is the 'global net neutrality' issue. Such tiered traffic flows will further disadvantage developing countries, and therefore, a larger public interest approach to global interconnection regimes is warranted.

## **Competition issues in the global digital industry**

The global Internet industry is characterised by near absolute monopolies because of the peculiar increasing economies of scale in this area. Microsoft, Google, Facebook, Twitter and Apple-iTunes are prime examples of this. Instead of confronting such a natural condition for anti-competitive behaviour through appropriate strong regulation, the global Internet industry is almost completely unregulated. Two important reasons for such a unsustainable situation are: (1) global Internet companies are simply too powerful for any country, especially any developing country, to effectively regulate on its own, and (2) almost all these companies are based in the North, chiefly the US, and are such a central feature of the IP and Internet based new economic domination plan of developed countries that they get highly pampered, and their anti-competitive practices overlooked. This occurs to the extent that even the negative domestic impact of these monopolies are ignored for the considerable global advantage they ensure.

Non-application of competition law and other necessary economic regulations mean that the late entrants from developing countries to the global Internet Industry hardly stand a chance to be in the top quadrant of the industry's value chain. In fact, they find it very difficult even to establish themselves within their own countries in front of the global monopolistic or oligopolistic companies. Developing countries' Internet companies are then reduced to doing the menial job-work for very low margins for mega corporations that siphon hefty monopolistic profits northwards.

Developing countries are not able to apply competition law and other economic regulations effectively against these global monoliths because of the fear that they may refuse to service their citizens, in a situation where no other comparable services may be available. It is therefore obvious that economic regulation of the global digital industry needs to be negotiated at the global level, *inter alia* in order to provide enabling frameworks for all countries to be able to effectively exercise their local jurisdictions. It is not only the technical architecture of the Internet whose openness has to be ensured, but the architecture of the global Internet industry also has to be kept sufficiently open. Unfortunately, current trends, intensified over the last couple of years, reflect an intensification of the closing and consolidation of this industry.

## **Governing the global Internet corporations**

Global Internet companies are not difficult to regulate with regard to economic issues alone. It is perhaps even more difficult to regulate them on social and cultural, issues. Digital platforms like



Google, Facebook and Twitter increasingly define a new social architecture, in case of the three quotes examples, respectively of knowledge, maintaining social relationships and instant media. These architectures are almost entirely made in the image of social realities as well as, probably, the political, economic and cultural interests, of the countries of the North. Some of these corporations do have some kind of national-level social/ cultural 'experts' to localise their services and products to some extent. These are, however, mostly superficial adjustments.

There is little local political leverage for ensuring conformity of these new 'social infrastructures' to local laws and standards. Corporations like Facebook and Twitter which have been used as platforms for political activism have often been found to arbitrarily adopt different approaches in different contexts and countries<sup>3</sup>. Increasingly, as these technical platforms become the main means of political mobilisation and activism, their neutrality and commitment to agreed general principles of human rights and political expression, as well as compliance to law enforcement requirements, becomes very important. Once again, global frameworks with adequate local social and political autonomies may also need to be worked out in this area.

Recently, in a case which became quite famous in the digital social space, the Google account of someone in the US, who had based almost his entire digital life on the Google cloud platform, was suddenly deleted with a cryptic one line notice that it was found associated with some illegal activity. No further information was forthcoming despite the person's best attempts, including writing repeatedly to Google. His whole virtual identity was wiped out without any explanation or opportunity to seek redress. In this case, the involved person was lucky to be able to raise enough of a hue and cry through his blogs for Google executives to contact him. It was then found that this person, who was doing an art history project, had a picture online which got tagged as child pornography, consequent to which his whole account was deleted without explanation. (His account has since been restored.) Any such action in most countries would allow proper legal recourse. But in the digital realm, which is increasingly an important part of our social lives, no such recourse may generally be available against highly arbitrary acts of digital companies based in distant countries. One can well imagine the plight of a person in a developing country whose online account may get deleted without explanation.

### ***Openness, open standards net neutrality***

The Internet is a game-changing communication platform essentially because of its all-to-all open architecture. However, as the Internet has become more and more complex, it is increasingly losing its open egalitarian architecture. While basic Internet protocols are still open, today's Internet is dominated by proprietary applications which have a closed architecture, built to enable various kinds of rent-seeking. The Internet was supposed to be a public network of millions of networks, as it has been for many years. Today, a very large proportion of Internet traffic flows through just a handful of proprietary mega-digital spaces. Since mobile Internet architecture was built later, in a largely commercial environment, in contrast to the public environment in which the the original Internet was born and sustained initially, it is much more closed and vertically integrated.

Net Neutrality, or the end-to-end principle which was considered basic to the Internet, is increasingly being challenged. It is especially eroding fast in the mobile Internet space. There have been some efforts in developing countries to address this issue, especially in Europe and the US. However, due to global geopolitical and geo-economic interests, whereby it is the North-based digital corporations that benefit the most from the violation of the net neutrality principle by

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3 Facebook removed numerous pages that were being used by student protesters in the UK against fee increases, public expenditure cuts, etc. around the time of the wedding of Prince William. This may be compared to its role and apparent enthusiasm during the recent Arab world uprisings.

considerably raising the barrier-to-entry for late comers, which may often be from developing countries, there is a complete lack of interest among developed countries to advance the net neutrality agenda at the global level. (Recently, in the earlier mentioned OECD communiqué on principles for policy making, due to industry pressure, the term 'net neutrality' was replaced in the last stages of drafting by 'technology neutrality' which means something entirely different.)

Because of the inherently global nature of the Internet, its technical standards are clearly a global governance issue. Developing countries have very little leverage, if any, to impact these technical standards. However, keeping the Internet a level playing field through ensuring open standards and enforcing competition law prohibiting improper vertical integration, is of most interest to developing countries. This is also an urgent imperative because as the global digital architecture is set, it may soon become too late to undo it. As Lawrence Lessig said, in the digital realm 'code is law, and architecture is policy'. Through the Internet's architecture, which is almost completely drawn in the North, the underlying policies that by default will govern the basic information, knowledge, communication and social-relational infrastructure of the emerging information society is being shaped right now. And this has almost no participation of developing countries. It is important for developing countries to assert their stake and interests in this regard, and be able to participate in important architectural decisions about the Internet. For this purpose, developing countries have to get over the mindset of; 'lets make the most of the Internet as it is, let others concern themselves with the nitty-gritty of the management and governance work, for us, it is the access and use of the Internet in its myriad possibilities that should remain the highest priority.'

### ***Critical Internet Resources, technical coordination and standard setting***

Critical Internet Resources (CIRs) relating to the Internet's naming and addressing system have attracted the most attention and acrimony in the IG realm. It is not because, per se, it is the most important issue in IG, but it has appeared to be the most critical here-and-now issue. Moreover, control over these resources seem to symbolise the control of the Internet. The CIRs issue remains important, although as discussed, control over and through the Internet is today exercised in a much more complex manner, involving many far more important IG issues. Relatively speaking, just managing the addressing and traffic directing systems and other protocols that keep the Internet running may appear to be a rather straight-forward matter. The existing decentralised mechanism of managing CIRs has its positives and is not needed to be replaced as much as it is needed to put it under the broad policy supervision of a democratic public interest body. At present, such broad policy control is exercised by the Government of US, which is of course not an acceptable arrangement for developing countries.

One important recent development in the area of CIRs has been that new security protocols are being embedded in the name/numbers and routing system. This may have the effect of increasing / intensifying control points, along with the possibility of their misuse, over the global Internet in the hands of those who run the CIR management today. A systematic study is required to be made in this regard.

Most Internet related protocols and standards are developed by independent technical bodies like the Internet Engineering Task Force (IETF) and by industry consortia. Ensuring public interest in private industry-led standards development is obviously an important imperative. However, almost all the powerful players in this area are in the North, and standards get developed without due regard to the specific differential needs of developing countries. Even independent bodies like the IETF have now developed (too) close connections with global digital corporations and, while preserving their decentralised and soft-enforcement style of working most suited to the open architecture of the Internet, it is important to ensure that it is the global public interest, in its

variously differentiated form, that systematically determines what and how technical standards get developed. Some institutional reforms in this regard are urgently required, including such that ensure greater participation of developing country actors.

## **Security**

As a globally interconnected system, it is not only the Internet, and along with it, our private digital spaces, alone that are at grave security risk. Even other infrastructures, strategic installations, industries, organisations, etc. can be fatally hit through the Internet. Last year, a virus was implanted remotely, apparently aimed at an Iranian nuclear facility. Analysts believe that if the attack had been successful, it may not only have crippled the nuclear plant but could have also triggered a nuclear disaster. News of cyber-attacks on government systems are daily news today. Often directed by states, they can be organised through private agents who may not even be located inside the offending state.

There could similarly be cases of industrial espionage, and other kinds of private harm taking place remotely through the Internet. Strategies to fight such security threats will importantly involve technology standards and other IG issues. It is obvious that threats to security *vis-à-vis* the global Internet require an urgent and sustained global cooperation, which will require some kind of a formalised means to do so.

## **Media**

National media is an important institution, including for governance and democracy. The dynamics of national media, which has emerged as a major force or platform for political mediation between governments and citizens, is changing rapidly with the advent of the Internet. With IP TV and the convergence of Internet and TV on the anvil, we are in for major disruptions in the media sector. Traditional media has been regulated from many public interest angles. The Internet is largely untouched by these regulations. It may also be true that the old/ existing regulations cannot be applied to the new Internet-centric context in the same manner. Also, what new regulatory frameworks will be required in this regard is a question that is difficult to fully decide and settle at a national level; such is the nature of the Internet. Some kind of global discussions and frameworks may be required to address the global nature of an Internet-based media, as it becomes mainstream in our drawing rooms and other private spaces.

To provide an insight into the kind of complex issues that are involved, it is important to look at the manner in which traditional media is losing out on advertisements to new media, and the kind of possible structural ramifications that this phenomenon will have on the national media scene. How can effective national media spaces be carved out and maintained inside the global Internet? What are the structural implications of this on the national public sphere, democratic institutions and representation of voices of the marginalised? What are the concerned global IG issues, like technical standards, jurisdiction enforcement, etc? These become key questions in the emerging context.

## **Cultural diversity**

UNESCO recently facilitated a Convention on the Protection and Promotion of the Diversity of Cultural Expressions, which declares that ‘cultural activities, goods and services have both an economic and a cultural nature [...] and must therefore not be treated as solely having commercial value’. Audio visual goods and services are an important part of the mentioned cultural activities, goods and services. In the spirit of this convention, many countries impose quotas on foreign films that may be imported in their country.

With the Internet serving as a seamless and border-less space for almost an infinite global flow of cultural activities, goods and services, it will be interesting to study the implications of the UNESCO Convention on Internet-based digital services. It is of course much more important for developing countries that are more threatened by a global homogenisation of culture to look into this issue closely, and explore its relationship with all the other global IG issues. On the other hand, with the right enabling environment, the Internet, with its greatly reduced cost of content production and transmission, can be a great force for promoting cultural diversity. This bespeaks the need for the right policies and support for good practices in this area, an issue that requires the urgent consideration of developing countries.

## Development and human rights

In fundamentally changing our social paradigm, the governance of the Internet has deep implications for the cross-cutting issues of development and human rights. For developing countries, the impact of the Internet at the ground level in ensuring proper and rapid economic, social and human development is the lens that would primarily determine their perspectives on IG, including global IG. However, development is still seen in global IG as an add-on issue, rather than a structural one. A systematic exploration of how IG impacts development at its macro as well as micro/community level in typical 'development situations' is very much required.

The Internet also significantly impacts human rights – both in potentially positive and negative ways. Much of the current human rights discourse *vis-à-vis* the Internet is construed almost exclusively in the framework of negative rights, or civil and political rights. It is important to see the Internet and human rights connection in a more holistic manner, which has been the practice otherwise in the UN, referred to as the indivisibility of rights. Such a broader conception of human rights in the Internet age will require to be shaped through the leadership of developing country actors. It is this framework of human rights, along with the imperatives of development, which should then inform global IG. This is not to dilute the human rights angle of IG, but to accentuate it. Often, a uni-focal view of human rights has been used for partisan interests, both by countries of the North and its big corporations, as is evident in the call for considering 'freedom of expression as a trade issue'. It is such an instrumentalisation of human rights which amounts to their dilution rather than looking at human rights in a larger and holistic framework that builds from the actual human situation and human aspirations that underlie the conception of the indivisibility of human rights. However, what do economic, social and cultural rights, along with the right to development, really mean *vis-à-vis* the Internet, and what are their connections to civil and political rights, has to be fleshed out in full conceptual and practical details. Then alone can the issue of the indivisibility of human rights *vis-à-vis* the Internet be effectively taken up on global IG platforms.

## Some Institutional Options for Global Internet-Related Policies

The discussion on the kind of issues that are important and urgent to be resolved at a global stage from a developing countries' perspective, sets the stage for discussing the institutional options for doing so.

In relating important global IG issues to the institutional mechanisms required to address them, it may be useful to classify these issues into three kinds. One, are issues related to technical standards, coordination and management that are being dealt with a variety of bodies at present in a distributed architecture which has its useful and good points. There is a general agreement that this arrangement has largely worked and there may not be any need for a drastic overhaul. However, it is increasingly felt that the overall oversight of these bodies, which can ensure their adherence to global public interest, requires to be made more democratic, with the participation of all countries, and other stakeholders. These bodies seem increasingly more susceptible to capture by special commercial interest, while the lack of transparency and involvement of all countries in the oversight mechanism raises significant sovereignty and security-related concerns.

The second kind of issues arise out of the unique Internet-related new developments in areas that are at present being addressed by different UN and other global agencies. There are areas like IP and access to knowledge, trade and commerce, cultural diversity, media, development and human rights. Often, the impact of the Internet in these areas is such that it requires a specialised and coordinated IG-centric response, in close coordination with bodies already dealing with these issues.

The third category consists of inherently Internet-related social, economic, cultural and political issues. Cross-border jurisdictional issues on the Internet and with regard to Internet-related activities are prime among them. Specifically, the public interest regulation of global monopoly digital companies that increasingly underpin key social-institutional spaces across the world, is a huge challenge. What rules should govern search engines, social networks, etc.? This category of issues will keep expanding and presenting more and more complex challenges.

There are of course many issues that fall across the above mentioned categories. For instance, network neutrality has strong technical standards implications while it is primarily an economic and media regulation issue. Similarly, security has both technical standards and regulation as well as social/ political aspects. Rules governing search engines will have strong access to knowledge and media/ cultural diversity angles, while also technical standards implications.

Each of the above category of issues may require different but coordinated global public policy response. An appropriate global IG institutional mechanism must be able to address all these imperatives. It must be able to appropriately preserve the bottom-up and distributed system of technical standards making and management of critical internet resources, collaborate with different UN and other global bodies for issues of the second kind described above, and be able to develop principles, frameworks and policies for core Internet-related global policy issues.

Before exploring the kinds of options that may be available for us to move forward towards democratic global IG, we discuss the background of debates on global institutional requirements in the IG arena.

## Background – Global IG or not?

WSIS was clear about the new global governance imperatives in the area of IG and the need to address them urgently. The first summit set up a Working Group on Internet Governance (WGIG), which defined some key Internet-related public policy areas requiring governance, and outlined a few institutional options for doing so. There are many important and useful elements in the four different institutional models presented by the WGIG<sup>4</sup>. The second edition of WSIS in 2005, adopted the Tunis Agenda which described the need for setting up two related institutional processes. One was to be a deliberative forum for recognising and obtaining multi-stakeholder perspectives on key IG issues that require global resolution, the IGF. The other was to be an institutional process that would enable directly addressing public policy issues related to the Internet, the mandated process of 'Enhanced Cooperation'.

The mandated process of 'Enhanced Cooperation' was provided a far less clear institutional architecture by the Tunis Agenda than the IGF, something which is attributed to negotiations running out of time in the last few days and hours before the Summit. However, WGIG models do provide some interesting leads, and, intermediately following the WSIS, it was required that the modalities of operationalising 'Enhanced Cooperation' should be worked out. Unfortunately, nothing concrete has happened in the vital area of addressing global public policy issues relating to the Internet in the last six years since WSIS. Meanwhile, the number and kinds of issues that require urgent resolution have kept multiplying, intensifying and becoming more complex. This trend is expected to continue for a considerable period of time as an information society takes shape. Consequently, a large and deep gap has been cleaved in the global governance system, which impacts developing country interests the most.

There are three active areas of global IG today. One, consists of the CIRs and technical standards governance mechanisms that we have discussed earlier. The second is through actions and decisions taken by global digital corporates and industry consortia based in the North, over which Northern governments do have some influence, but not developing countries. Thirdly, recognising that some of the most important IG issues have to be dealt with by governments, although with some degree of multistakeholder participation, governments of the North have been rather active with inter-governmental initiatives on shaping cross-border and global Internet policy frameworks, as well as developing specific common policies.

The Council of Europe has numerous initiatives of transnational Internet policy frameworks and also specific policies. It has set up an Advisory Group on Cross Border Internet. Its terms of reference include:

“i. Continue to examine the shared or mutual responsibilities of states in ensuring that critical Internet resources are managed in the public interest and as a public asset, ensuring delivery of the public service value to which all persons under their jurisdiction are entitled. Make proposals, in particular, relating to the prevention and management of events, including malicious acts, falling within member states’ jurisdictions or territories, which could block or significantly impede Internet access to or within fellow members of the international community with the objective of guaranteeing the ongoing functioning and universal nature and integrity of the Internet;

ii. Explore the feasibility of drafting an instrument designed to preserve or reinforce the protection of cross- border flow of Internet traffic openness and neutrality.”

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4 See the WGIG report at [www.wgig.org/docs/WGIGREPORT.pdf](http://www.wgig.org/docs/WGIGREPORT.pdf)

On basis of the work of this group a draft Council of Europe Committee of Ministers Declaration on Internet Governance Principles has been prepared.

OECD's high-level meeting in 2008 came out with the 'The Seoul Declaration for the Future of the Internet Economy', based on, and endorsing, a background report 'Shaping Policies for the Future of the Internet Economy'. The brochure for the 2008 meeting observes:

“The Internet is increasingly critical to our economies and societies, with implications across all policy domains. [...] It is time for Ministers, CEOs and Internet Experts from around the world to strength principles, policies and practices to form an enabling environment for the Internet economy.”

The recent high level meeting of OECD in July 2011 has come up with a 'Communique on Principles for Internet Policy Making'. The US Assistant Secretary for Communications and Information and National Telecommunications and Information Administration (NTIA) Administrator Lawrence E. Strickling had the following to say with regard to this meeting:

“The OECD agreement is a major achievement [...] The policy-making principles provide a shared framework for addressing Internet issues while promoting an open, interconnected Internet that encourages investment and the trust of its users. [...] The High Level meeting and the resulting communiqué are examples of U.S. action to build consensus around international norms for cyberspace, as described in the President's International Strategy for Cyberspace.”

The quoted US International Strategy for Cyberspace released in May 2011 speaks of the urgent need for international cooperation on Internet matters, which we quote at length here:

“The United States will work internationally to promote an open, interoperable, secure, and reliable information and communications infrastructure that supports international trade and commerce, strengthens international security, and fosters free expression and innovation. To achieve that goal, we will build and sustain an environment in which norms of responsible behaviour guide states' actions, sustain partnerships, and support the rule of law in cyberspace.

The collaborative development of consensus-based international standards for information and communication technology is a key part of preserving openness and interoperability, growing our digital economies, and moving our societies forward [...]

The United States will work with like-minded states to establish an environment of expectations, or norms of behaviour, that ground foreign and defense policies and guide international partnerships [...] These events have not been matched by clearly agreed-upon norms for acceptable state behaviour in cyberspace. To bridge that gap, we will work to build a consensus on what constitutes acceptable behaviour, and a partnership among those who view the functioning of these systems as essential to the national and collective interest.

In other spheres of international relations, shared understandings about acceptable behaviour have enhanced stability and provided a basis for international action when corrective measures are required. Adherence to such norms brings predictability to state conduct,

helping prevent the misunderstandings that could lead to conflict [...] unique attributes of networked technology require additional work to clarify how these norms apply and what additional understandings might be necessary to supplement them. We will continue to work internationally to forge consensus regarding how norms of behaviour apply to cyberspace, with the understanding that an important first step in such efforts is applying the broad expectations of peaceful and just inter-state conduct to cyberspace.”

It is obvious that the countries of the North have a clear understanding of the need for cooperation and possible agreements among countries to sustain the phenomenon of the Internet, and its role in transforming our societies. However, when it comes to practice, these countries appear comfortable only with parleys and decisions on policy frameworks and policies among themselves, with the exclusion of developing countries. Witnessing the interventions of these countries at various IG-related forums in the UN, like the CSTD and the IGF, it may appear unbelievable that the above quotations come from considered pronouncements by these countries. There is a complete reticence and foot-dragging on, in fact, active blocking of, any effort to shape democratic global forums where the many urgent issues of global Internet policies can be taken up. As seen during the meetings of the CSTD's<sup>5</sup> Working Group on Improvement to the IGF, governments of the North are against even giving a more purposive role to the open, multistakeholder and non-decision-making forum of the IGF. Developing countries hope that a fully-functioning IGF could at least come up with some cogent policy options in the area of global Internet policies.

Such a stand appears to be in clear contradiction with the unbounded enthusiasm for cross-border cooperation and agreements that are seen when Northern countries are speaking from platforms that do not have the participation of developing countries. The reason for this may not be difficult to understand if a geopolitical and geo-economic lens is applied. This apparent paradox has to be understood in the background of how the Internet underpins a new global political, economic, social and cultural domination strategy of the North. To keep IG in safe (read, their own) hands is obviously very useful in this regard.

So, apart from supporting and encouraging various private governance realms discussed earlier (standards and practices set by the Northern Internet industry, and the new-age technical governance systems that do not have a clear public interest-based supervision), Northern countries have stuck to developing policy frameworks and agreements among themselves. At the same time, any such possibilities at the more globally democratic UN spaces are actively blocked. Once the policy frameworks and policy instruments are agreed upon amongst these countries, they mostly get enforced globally by default, since the basic ICT paradigm is anchored in the North, with all technology-shaping and standards-making happening there, and almost all the digital space-defining companies located in the North. Through technology practices imported by the South, default technology policies also get imported. Additionally, after policy instruments are negotiated and decided amongst the Northern countries, they are then offered to developing countries to sign on. This, for instance, happened in the case of the Council of Europe's treaty on cyber-security. Similar is the intent of the significant treaty being negotiated among the countries of the North, Anti-Counterfeiting Trade Agreement or ACTA. ACTA is likely to have a defining impact on the architecture of the Internet, and the flow of knowledge, trade and services over it. An EU fact-sheet on ACTA observes:

“The ACTA is being negotiated by a group of trading partners that together represent about half of all global trade. The ACTA will be open to accession by interested countries<sup>6</sup>.”

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5 UN Commission on Science and Technology for Development

6 See EU's ACTA fact sheet at [trade.ec.europa.eu/doclib/html/142039.htm](http://trade.ec.europa.eu/doclib/html/142039.htm)



Everton Lucero of the Brazilian government had the following observations to make during the panel discussion on Enhanced Cooperation during the 3<sup>rd</sup> IGF meeting in Hyderabad in 2008:

“Both the cybercrime convention and ACTA made use of a negotiation arrangement that is rather restricted. And it indicates a pattern of behaviour of some governments which openly defend multistakeholderism, democracy, and inclusion, but prefer to follow restricted, behind-doors, exclusive arrangements to negotiate new legal instruments.”

There is obviously a serious democratic deficit in global Internet policy making, even as the important and urgent imperative in this regard is recognised by everyone (even if often selectively expressed, depending on the venue). At the same time, a systemic architecture of Internet policy making and enforcement is being crafted in a manner that leaves out developing countries almost completely. It is important that developing countries urgently take notice of these adverse developments, and collectively consider what corrective and forward-moving measures can and should be taken in this regard. However, due to capacity problems, developing countries have not been able to develop a coherent stance on this issue. Their global IG engagements have largely been piece-meal, addressing the high-visibility issues like the political supervision of ICANN and the here-and-now issues like ccTLDs (Country Code Top Level Domain spaces) and multilingualism in the domain name space. Their antennae may temporarily go up when immediate transgressions like an online security threat or a digital mega-corporation's intransigence *vis-à-vis* the application of some national law occurs. However, there has not been any systemic effort to recognise the larger global IG issues and imperatives from a developing country point of view, and the practical directions that must be pursued in order to address them appropriately.

Lately, however, developing countries have begun to be quite expressive about the complete lack of progress on the WSIS mandate of starting the process of Enhanced Cooperation for addressing the imperative of shaping required global Internet policies. The joint IBSA statement to the UNDESA consultation on Enhanced Cooperation in New York in December 2010, observed that key public policy issues related to the Internet,

“[...] are yet to be discussed among UN Member States in depth from a public policy point of view due to the absence of an intergovernmental platform mandated to systematically discuss them and make decisions as appropriate. It is thus necessary for governments to be provided a formal platform under the UN that is mandated to discuss these issues. Such a platform would also complement the Internet Governance Forum, a multi-stakeholder forum for discussing, sharing experiences and networking on Internet governance.”

More recently, in July 2011, another Joint IBSA statement to the annual ECOSOC meeting sought:

“[...] filling up the existing institutional vacuum at the global level by providing a platform at the global level for systematic consideration and decision-making on international public policy issues pertaining to the Internet. This will help address and find global solutions to the urgent and cross-cutting global Internet issues of the day in a systematic, coherent and integrated manner, while also providing a level playing field for all Member States in internet governance, as envisaged in the Tunis Agenda.”

In this regard, the IBSA statement expressly called for “establish(ing) a nodal coordinating agency for Internet issues in the UN system, at the earliest possible”.

## Looking forward – Towards democratic global governance of the Internet

Since, as discussed, IG has very significant, in fact, paradigmatic, implications for global geopolitical and geo-economic distribution of power, getting a new democratic global policy body will certainly not be an easy task. In this regard, it may be necessary to work along two planks: (1) on the global stage, pressing on forcefully with clear institutional options for the democratic global governance of the Internet, and making it a high foreign policy imperative, and (2) South-South cooperation on Internet-related policy principles, and on also actual trans-border policies, and regarding Internet architecture and practices.

A new agency within the UN system, with an open and participative architecture that provides sufficient space for non-governmental participants, is what is required to be pursued. The UN IGF is already shaping well into the required participative space, which has to be complemented by a coordinating and decision making structure within the UN system.

The required dynamic and responsive global system for addressing important Internet related public policy issues can build over two connected institutional processes:

(1) Initiating a Framework Convention on the Internet, which will lay out both the broad context and the overarching principles for addressing specific Internet-related public policy issues, as well as provide the legal basis for a new institutional system of global Internet policy development. (It is important to note that the idea of a framework convention on the Internet was mooted by some developing countries towards the end of the WSIS<sup>7</sup>.)

(2) Setting up a new 'body' anchored to the UN system that is the 'home' for all efforts addressing global Internet-related public policy issues. The anchorage with the UN system is to ensure that this new 'body' is globally democratic, as against numerous exclusive pluri-lateral initiatives in the area of what are in fact *globally-applicable* Internet policies.

Some institutional models suggested in the report of the Working Group on Internet Governance (WGIG) may provide us a good starting point. For instance, the 'Model 1' option in the WGIG speaks of a Global Internet Council, which idea can be developed further. Quoting from the WGIG report:

“This model envisages a Global Internet Council (GIC), consisting of members from Governments with appropriate representation from each region and with involvement of other stakeholders. This council would take over the functions relating to international Internet governance currently performed by the Department of Commerce of the United States Government. It would also replace the ICANN Governmental Advisory Committee (GAC).”

The functions of the GIC should include:

- Setting of international Internet public policy and providing the necessary oversight relating to Internet resource management, such as additions or deletions to the root zone file, management of IP addresses, introduction of gTLDs, and the delegation and re-delegation of ccTLDs.

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<sup>7</sup> Association of Progressive Communications also made such a proposal through a document on this subject around that time. Some civil society actors also held a workshop on the idea of the Framework Convention in the first meeting of the IGF in 2006 in Athens.

- Setting of international public policy and coordination for other Internet-related key issues, such as spam, privacy, cybersecurity and cybercrime, which are not being fully addressed by other existing intergovernmental organisations.
- Facilitating the negotiation of treaties, conventions and agreements on Internet-related public policies.
- Fostering and providing guidance on certain developmental issues in the broader Internet agenda, including but not limited to capacity-building, multilingualism, equitable and cost-based international interconnection costs, and equitable access for all.
- Approving rules and procedures for dispute resolution mechanisms and conduct arbitration, as required.

The prescribed functions should however take note of the fact that over the last seven years since the WGIG report, many more Internet policy issues have become important and urgent, some of which could not be envisaged at the time of the WGIG. The WGIG report still seems to have a disproportionate focus on CIR management and its political supervision, which issue no doubt remains very important.

There may still be issues on how the GIC will be set up. It could be an independent global treaty system like WTO and WIPO under the UN. Or, it could make a more humble start as a Committee attached to ECOSOC on the lines of the Committee for Information, Computer and Communication Policy<sup>8</sup> (CICCP) attached to the OECD Council. CICCP “develops policies to maximise the benefits of the Internet economy”<sup>9</sup>. ICCP membership is open to all countries. It is the ICCP which held the the 2008 and 2011 high-level OECD meetings in 2008-2011 and has a very busy work schedule during the year, which prominently includes framing policy principles and guidelines<sup>10</sup>.

The mandate of the CICCP is of:

“promoting the policy and regulatory environments needed for the expansion of the Internet and information and communications technologies (ICTs) as a driver of innovation, productivity, growth, sustainable development, and social well-being. It will also be responsible for strengthening co-operation in this field between the Member countries and, as appropriate, between Member countries and non-Members.”

CICCP has three separate advisory groups, one each for civil society, the technical community and business sector, which self-organises. CICCP closely coordinates with these advisory groups, including the sharing confidential drafts, etc. and takes their inputs for various documents.

It is possible to mandate a body similar to OECD's CICCP, which could be called the ECOSOC Committee on Internet-Related Policies (CIRP), attached to the ECOSOC. Its role could be similar to the CICCP, and likewise, its membership open to all UN member states. It can get into a relationship with other stakeholders in a similar manner as the three advisory groups of CICCP operate. It will of course work in close relationship to the IGF, and take note of issues and possible policy options that get discussed and recognised at the IGF. In this regard, this UN-based system

8 <http://webnet.oecd.org/OECDGROUPS/Bodies/ShowBodyView.aspx?BodyID=1837&Lang=en&Book=True>

9 [http://www.oecd.org/department/0,3355,en\\_2649\\_34223\\_1\\_1\\_1\\_1\\_1,00.html](http://www.oecd.org/department/0,3355,en_2649_34223_1_1_1_1_1,00.html)

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would, in fact, have an even more open and participative architecture than the CICCIP which has no body akin to the IGF associated with it. It would also be interesting to confront OECD countries as to why they think a CICCIP-like policy making body is required among OECD countries and such a body is not required for cooperation among all countries, despite (1) the Internet being an essentially global phenomenon and (2) there being a clear mandate from the WSIS to develop a global mechanism of addressing Internet-related public policy issues.

This ECOSOC Committee on Internet-Related Policies (CIRP) should be mandated to solicit views on and convene the process of a Framework Convention on the Internet, which, while providing the broad contours of the global Internet policy framework can also institute the final shape, mandate, powers, etc. of the proposed Internet related policy body within the UN system.

Since, many urgent, often unexpected, issues arise in relation to the Internet that may need to be addressed globally without delay, the CIRP should have clear provisions and processes in place to be able to do so.

### **Funding the new body for Internet-related public policies**

When discussing any new agency or institution, especially within the UN system, the issue of 'where would the money come from' becomes foremost<sup>11</sup>. The Internet is an unprecedented force of globalisation, and of the creation of new value, globally. A very minuscule part of this value should be able to be used for its proper, globally democratic, governance. The implication of course is that the money spent in such governance of the Internet will have manifold return in terms of social and economic value created by globalisation. This, however, may appear to be just a theoretical formulation begging the question of how the required money can actually be channelised to fund the proposed new body for global IG. In this regard, it is important to note that ICANN collects what amounts to taxes on anyone seeking to have a presence on the Internet. It really is quite a lot of money, which is expected to multiply with the addition of many more TLDs to the domain space this year. This tax, collected on the global Internet should be used for its governance in public interest. Provisions should therefore be made to fund the proposed new body from the proceeds of this collection, routed through ICANN, but on a compulsory and not voluntary basis. This can be achieved as the political supervision of ICANN also moves to the newly proposed body, as per the WGIG Model 1. All over the world, within countries, the funds collected from running Country TLDs are used for public interest activities connected to the governance of the Internet. Indeed, this present seminar in Rio de Janeiro is being funded by the Brazilian Internet Steering Committee which runs the Brazil country ccTLD, .Br. WIPO gets a substantial part of its funding from patent registration, a model not too different from that suggested for the proposed new global Internet policy body, which should be funded from fees for domain registration on the Internet. However, this is just an option as a source for possible funding. The proposed new body should be ensured stable and predictable public funding through the UN system.

### **Framing Policy Principles for the Internet, and using the IGF platform**

We earlier mentioned some initiatives among developed countries to frame Internet policy principles. Brazil's Internet Steering Committee also came out with 'Principles for Governance and Use of the Internet'<sup>12</sup> in 2009. These principles were discussed at a workshop in IGF, Vilnius, in 2010 and were also presented generally to the IGF. In the closing session of the IGF, many participants felt that the Brazilian principles were the kind of initiative that the IGF could work

11 This is unfortunate that at a time when we are getting organised globally in an unprecedented manner, the global public fund for governing and managing such high degree of globalisation are shrinking. Developing countries should get together and take note of this unsustainable situation that hurts their interests most.

12 <http://www.cgi.br/english/regulations/resolution2009-003.htm>

more closely on and perhaps lend support to. Such sentiments were also expressed in the Chairman's closing remark

For IBSA countries (and developing countries, in general) developing such principles for the global governance of the Internet will be a good place to start from. This is something they can do on their own. Such a common set of progressive principles prepared by developing countries will help put the right kind of pressure on the global IG agenda. There is an important caveat, however, in this regard. The principles that are framed must not simply be defensive, for instance, trying to protect the turf of the states to control Internet content flows within their borders. It should be a visionary set of principles that take a holistic view of the Internet and Internet Governance for its globally egalitarian potential, anchored in principles of global equity and social and economic justice. It should be able to capture the fancy of the global progressive civil society which today is in need of such a framework that looks at equity, social justice and distributive issues as much as IG agendas that almost exclusively dominate global IG today – technical coordination and management, privacy, freedom of expression, security, IP, e-commerce facilitation, etc. Coming up with a holistic and ethical framework including such alternative conceptions and agendas will help developing countries take a leadership role in global IG. This can be expected to attract progressive groups from the world-over, including developed countries, as has happened in some other areas of global governance like WIPO, climate change, etc.

Shaping an agenda for global IG, positively, rather than reactively as at present, developing countries should use the platform of the IGF much more purposively. The IGF should be used to build a progressive global IG agenda. The legitimacy of the less powerful is often in the ethical or moral value of their viewpoint, and an open forum like the IGF, if used well, can help precipitate such moral power towards achieving concrete objectives. Developing countries should regularly hold sessions and workshops at the IGF on the development agenda in global IG, including its more detailed specific points, and coordinate their positions closely in all areas of working of the IGF.

## South-South/ IBSA Cooperation on Practical and Implementation Issues

Apart from taking up the global policy front as discussed above, it is also important to build processes and institutions for South-South cooperation in actually shaping the architecture of the Internet in a manner that most suits developing country interests. IBSA countries together have considerable 'digital power' to be able to do so, if a good perspective and implementation plan is developed. We have discussed earlier how the socio-technical architecture of the Internet at present is almost entirely developed in the North and then exported to the South. This both subjects the South to the economic, social, political and cultural thinking and norms of the North, and puts it into a position of abject dependency on the North. As the Internet becomes a key and integral part of more and more aspects of our social lives, such a growing 'digital dependency' will become more pernicious than perhaps any earlier kind of dependency ever witnessed across the North-South axis. This issue requires urgent attention and a through exploration by Southern, in fact all progressive actors.

It is important therefore that developing countries, and in the present context, especially IBSA countries, cooperate closely in terms of practical measures towards shaping the socio-technical architecture of the Internet in progressive directions. Closer cooperation in the areas of technical standards, ensuring net neutrality, developing new more open Internet applications, open source software, promoting competition and reducing barriers-to-entry in the digital/Internet business domestically and globally, etc. is required. At present, there is some cooperation in certain areas, as in the case of open source software. However, this should be a part of a systematic effort to leverage IT and Internet technologies as a strategic resource for developing countries, in a manner that does not allow the building of unsustainable dependencies in the North. Working separately for any one country in this area may not be easy, given the power and strength of the dominant global Internet industry. Therefore, a collective and coordinated approach is called for.

Such efforts should centrally involve support to domestic digital industries, and the public sector should work closely with it in this regard. Taking a page out of the open source software paradigm, a close partnership can be forged between the domestic industry, voluntary efforts of the community and the public sector in many areas. However, it will require institutional support to develop and sustain such partnerships, which if successful will no doubt be of immense economic and social value to IBSA countries, and to developing countries, in general. In this regard, the Public Software project of the Brazilian Government and also the Public Software project in some parts of India by some civil society organisations with the support of UNESCO, are good examples. The draft perspective plan of the Department of IT of the Government of India mentions National Applications Store for mobiles, and also some public initiatives in the area of social media and cloud computing. More such projects on Public ICTs and Public Internet Technologies, Architecture and Applications are required, in which regard IBSA should take a lead, through committed institutional support. A joint IBSA project in this area will be a very useful initiative, which can bring tremendous value to the three countries, and help shape the Internet's architecture, in general, in a more open and distributed manner.

It is only when developing countries develop enough mass of South-South cooperation on technical standards, Internet applications, and Internet policy coordination and coherence that there will be pressure on Northern countries to take these issues up democratically at a global stage, possibly through a new global Internet policy body. At present, with the Internet architecture and Internet business being more or less completely in the hands of governments and companies of the North, it will take the pressure of practical changes on the ground to bring them to the global policy table.

An immediate area of cooperative work in the area of global Internet policies among IBSA countries is to set up an observatory of emerging global Internet issues, as seen from a developing country perspective. The OECD's CICCIP does this for OECD countries and also regularly issues a policy newsletter. Such a policy newsletter, and also online information-exchange and discussion spaces, will help develop a commonality of understanding and perspective among IBSA country's public interest actors. This will then help shape the strategies and plans that are needed for IBSA and other developing countries to leverage the best potential of the Internet for their social, economic and human development, and also address the possible negative impacts of the Internet.

It would therefore be advisable, as the immediate step arising from the Rio meeting, to set up some kind of an IBSA Resource Centre or Observatory on IG and Development, which should provide space for exchange of information, regular online discussions, and continuous research and the provision of policy papers, etc. on 'IG and development' issues.