

A Development Agenda in Internet Governance

*Presentation by
IT for Change*

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Presentation in 4 parts

- Development agendas, and Internet Governance
- What is happening with the Internet, what is the geo-economic and geo-political game
- Who governs the Internet
- What can/ should developing countries do – moving ahead tactically and strategically

I - Is there a dev agenda in IG

- Dev agendas in other areas, what about IG
- Popular misconceptions
 - ◆ IG is a technical issue, similar needs for all
 - ◆ Security and control matters equally for all and in the same way
 - ◆ All standards are equally good for all
- Democratisation of control, participation in standard setting, and ensuring security, remain the key demands
- **HOWEVER, some of the most important IG issues for developing countries are outside the technical realm**

Development agenda in IG

- The range of IG issues of far-reaching importance – trade, IP, cultural diversity, education, media etc
- Social networking, search engines, instant media, cloud computing
- Are there too many very different issues in IG to have a common dev agenda?
- If there are IG issues in different domains, are they not best dealt within the respective domains?
- Are these different aspects of IG connected, and' if so, how?
- Does fragmentation of governance spaces serve developing country interests or consolidating into a global IG space?

II - What is the geo-eco/pol game

- Larger economic, social, cultural and political control
- Is the control to be exercised through infrastructure and technology controls alone?
- Or also through *WHAT HAPPENS ON THE NET* – economic, social, cultural and political flows, control over the key nodes
- If our thinking is still focused on underlying technical and logical infrastructure as 'the Internet', perhaps we are looking at the wrong Internet

The cheese is moved

- Google, Facebook, Twitter Amazon, App-Store, Android Market.... together IS THE INTERNET
- Who/ what controls them controls the Internet, and the global economic/social/ cultural/ political flows
- Digital capital plus Northern (US-plus) politics – Acutely unipolar information society
- Not the underlying technology – address the architecture of 'flows' and consolidation of economic/social/ cultural/ political advantage through command over key global nodes of these flows

Digital domination

- Technology power plus other eco/soc/pol powers – a potent mix with unprecedented global effectiveness and reach
- Cloud computing is the CHERRY on the 'new cheese'
- The new game is – Internet for *real time* exercise of global/ extra-territorial control through digital capital and private policing
- Net Control – use control over key network nodes to cause coercive punitive damage globally, anywhere anytime – normally the preserve of the State (think wikileaks)

Digital dependency

- Loss of political power within state territory – the case of Tapei, damage caused could be collective, case of paypal, kindle...
- Race to the bottom for crumbs – digital capital and digital labour
- Push western culture, force IP payments – Internet as a vehicle for both
- It is a new IP (Internet protocols) plus old IP (intellectual property) model of control
- Beyond digital divide, think, digital domination and digital dependency

Not the Internet, but the Network

- What is to be addressed/ managed/ governed is not the 'Internet' but the larger techno-social phenomenon of the Network
- Internet governance as dealing with the techno-social architecture of the network society
- Makes Internet governance as less technical and more a techno-social/ -economic/ -cultural/ -political issue
- There are sufficient set of core socio-architectural issues of the network society that require to be dealt together – **the development agenda in IG**

III – Who governs the Internet

- Global governance of the Internet at four levels
- The Critical Internet Resources management system – ICANN plus (under US government oversight)
- Technical standards making – IETF, W3C, etc, private consortiums (often dominated by US business interests)
- Simply, US law applies – since Internet is largely US centric, take it or leave it
- Plurilateral processes; OECD, Council of Europe – **default application over the world through the power of the network**

The ICANN plus systems

- Some good points – distributed management, open 'consensual' processes. Build on it, don't try to turn back the clock.
- US and industry domination, the whole vocabulary of 'governance' is so different – corporate-ish – in these spaces
- Cooptations (successful ??) – of less powerful governments, civil society
- However, it is reaching the limits of 'we only do technical stuff' facade
- The problem of security, a grave and real concern in an age of 'drone strikes'
- The US oversight unacceptable – but has anyone suggested concrete options. We must.

Technical standards making

- Dominated by North-based big business (mostly US)
- Lack of proper public interest interface with technical processes
- Technical processes often seen in isolation of their larger social implication
- Enforcement through de facto power (big business), rather than legitimate democratic power (representative)
- As more and more the Internet is a series of private enclosures, only private standards apply. No attempt at application layer public standards making (as in email standards) to break the new Internet monopolies

Neo-colonialism - We make laws, you observe them

- North realizes that the new context requires new, concerted approaches to global governance, treaty/ law making etc
- OECD, CoE doing numerous initiatives on trans-border soft and hard Internet law and policies
- Cyber-security convention, ACTA, Intermediary guidelines, those for search engines, social media
- Enforcement through network power, **who dares defy. Code is law, architecture is policy.**
- IG is in 'regime shaping' phase (when North doesn't want global treaties) while IP/ trade in 'regime enforcement' phase (and when it does)

IV – How to democratise IG

- World Summit on the Information Society (WSIS) – a good start, but not capitalized upon well enough
- The two mandates of WSIS– Internet Governance Forum (IGF) and Enhanced Cooperation (EC)
- IGF being used as a foil to appropriate democratic IG, rather than an element of it
- A short post-WSIS history - Why the IGF is up and running and the mandated process of EC is nowhere to be seen – the involved geo-strategic priorities of the North
- Do developing countries have to share the blame AND what should we do

From reactive to positive positions

- Before going to the details, see and understand the top view, the network phenomenon, its challenges and possibilities
- What are core common network architectural elements that constitute the development agenda in global IG
- Get beyond technical governance (CIR) fixation, more nuanced understanding of security issues. Take a more holistic social perspective of IG
- Dont just state 'best comfort' positions, offer concrete pragmatic possibilities, and the strategies and tactics towards them
- Know that the status quo is most unacceptable, it is leading towards huge new geo-eco/pol imbalances, **it could soon be too late to change things**

Dont give up on the IGF

- For the parties confronting dominant power – moral force is always useful, **IGF can provide that pressure point**
- However, it requires constructing a viable global progressive agenda – and this needs some work to do, including building collective capacities of the developing world

Where to go on EC

- What is Enhanced Cooperation (EC) – the global public policy imperative, is it really needed, why. Why is it more important for developing countries
- Recognize that it is not just CIRs, not just security, but a much larger set of extremely important issues (Tunis agenda is clear on this)
- Look at points of mutual agreement first, and then narrow down differences. Sticking to 'best comfort' positions just helps the status quo
- **What is the best, strongest move that can destabilise the status quo in progressive directions**, that must be the immediate common goal
- First frame a good, broad spectrum but focused and incisive, common agenda for global IG. **What global principles, policy frameworks and policies do we need.**

Why, what and how, before *who*

- Too much of EC discussion pre-maturely veers toward who should do it, which institution should anchor EC
- This is divisive, and developing countries can often not agree among themselves, and also lose the advantage of the righteousness of their position to secondary considerations of fitment of different institutions
- First agree on JUSTIFICATION, then on FUNCTIONS, and then on the STRUCTURE of an institution/ body that should anchor the EC role. We can leave the institutional 'location' of this required structure for later
- This is an exercise we can try to do today

EC- function and structure

- JUSTIFICATION – Internet is global, makes us more global by the day, there isn't much escape. **Less powerful requires policies to check the default power of the more powerful**
- FUNCTION – Global Internet-related principles and policies, treaties/ conventions, CIR oversight, dispute resolution, crisis management, interface with other bodies **Not just technical, but larger socio-technical issues**
- STRUCTURE – New age, issues are global as never before and in a uniquely new manner, open-ended agenda, quick turn around, standing provisions and facilities for response, wider inputs needed, greater and more open participative nature, decision making in legitimate hands, funding (from domain name industry?), research and analysis support etc

Institutionalising EC

- If we agree on the justification, function and structure of the EC system, the appropriate location is less important and can be left open for further discussion
- Evolution of GAC? Based in ITU? As a UN Committee? A new body outside any existing institution? A treaty based body? Will follow a framework convention on the Internet, or facilitate it, or both?
- **IN ANY CASE**, a formal space for continuing the dialogue should be made available, a CSTD Working Group on EC

South-South cooperation

- Formal platform on IG – for South-South cooperation and to create pressure on Northern players to come to the table
- Collaborating on policies and practices for decentralized network architecture – Open/ Public network architecture
- Capacity building, resource and analysis support, appropriate South-South platforms

Thank you.....

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