



General Assembly's overall review of the implementation of WSIS outcomes

Comments on the draft outcome of 4 November

A. Your Information

Title: Senior Director, Global Internet Policy

First name: Constance **Last name:** Bommelaer

Name of Organization: The Internet Society **Stakeholder Type¹:** Technical Sector

Country: United States (Internet Society) **Email:** bommelaer@isoc.org

B. Formal Input

The Internet Society thanks the co-facilitators for their work in developing the draft outcome document of 4 November for the United Nations General Assembly Overall Review of the World Summit on the Information Society (WSIS), based on the contributions submitted by a wide variety of stakeholders. We also thank them for giving stakeholders in the WSIS process the opportunity to comment on the draft, and for attending the informal WSIS discussions during the IGF on 10 November, where a number of additional stakeholders provided their perspective on the current process in an open, inclusive multistakeholder environment.

General Comments

The Internet Society welcomes the modified structure of the document, especially the separation of the previous sub-sections of Human Rights and Security from Internet Governance into independent sections. We strongly believe that this is important to ensure that human rights, security and trust in ICTs permeates all aspect of building a people-centered, inclusive and development oriented information society – not only Internet governance.

¹ When specifying your stakeholder type, please indicate one of the following: Government, Civil Society, Private Sector, Academia, and Technical Sector.

We welcome **the extension of the Internet Governance Forum's (IGF) mandate** by ten years, as well as the call to improve the IGF, as recommended by the CSTD Working Group on Improvements to the IGF. However, we recommend a clear reference to paragraphs 72-77 of the Tunis Agenda to specify the continuation of the current multistakeholder format focused on finding consensus and sharing successful solutions rather than negotiating binding outcomes. This current governance model of the IGF has proven to be successful.

As an organization founded on the mission to promote the open development, evolution, and use of the Internet for the benefit of all people throughout the world, the Internet Society appreciates the document's **focus on development and bridging the digital divide**. In this regard we believe the explicit connection to the recently adopted U.N. Sustainable Development Goals, and the ambition to link the reporting of the WSIS Action Lines to the 2030 Agenda, is a positive step forward.

Getting the next billion connected to an open, trusted Internet remains a primary goal of the Internet Society. As such, we believe that **the text should further recognize that the open and inclusive nature of the Internet** is what makes it such a powerful tool for global development. This was reflected in the consensus documents of the ten-year Review of the WSIS organized by UNESCO (2013) and ITU (2014).

In this regard, **the current draft does not sufficiently emphasize the importance of the multistakeholder nature of Internet governance**. Indeed, the current draft attaches significant weight to a multilateral approach to the governance of the Internet, which does not reflect accurately the multistakeholder approach described in the working definition of Internet governance as set out in paragraph 34 of the Tunis Agenda, nor does it reflect the current state-of-play ten years after WSIS.

The Internet Society recommends that the document remove or replace language of multilateral governance and, instead, underscore the multistakeholder nature Internet governance, as stated in paragraph 34 of the Tunis Agenda. This would also be consistent with the agreed text in the outcome documents from the UNESCO and ITU WSIS review processes. This also reflects the views of the numerous stakeholders that have endorsed a **joint statement on WSIS+10** [<https://www.openwsis2015.org/joint-statement-on-wsis10/>] that recognizes that the multistakeholder approach, cooperatively developed since the inception of the Internet is *critical* in achieving the WSIS goals.

Finally, we reiterate our approach to security that is based on **collaboration of all stakeholders in promoting, developing and implementing security**. We believe that the role of collaboration in building confidence and trust in the use of ICTs should be more clearly reflected in the document. The reality is that comprehensive Internet security only comes through the efforts of many different people from industry, government, civil society, and the technical community who collaborate together to help ensure the security, resilience and stability of the global Internet. The Internet Society strongly believes that this collaborative model is the most efficient and effective way to ensure trust and security in the Information Society.

Suggested revisions

Paragraph 9: The text emphasizes the role of ICTs in general, but it should also emphasize that the open and inclusive nature of the Internet has enabled progress on the Millennium Development Goals through human empowerment, and will play an important role in promoting sustainable development beyond 2015. This is especially important since Agenda 2030 explicitly includes a target for universal and affordable access to an open Internet. Proposed new text:

*We recognize that increased ICT connectivity, innovation, and access **to an open and inclusive Internet** have played a critical role in **human empowerment**, enabling progress on the Millennium Development Goals, and we call for close alignment between the WSIS process and the 2030 Agenda for Sustainable*

Development, highlighting ICT's cross-cutting contribution to the Sustainable Development Goals (SDGs) and poverty eradication, and noting that access to ICTs has also become a development indicator and aspiration in and of itself.

Paragraph 12: Since the purpose of the document is to summarize the progress made, and to look beyond 2015, the Internet Society believes that it is important that the document reflects the progress made over the past ten years – not least in light of the successful application of multistakeholder governance through the IGF and other efforts such as the NETmundial meeting. The Internet Society therefore recommends that the paragraph build on agreed upon text from the WSIS-review process, and propose new text as follow:

~~*We recognize that the Internet is a global resource that must be managed in an open and inclusive manner, which serves the public interest. We further reaffirm that the international management of the Internet should be multilateral, transparent and democratic, with the full involvement of governments, private sector, civil society and international organizations.*~~

We recognize that over the past decade, multistakeholder processes have become an essential and unique approach to engagement in addressing issues affecting the knowledge and information societies, as reflected in the Final Statement of the UNESCO led WSIS+10 Review^[2]. Our Vision beyond 2015 must be developed with respect to mandates given by the Tunis Agenda and respect for the multi-stakeholder principles, as stated in the Final Statement of the ITU WSIS+10 review^[3].

Paragraph 42: We believe that a reference to Article 12 of the Universal Declaration of Human Rights is appropriate since its content is part of the paragraph. Proposed new text:

We further reaffirm the principle outlined in Article 12 of the Universal Declaration of Human Rights, that no person shall be subject to arbitrary or unlawful interference with his or her privacy, family, home, or correspondence, consistent with countries' applicable obligations under international human rights law, as recognized in General Assembly resolution 69/166. We call upon all States to review their procedures, practices and legislation regarding the surveillance of communications, as well as their interception and collection of personal data, including mass surveillance, with a view to upholding the right to privacy by ensuring the full and effective implementation of all their obligations under international human rights law.

Paragraph 44: A collaborative approach is of crucial importance for security and trust in the use of ICTs to build an inclusive, people-centric and development oriented Information Society. We propose that this should be reflected throughout the amended text below:

*We affirm that strengthening confidence and security in the use of ICTs, **through the collaboration of all stakeholders**, is a prerequisite for the development of information societies and the success of ICTs as a driver for economic and social innovation.*

Paragraph 45: The Internet Society firmly believes that a collaborative approach is the most efficient and effective way to address security challenges in ICTs. No single stakeholder can solve these issues on their own, but require the collaboration of all stakeholders in their respective roles to take action, closest to where the issues are occurring. To designate leadership in advance could potentially undermine such efforts. We therefore propose the following modifications to the current text:

²Outcomes - First WSIS+10 Review Event, Towards Knowledge Societies for Peace and Sustainable Development: http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CI/CI/pdf/wsis/WSIS_10_Event/wsis10_outcomes_en.pdf

³ ITU WSIS+10 High-Level Event Outcomes: <http://www.itu.int/net/wsis/implementation/2014/forum/inc/doc/outcome/362828V2E.pdf>

*[...]We recognize the need for governments, which have responsibility for national security and the personal safety of their citizens, to **work closely together with** ~~play a leading active role in ensuring cybersecurity, alongside~~ other stakeholders in their respective roles and responsibilities **in ensuring cybersecurity, and** in a manner consistent with human rights.*

Paragraph 50: As described in our comment on paragraph 12, the Internet Society believes that it is important that the document reflect the progress made, and that it sets a course for the future based on the developments of the past ten years. Hence, the Internet Society believes that it is important that the document reflects language from agreed text from the WSIS-review process. We therefore propose the following revision of the text:

*We reaffirm that the ~~governance of the Internet as a global resource should be multilateral transparent and democratic, with the full involvement of all stakeholders~~. Over the past decade, the **multistakeholder approach has demonstrated its value in implementing the WSIS goals, as reflected in the Final Statement of the UNESCO led WSIS+10 Review**^[4]. We reiterate the working definition of Internet governance set out in paragraph 34 of the Tunis Agenda, as 'the development and application by governments, the private sector and civil society, in their respective roles, of shared principles, norms, rules, decision making procedures and programmes that shape the evolution and use of the Internet'.*

Paragraph 54: The Internet Society applauds the renewal of the IGF's mandate for another ten years, but would also suggest adding a reference to relevant paragraphs of the Tunis Agenda, which define its unique format. The revised paragraph would read as follow:

We acknowledge the unique role of the Internet Governance Forum (IGF) as a multistakeholder platform for discussion of Internet governance issues. We support the recommendations of the report of the CSTD Working Group on improvements to the IGF, which were approved by the General Assembly in its resolution 68/198, and we call for their accelerated implementation. We extend the IGF mandate for another 10 years with its current mandate as set out in paragraphs 72 to 77 of the Tunis Agenda for the Information Society. We recognize that during this period, the IGF must show progress on outcomes, working modalities, and participation of relevant stakeholders from developing countries. We call on the CSTD, within its current reporting, to give due consideration to fulfillment of its Working Group report recommendations.

Paragraph 56: The Internet Society believes that this paragraph would benefit from language that is more precise in describing progress made, and that the path forward should build on strengthening existing mechanisms. As concluded in the Working Group on Enhanced Cooperation of the CSTD, progress has been made in many areas although cooperation must be strengthened. It also showed that there are no orphan issues, but that mechanisms need to adapt to emerging issues. As shown by the success of the Best Practice Forums and the "Policy Options for Connecting the Next Billion"-initiative of IGF 2015, the community is already equipped to address emerging, complex issues in a flexible and cooperative manner. We therefore propose that the paragraph be rewritten with the following text:

We note that progress has been made in existing frameworks for cooperation to address emerging issues, while also recognizing the need to strengthen existing mechanisms to ensure the full participation of all stakeholders. We further recognize the ongoing work conducted by the Working Group on Enhanced Cooperation of the Commission on Science and Technology for Development.

⁴ Outcomes - First WSIS+10 Review Event, Towards Knowledge Societies for Peace and Sustainable Development
http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CI/CI/pdf/wsisis/WSIS_10_Event/wsisis10_outcomes_en.pdf