NETmundial draft outcome document

Available for public comments at http://document.netmundial.br/

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0. Introduction

The Global Multistakeholder Meeting on the Future of Internet Governance, also known as NETmundial, is convened to discuss two important issues relevant for the future evolution of the Internet, in an open and multistakeholder fashion:

     1.   Internet Governance Principles, and
     2.   Roadmap for the future evolution of the Internet Governance Ecosystem

The recommendations in this document have been prepared with the view to guiding NETmundial to consensus. This has been a collaborative effort among representatives of all stakeholder groups.

More than 180 contributions have been received from all stakeholders around the globe. Those contributions have been taken as the basis for the elaboration of the recommendations submitted here to the participants of NETmundial towards the development of broad consensus.

The recommendations of NETmundial are also intended to constitute a potentially valuable contribution for use in other Internet governance related fora and entities.

1. Internet Governance Principles

NETmundial identified a set of common principles and important values that may contribute for an inclusive, multistakeholder, effective, legitimate, and evolving Internet governance framework.

Human rights

Human rights are central values and universal as reflected in the Universal Declaration of Human Rights and that should underpin Internet governance principles. Rights that people have **offline** must also be protected **online**, in accordance with international human rights legal obligations, including the International Covenants on Civil and Political Rights and Economic, Social and Cultural Rights. Those rights include, but are not limited to:

- **Freedom of expression:** everyone has the right to hold and express opinions, and to seek, receive, and impart information on the Internet without arbitrary interference.
- **Freedom of association:** peaceful assembly online, including through social networks and platforms.
- **Privacy:** the same rights that people have off-line must also be protected online, including the right to privacy, avoiding arbitrary or unlawful collection of personal data and surveillance and the right to the protection of the law against such interference.
- **Accessibility:** persons with disabilities should enjoy full access to online resources on an equal basis with others.
- **Freedom of information and access to information:** Everyone should have the right to access, share, create and distribute information on the Internet.
- **Development:** all people have a right to development and the Internet has a vital role to play in helping to achieve the full realization of internationally agreed sustainable development goals. It is a vital tool for giving people living in poverty the means to participate in development processes.

Culture and linguistic diversity

Internet governance must respect and promote cultural and linguistic diversity in all its forms.

Unified and unfragmented space

Internet should continue to be a globally coherent, interconnected, stable, unfragmented, scalable and accessible network-of-networks, based on a common set of unique identifiers and that allows the free flow of data packets/information.

Security, stability and resilience of the Internet

Security, stability and resilience of the Internet should be a key objective of all stakeholders in Internet governance. As a universal global resource, the Internet should remain a secure, stable, resilient, and trustworthy network. Effectiveness in addressing risks and threats to security and stability of the Internet depends on strong cooperation among different stakeholders.

Open and distributed architecture

The Internet should be preserved as a fertile and innovative environment based on an open system architecture, with voluntary collaboration, collective stewardship and participation, recognizing technical management principles for efficient and improved network operation and preserving the end-to-end nature of the network, equal technical treatment of all protocols and data, delivered by the underlying communications and seeking to resolve technical issues at a level closest to their origin.

Enabling environment for innovation and creativity

The ability to innovate and create has been at the heart of the remarkable growth of the Internet and it has brought great value to the global society. For the preservation of its dynamism, Internet governance must continue to allow permissionless innovation through an enabling Internet environment.

Internet governance process principles

- **Multistakeholder**: with the full participation of governments, the private sector, civil society, the technical community, academia and the users in their respective roles and responsibilities.
- **Open, participative, consensus driven governance**: The development of international Internet-related public policies and Internet governance arrangements should enable the full and balanced participation of all stakeholders from around the globe, and made by consensus.
- **Transparent**: Decisions made must be easy to understand, processes must be clearly documented and follow agreed procedures, and procedures must be developed and agreed upon through multistakeholder processes.
- **Accountable**: Mechanisms for checks and balances as well as for review should exist.
- **Inclusive and equitable**: Internet governance institutions and processes should be inclusive and open to all interested stakeholders. Processes should be bottom-up, enabling the full involvement of all stakeholders, in a way that does not disadvantage any category of stakeholder.

- **Distributed**: Governance characterized by distributed and multistakeholder mechanisms and organizations.
- **Collaborative**: Internet governance should be based on and encourage collaborative and cooperative approaches that reflect the inputs and interests of stakeholders.
- **Enabling meaningful participation:** Anyone affected by an Internet governance process should be able to participate in that process. Particularly, Internet governance institutions and processes should support capacity building for newcomers, especially stakeholders from developing countries and underrepresented groups.
- **Accessibility and low barriers:** Internet governance should promote universal, equal opportunity, affordable and high quality Internet access so it can be an effective tool for enabling human development and social inclusion. There should be no unreasonable barriers to entry for new users.
- **Agility**: Policies for access to Internet services should be future oriented and technology neutral, so that they are able to accommodate rapidly developing technologies and different types of use.

Open standards

Internet governance should promote open standards, informed by individual and collective expertise and practical experience and decisions made by open consensus, that allow for a unique, interoperable, resilient, stable, decentralized, secure, and interconnected network, available to all. Standards must be consistent with human rights and allow development and innovation.

2. Roadmap for the future evolution of the Internet governance

The objective of this proposed roadmap for the future evolution of Internet governance is to outline possible steps forward in the process of continuously improving the existing Internet governance framework ensuring the full involvement of all stakeholders.

The Internet governance framework is a distributed and coordinated ecosystem involving various organizations and fora. It must be inclusive, transparent and accountable, and its structures and operations must follow an approach that enables the participation of all stakeholders in order to address the interests of all those who benefit from the Internet.

The implementation of the Tunis Agenda has demonstrated the value of the multistakeholder model in Internet governance. The valuable contribution of all stakeholders to Internet governance should be recognized. Due to the successful experiences this model should be further strengthened, improved and evolved.

Internet governance should serve as a catalyst for sustainable and inclusive development and for the promotion of human rights. Participation should reflect geographic diversity and include stakeholders from developing and least developed countries.

I.   Issues that deserve attention of all stakeholders in the Internet governance future evolution.

1.   Internet governance decisions are sometimes taken without the meaningful participation of all stakeholders. It is important that multistakeholder decision-making and policy formulation are improved in order to ensure the full participation of all interested parties, recognizing the different roles played by different stakeholders in different issues.

2.   Enhanced cooperation to address international public policy issues pertaining to the Internet must be implemented on a priority and consensual basis. It is important that all stakeholders commit to advancing this discussion in a multistakeholder fashion.

3.   Stakeholder representatives appointed to multistakeholder Internet governance processes should be selected through open and transparent processes. Different stakeholder groups should self-manage their processes based on inclusive, publicly known, well defined and accountable mechanisms.

4.   There is a need to develop multistakeholder mechanisms at the national level owing to the fact that a good portion of Internet governance issues should be tackled at this level. National multistakeholder mechanisms should serve as a link between local discussions and regional and global instances. Therefore a fluent coordination and dialogue across those different dimensions is essential.

5.   There should be meaningful participation by all interested parties in Internet governance discussions and decision-making, with attention to geographic, stakeholder and gender balance in order to avoid asymmetries.

6.   Enabling capacity building and empowerment through such measures such as remote participation and adequate funding, and access to meaningful and timely information are essential for promoting inclusive and effective Internet governance.

7.   All stakeholders must renew their commitment to build a people centered, inclusive and development oriented Information Society. Therefore in pursuing the improvements of the Internet governance ecosystem, the focus on the digital development agenda should be retained.

8.   Internet governance discussions would benefit from improved communication and coordination between technical and non-technical communities, providing a better understanding about the policy implications in technical decisions and technical implications in policy decisionmaking.

9.   All of the organizations with responsibilities in the Internet governance ecosystem should develop and implement principles for transparency, accountability and inclusiveness. All such organizations should prepare periodical reports on their progress and status on these issues. Those reports should be made publicly available.

II.   Issues dealing with institutional improvements.

1.   Consideration should be given to the possible need for mechanisms to consider emerging topics and issues that are not currently being adequately addressed by existing Internet governance arrangements.

2.   There is a need for a strengthened Internet Governance Forum (IGF). Important recommendations to that end were made by the UN CSTD working group on IGF improvements. Improvements should include inter-alia:

a.   Improved outcomes: Improvements can be implemented including creative ways of providing outcomes/recommendations and the analysis of policy options;

b.   Extending the IGF mandate beyond five-year terms;

c.   Ensuring guaranteed stable and predictable funding for the IGF is essential;

d.   The IGF should adopt mechanisms to promote worldwide discussions between meetings through intersessional dialogues.

A strengthened IGF could better serve as a platform for discussing both long standing and emerging issues with a view to contributing to the identification of possible ways to address them.

3.   There should be adequate communication and coordination among existing forums, task forces and organizations of the Internet governance ecosystem. Periodical reports, formal liaisons and timely feedbacks are examples of mechanisms that could be implemented to that end. It would be recommendable to analyze the option of creating Internet governance coordination tools to perform on-going monitoring, analysis, and information-sharing functions.

4.   In the follow up to the recent and welcomed announcement of US Government with regard to its intent to transition the stewardship of IANA functions, the discussion about mechanisms for guaranteeing the transparency and accountability of those functions after the US Government role ends, has to take place through an open process with the participation of all stakeholders extending beyond the ICANN community.

The IANA functions are currently performed under policies developed in processes hosted by several organizations and forums. Any adopted mechanism should protect the bottom up, open and participatory nature of those policy development processes and ensure the stability and resilience of the Internet.

This transition should be conducted thoughtfully with a focus on maintaining the security and stability of the Internet, empowering the principle of equal participation among all stakeholder groups and striving towards a completed transition by September 2015.

5.   It is expected that the process of globalization of ICANN speeds up leading to a truly international and global organization serving the public interest with an independent status and clear accountability mechanisms that satisfy requirements from both internal stakeholders and the global community.

The active representation from all stakeholders in the ICANN structure from all regions is a key issue in the process of a successful globalization.

III.   Issues dealing with specific Internet Governance topics

1.   Security and Stability

   a.   It is necessary to continue work pursuing international agreements on topics such as jurisdiction and law enforcement assistance to promote cybersecurity and prevent cybercrime. Discussions about those frameworks should be held in a multistakeholder manner.

   b.   Initiatives to improve cybersecurity and address digital security threats should involve appropriate collaboration among private sector, researchers, technical experts, governments and NGOs. There are stakeholders that still need to become more involved with cybersecurity, for example, network operators and software developers.

   c.   There is room for new forums and initiatives, they should not duplicate, but to add to current structures. All stakeholders should aim to leverage from and improve these already existing cybersecurity organizations. The experience accumulated by several of them demonstrates that, in order to be effective, any cybersecurity initiative depends on cooperation among different stakeholders, and it cannot be achieved via a single organization or structure.

2.   Internet surveillance – Mass and arbitrary surveillance undermines trust in the Internet and trust in the Internet governance ecosystem. Surveillance of communications, their interception, and the collection of personal data, including mass surveillance, interception and collection should be conducted in accordance with states' obligations under international human rights law. More dialogue is needed on this topic at the international level using forums like IGF and the Human Rights Council aiming to develop a common understanding on all the related aspects.

3.   Capacity building and financing are key requirements to ensure that diverse stakeholders have an opportunity for more than nominal participation, but in fact gain the knowhow and the resources for effective participation. Capacity building is important to support the emergence of true multistakeholder communities, especially in those regions where the participation of some stakeholders groups needs to be further strengthened.

IV.   Points to be further discussed beyond NETmundial:

Several contributions to NETmundial identified points that need further discussion and better understanding:

- Different roles and responsibilities of stakeholders in the Internet governance ecosystem, including the meaning and application of equal footing.

- Jurisdiction issues and how they relate to Internet governance.
- A principle based code of conduct and related indicators for the Internet governance ecosystem.

V. Way forward

All the organizations, forums and processes of the Internet governance ecosystem are encouraged to take into account the outcomes of NETmundial.

It is expected that the NETmundial findings and outcomes will feed into other processes and forums, such as WSIS+10, IGF, and all Internet governance discussions held in different organizations and bodies at all levels.

The follow up and future discussions of topics listed in this document should inform work convened by existing entities or bodies. They should present reports of their works in major Internet governance meetings.