

G77 Hitting The Reset Button on Internet Governance?

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The latest salvo in government efforts to gain greater control over Internet governance comes from the [G77 countries](#) [3] in a seemingly innocuous draft resolution to the UN General Assembly (UNGA) entitled “[Information and Communications Technologies for Development.](#)” [4] This 10-page resolution pulls in a whole host of Internet governance and policy issues – including cybersecurity and Internet interconnection charging regimes – and proposes a new World Summit on the Information Society (WSIS) for 2015. It also proposes a process for organizing this Summit that would be entirely government-driven, with governments setting the agenda, negotiating outcome texts, and determining whether, and how, other stakeholders (including human rights advocates, industry, and technical experts) get to participate.

What is The WSIS?

The original WSIS was the result of a [UNGA resolution in 2001](#) [5] pointing to the need “to harness the potential of knowledge and technology” for promoting the UN’s Millennium Development Goals. It was motivated by a growing realisation of the importance of the Internet to economy and society and of a desire among governments to have a better understanding of – and potentially a hand in – the management of the Internet and its underlying technical resources (including IP addresses and the DNS). The WSIS comprised two phases: Geneva in 2003 and Tunis in 2005. By the Tunis phase, many governments had come to better understand the Internet and its value as a platform for growth and innovation. Yet other governments were still unhappy with the informal mechanisms that managed the technical underpinnings of the Internet and continued to seek further multilateral approaches. The Tunis phase yielded both the [Internet Governance Forum](#) [6] and a call for “enhanced cooperation” (an intentionally vague term that left room for those governments unhappy with the results of the WSIS to continue arguing for a deeper role in Internet governance).

The WSIS has a built-in 10-year review that will culminate in 2015, and a number of processes to assess the effectiveness and impact of its various components are already underway. The WSIS is a shared responsibility among several UN agencies; UNESCO held the [first review conference in early 2013](#) [7] and the ITU will host [a second in early 2014](#) [8]. In the interim, the ITU is compiling a review of the outcomes and results of the [WSIS action lines](#) [9] and the Commission on Science and Technology for Development’s (CSTD) [Working Group on Enhanced Cooperation](#) [10] (WGEC) will be making recommendations as to how cooperation on international Internet policy issues can be strengthened and whether or not there are issues that require government to government engagement. The results of these processes, in turn, will feed into the UNGA in late 2014.

Why is The WSIS Review Important?

While the original WSIS focused heavily on ICANN and the role of the United States government in the management of what came to be called “critical Internet resources” (the DNS, IP addresses, the root servers, etc.), discussions of “governance” have expanded over the past decade to include almost the entire range of Internet policy issues. Some of the discussions left over from the Tunis phase – such as the role of governments in international Internet-related public policy issues and whether there are issues that should be dealt with by governments alone – continue to rage. The WSIS review potentially covers all of these topics, and decisions taken in the WSIS process could have a profound effect on the future evolution of the Internet and its governance.

Which brings us back to the proposed resolution. The G77 propose a number of WSIS-related tasks for the UNGA: first and foremost, it should decide that a high-level (read: government-driven) 10-year WSIS review Summit will occur in 2015, without any consultations about the need for such a Summit, and without reference to the existing and on-going multistakeholder WSIS review. It also should decide to launch a preparatory process through an “open-ended intergovernmental

preparatory committee” as early as January 2014 that will “define the agenda of the review summit, finalize the negotiated outcome document of the summit and decide on the modalities for the participation of other stakeholders in the summit”.

Incredibly, this language is lifted word for word from the 2001 UNGA resolution (above) and should be a complete non-starter for civil society, industry, the technical community and any other stakeholder who supports “multistakeholder” Internet governance. This language makes a mockery of the progress that has been made on realizing multistakeholderism over the past decade, and ignores the widespread consensus on the importance of the participation of all stakeholders in Internet and Information Society matters. From the [WCIT](#) [11] to the [WTPF](#) [12] to the [IGF](#) [13], the past year alone has seen a strong embrace by many stakeholders, including governments, of the importance of multistakeholder approaches to governance and policymaking.

Conflating Critical Issues

The proposed resolution also mixes a range of subject areas – including surveillance, privacy, cybersecurity principles, and governance – that are already under active review in other processes. For example, there is another [proposed resolution](#) [14] addressing government surveillance and people’s right to privacy in their communications already in front of the UNGA. Supported by Brazil and Germany and entitled “The right to privacy in the digital age,” this resolution is an important effort to curtail the mass surveillance activities of the US NSA and other governments. The issue of government surveillance deserves focused attention at the highest level, and shouldn’t be used as a bargaining chip in an omnibus resolution to push forward questionable approaches to governance.

Despite the name of the proposed G77 resolution, it hardly addresses key development issues and concerns, with the key operative paragraphs focused on WSIS processes, governance, and a smattering of highly contentious issues. It also seeks to increase the mandate of the CSTD Working Group on Enhanced Cooperation to include recommendations on privacy, national sovereignty, and international law, topics which are well outside that group’s mandate.

Internet governance talk can be sleep-inducing, and many human rights advocates and technical experts understandably prefer to spend their time on more “concrete” topics. But the Internet governance issues raised in the G77 resolution and in the WSIS processes more generally will guide the future of the Internet. Existing decision-making structures may change, and the last decade’s hard-fought gains on the importance of open and inclusive policy processes cannot be taken for granted. The Internet governance space has become significantly more complicated with the NSA surveillance revelations. Clamouring for multilateral negotiations on policy issues central to the Internet has grown as the scale of extraterritorial surveillance has become more apparent. Anyone who cherishes an open and transparent Internet that is managed in a decentralized and multistakeholder manner must pay closer attention to what is happening in the Internet governance space during this critical period.

- [WSIS](#)

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