WSIS Civil Society Internet Governance Caucus, September 12, 2004. Contribution to the Working Group on Internet Governance (WGIG), first open consultation 20-21 September, 2004. Geneva

Recommendations on General Structure and Operating Principles for the Working Group on Internet Governance

This is the first in a series of contributions from the WSIS Civil Society Internet Governance Caucus and addresses the general structure and operating principles of the Working Group on Internet Governance. The WSIS Civil Society Content and Themes Group process supports these recommendations.

1. The Working Group on Internet Governance (WGIG) must be independent of WSIS Preparatory Committee Meetings (PrepComs)

The final documents adopted in the Geneva phase (Declaration of Principles and Plan of Action) ask the Secretary General of the United Nations to set up a working group on Internet governance to prepare a report to be presented for consideration and appropriate action for the second phase of WSIS in Tunis in 2005. As such, the Working Group on Internet governance must operate under the auspices of the Secretary General and be independent of the WSIS PrepComs leading up to the Tunis Summit.

2. Basic composition of the working group

Membership of the working group must be balanced between participants from governments, the private sector and civil society, not favoring one group over any other

The Geneva Summit Declaration of Principles and Plan of Action provide a basic

outline of the structure of the working group. The Summit documents recommend that the working group ensure the full and active participation of governments, the private sector and civil society, from both developing and developed countries.

<u>The working group should be large enough that its members bring the required experience and diversity, but not so large as to slow the pace of work</u>

The scope of the working group and time line it will work to has not been agreed. However, discussions to date strongly suggest that the working group will address a broad range of issues and will need to complete its work in a relatively short period of time. The working group membership will need a wide range of skills, be able to support active regional consultations and inquiries, and have necessary gender, linguistic and cultural diversity, and give consideration to age and ethnicity. The practical need to complete a heavy workload in a short period of time also suggests a working group with a relatively small membership.

<u>The working group should not be a High Level Group, it should be constituted at the working level</u>

Practical considerations of compressed schedule, heavy workload, and need for a significant commitment of time over a short period suggests that the working group should be formed at the working level not as a High Level Group.

<u>The working group should respect gender diversity</u>

These concepts lead us to the following suggested basic structure:

Women and men with a high level of experience in international ICT policy making and the issues the WGIG will address, comprised of:

• Six to 10 participants from Governments

- Six to 10 participants from Civil Society
- Six to 10 participants from the Private Sector
- A Chairperson or co-Chairs

Governments, the private sector and civil society will be represented by an equal number of members: a WGIG of between 19 and 32 members.

In addition, a limited number of participants from Intergovernmental and International Organizations and forums should be invited to join the working group as observers.

We recommend that as far as reasonably possible, representation from governments, the private sector and civil society be divided equally between participants from developing and developed countries, (e.g. if each group is represented by eight members, then four would be from developing countries and four from developed, a total 12 members from developing countries and 12 members from developed.)

Regional diversity will be an essential feature of the working group as it conducts consultations and gathers information. We suggest that where possible consideration should be given to ensuring balanced representation on the working group from the main geographic regions. Strong consideration must also be given to ensuring linguistic diversity in the group's membership. The official consultation process should include regional meetings to provide greater opportunities for input from civil society and other entities.

The working group should also be supported by permanent expert advisory groups and ad hoc expert consultations convened as the working group requires. Such groups and consultations would help to keep the working group small, efficient and functional while providing it with a broad range of input.

3. **Basic operational principles**

<u>Members serve as peers</u>

The Geneva Summit documents ask the UN Secretary General to set up the working group. As such it is clear that the working group is not negotiating language on behalf of nations states, it supports the work of the Secretary General and as such members of the working group should serve as peers.

<u>Ex Parte reporting procedures, public archives and translation of materials</u>

The working group should respect the governance principles suggested in the Geneva documents, i.e. that governance processes should be multilateral, transparent, democratic, and open to full participation by governments, the private sector and civil society. Consequently:

- The working group should hold open public meetings where any interested individual may participate, either in person or remotely.
- All submissions to the working group, minutes of meetings and documents discussed should be publicly archived.
- Formal consultations between member or members of the working group and parties external to their home institutions should be summarized and made publicly available.
- Reports of the working group, its interim and final proposals and decisions must reflect consideration of comments received and explain how those comments were taken into account.
- The working group should accept substantive comments in all official UN languages and as many other languages as it can reasonably manage.
- Reports of the working group must be translated into all official UN languages, its interim and final proposals and decisions must be made available in as many languages as resources can reasonably allow. Translation of materials throughout the process will be essential to broad participation and acceptance of the working group's output.

Objectives of the working group

The main task of the working group is to develop a working definition of Internet governance and the public policy issues involved. The priority is for a working definition, not diplomatic text. The definition of long-term objectives would be very welcome, but an essential target should be practical recommendations applicable in the short term (one to two years).

Chair of the working group

The Working Group on Internet Governance should be independent of the WSIS process. The process must be independent of political blocs and lobbies or risk a continuation of the deadlock experienced during the Geneva phase. As such we recommend that the chair (or dual chairs) should be from Civil Society and/or the Private Sector chosen with the following criteria in mind:

• Recognized leadership in international, multi-sector groups
• Non partisan personality
• At least one of them coming from a developing country
• Fluent in several UN languages

The Working Group on Internet Governance must be provided with necessary resources

The Working Group on Internet Governance must be provided with the resources necessary to achieve the tasks demanded by the Summit of the Geneva phase. Developing countries and civil society representatives face special funding needs in order to participate, and without financial support their participation will not be real or effective.

Resources should be made available to enable participation from developing countries and from civil society (irrespective of location) and to support the process the translation of materials into major languages and interpretation at

meetings.

About the WSIS Civil Society Internet Governance Caucus

The caucus was formed during WSIS PrepCom2, February 2003 to provide civil society with expert opinion on issues around Internet governance, and to represent civil society's views on Internet governance in WSIS. It is a means by which any interested organization or individual from civil society is able to contribute and participate, and provides a regular communication channel with other civil society caucuses and working groups and with the Civil Society Plenary. The Internet Governance Caucus is one of 29 such working groups established during the preparatory process of WSIS to provide civil society as a whole with expert advice on specific thematic issues. A Content and Themes Group coordinated the work of these content related entities, and this group and the Civil Society Plenary presented civil society's collective views.

The Caucus made substantive written and spoken plenary contributions to the debate of Internet governance to the Summit in Geneva, and has been active in discussion in the WSIS Tunis phase.

About the WSIS Civil Society Content and Themes Group

Civil Society Content and Themes Group coordinates the work of numerous self-constituting civil society Caucuses, Working Groups and other content related entities. It is charged with facilitating agreement on and taking decisions on content-related issues, while respecting the domain expertise and competence of Caucuses and Content Groups.

END first contribution.