THE ROAD TO WSIS+10:
Key Country Perspectives in the Ten-Year Review of the World Summit on the Information Society

EDITED BY LEA KASPAR

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CONTENTS

INTRODUCTION

BY LEA KASPAR
GLOBAL PARTNERS DIGITAL

BACKGROUND

The World Summit on the Information Society (WSIS) was first convened in 2003 to discuss the impact of information and communications technologies (ICTs) on our society. The Summit was significant because it involved heads of state--not just regulatory agencies or ministries—signalling a new era in the evolution of ICTs, up to this point largely outside government control and influence. WSIS met twice: the first time in 2003 and again in 2005. Its outcomes have since become cornerstones of international discourse on internet policy and governance. But like other UN summits, WSIS was a snapshot in time and was set to be revisited in ten years.

Now, in 2015, countries are preparing for the Summit's ten-year review, referred to as WSIS+10.[1] For some, WSIS+10 is exciting because it is the only place within the UN system that explicitly and holistically addresses the link between ICTs and development. For others, the excitement is qualified by the potential of this process to exacerbate broader political disagreements among countries in areas such as international peace and security, free expression, or gender rights. The Review, taking place within the framework of the UN General Assembly (UNGA), formally began in June 2015, and is set to culminate with a high-level event in December. The December meeting is expected to produce a negotiated outcome text, which will be adopted by the governments represented at UNGA.

THE ROAD TO WSIS+10: INFORMING CIVIL SOCIETY ENGAGEMENT

Even though the UNGA governments hold the final pen, interested stakeholders will have a number of formal and informal opportunities over the coming months to engage their decision-makers in an effort to influence policy positions and shape the Review outcomes.

So what are the world's governments thinking in the lead-up to the Review? It is obviously impractical to review the perspectives of all 193 UN member states. However, emerging consensus on an outcome can often be determined by a review of a smaller sample of key actors. This report aims to inform stakeholder engagement by providing insight into these key government perspectives. Although stakeholders need to consider the full range of complexities pertaining to an intergovernmental negotiation process in developing their engagement strategies, understanding the perspectives of key actors is a good place to start. We hope that this report will assist in that endeavour.

1.   http://unpan3.un.org/wsis10/

STRUCTURE

The report includes 15 country chapters, each of which outline the core elements of the respective country's position in the process, the main actors driving it, their underlying motivations, and opportunities for engagement for public interest groups.

The selection of countries was informed by available information about a country's expected role in the process, its potential relevance in shaping the Review outcomes, as well as considerations of regional and political diversity, and availability of data. Some country cases serve to illustrate positions of key players and potential 'swing states', while others serve to demonstrate the range of possible perspectives. This selection does not preclude relevance of other countries in the negotiation process.

Each chapter begins with the author's summary of the country's position, followed by an overview of its position as it relates to development, human rights, and internet governance. These specific issues were selected based on consultations with civil society groups at information-sharing meetings earlier in the year that identified these as key issues at stake from a public interest perspective.

The researchers--in most cases local groups or experts--were guided by a common research framework, but the scope and depth of analysis in each chapter depended on time constraints, availability of data, and reliability of sources. The primary and secondary data sources included recent and historical official country statements, communiqués, and media reports, as well as interviews with government officials and other national actors. The country chapters aim to give a starting point for targeted national engagement strategies that should take into account the full complexity of a country's foreign policy, the specific conditions of international negotiations within the UN system, and broader geopolitical realities. Such considerations, while important, were beyond the scope of this publication. As a snapshot of an evolving negotiation process, the information presented here should be treated critically and re-examined on an on-going basis as the process evolves.

We hope you enjoy the report.

COUNTRY CHAPTERS: OVERVIEW

BRAZIL

As an emerging economy and an important player in the global internet governance debate, Brazil could play a critical role in negotiations. The government's official position supports the reinforcement of development concerns within the WSIS framework, as well as IGF renewal. However, Brazil is expected to enter negotiations emphasising the need for the Review to also address unresolved issues around internet governance and enhanced cooperation. Like other emerging economies and developing countries, Brazil is critical of Western dominance over the internet's technical infrastructure and its perceived hegemony in internet governance, and will likely favour solutions that enable a shift from the current asymmetrical power structure towards decision-making processes that allow for multilateral and multistakeholder solutions alike. The government is also supportive of a public policy agenda that preserves human rights, openness and innovation. The local mission currently drives the policy in New York, with instructions from the capital. Historically, the Ministry of External Relations has been receptive to the views of civil society, and as this year's IGF host, it is unlikely to relinquish its support for multistakeholder approaches to internet governance.

CHILE

The Chilean government's position on the WSIS Review has not yet been made explicit, and it is currently unlikely that the country takes on a leadership role in the process. Once at the negotiation table, the government will probably prioritise development-related issues and support arguments in favour of the renewal of the IGF. These priorities are in part driven by national efforts in building connectivity and access, as well as strong national principles surrounding net neutrality. Internationally, Chile has strong regional ties with other Latin American countries. Chile's negotiating position in the Review will be in the hands of the Ministry of Transport and Telecommunications. The current lack of a well-defined policy position could be an opportunity for public interest advocates to shape the country's agenda

CHINA

China has been actively involved in the WSIS process from its outset. Its real concern is achieving state authority over the technical infrastructure of the internet to meet its own concerns with cybersecurity and 'cyber sovereignty'. It lays emphasis on development issues and the digital divide and has an increasing commercial interest in the export of digital technologies. China's view on human rights differs significantly from the understanding shared by most Western states. In the WSIS context, China is not expected to emphasise human rights in its interventions, and will be careful to counterbalance the notion with the concept of sovereignty. The government has been critical of the IGF, saying it has failed to act as an adequate governance model and

supports a 'multilateral, democratic and transparent' mode of internet governance. While recognising a role for companies and civil society, it argues this should not be at the expense of marginalising governments. Emphasis on the need for greater state control is fomented by China's definition of threats in cyberspace, which, similar to that of Russia, views uncontrolled information flows as potential liability for state and society. China is concerned with its international image, has an acute sense of the balance of power internationally, and will not want to be seen to be obstructing any emerging UN consensus or alienate the G77 bloc with whom it frequently allies.

INDIA

With growing global political weight and one of the biggest digital markets in the world, India, a leading developing country in the G77, is poised to play a critical role in the WSIS+10 Review. In line with its earlier positions on related issues, the priorities outlined by the Indian government for the Review so far prominently feature development and cybersecurity concerns. However, following a new-found alignment on internet-related policy issues across Ministries, earlier priorities regarding enhanced cooperation will now be balanced by active support for multistakeholder approaches to internet governance. For civil society advocates, the Indian government's recent embrace of multistakeholderism is of particular importance, as it provides a new opening for enhanced civil society engagement with the Ministry of External Affairs: the WSIS+10 Review can provide a first opportunity for the Ministry to prove that it is serious about this commitment. The practical impact of this shift in India's policy on the positions of the G77 and the negotiations more broadly may, however, remain limited.

INDONESIA

Indonesia has been involved in the WSIS since its inception. Today, the WSIS framework is used as a reference point in various national ICT-related policies. Based on the existing context, Indonesia is expected to support the extension of the WSIS mandate as an enabler for the post-2015 Development Agenda. In addition, Indonesia is continuing to strengthen the role of multistakeholder approaches nationally, including in the sphere of internet governance. The Ministry of Communications and Information Technology (MCIT), which is responsible for ICT-related policies in Indonesia, has been gradually evolving and embracing multistakeholder approaches in developing national policies and including civil society in the process.

IRAN

Iran has been fairly active in the WSIS Review process. Its primary policy priorities have included strong support for the development aspects of WSIS, and advocacy for state sovereignty approaches to global internet governance. The agenda is set by the government, with the ICT Ministry usually leading the way. There is evidence to suggest that the President also plays some role in determining the extent of Iran's engagement at global internet governance events, and the recently inked nuclear agreement may prompt increased engagement between Iran and the international community. Yet Iran's preference for intergovernmental formats over multistakeholder arrangements has generally left little room for civil society engagement. While there have been some recent indications that Iran may be showing signs of openness towards multistakeholder processes, Iran's approach to internet governance is likely to remain a predominantly government-led affair.

KENYA

Kenya is the leading African country in terms of ICT innovation, and it currently ranks as the country with the highest bandwidth per person on the continent, the fastest speeds, and some of the lowest internet costs. The government has put in place a number of policies to promote the use and development of ICTs, which it recognises as one of the key drivers of the economy. Although acknowledging the WSIS as an

important international framework to guide national efforts, the government has not been very active in the WSIS Review process so far. Kenya's position in the Review is expected to focus on maximising the ability of the framework to leverage ICTs for socio-economic development, while addressing new and emerging challenges. Kenya's position in the Review will be drafted in a coordinated fashion across government departments, with the Regulator spearheading the process. Regional alliances and Kenya's membership in the G77 are expected to play a role in its approach to the Review. Despite a constitutional requirement to consult stakeholders on issues related to public policy, at the moment, it is unclear to what extent the government plans to consult other stakeholders.

MEXICO

Over the last few years, Mexico has become increasingly active in international ICT-related policy debates and is expected to play an active role in the Review. At the national level, the government has made significant efforts to address the goals set out by WSIS, reflected in the country's National Digital Strategy and its Telecommunications Reform. Since 2013, Mexico has recognised access to the internet as a fundamental right, enshrined in its Constitution. The government has strong regional ties and is currently leading the efforts to implement the Action Plan for the Information Society in Latin America and the Caribbean (eLAC). In light of this, Mexico takes a local/regional approach to the WSIS Review, using it as encouragement to enact new national policies and work towards achieving the sustainable development goals in Mexico and Latin America. The government has expressed strong support for the multistakeholder approach to internet governance and has offered to host the IGF in 2016, provided its mandate is renewed.

NIGERIA

Having come to power in May 2015, it is still unclear what policy direction the new government of President Muhammadu Buhari will take in the WSIS Review and, more generally, on internet and digital rights issues. It remains to be seen whether the government will stay engaged in the WSIS, as did its predecessor, or if it will jettison previous commitments. Nearly three months into the new administration, no cabinet has been formed nor members named. With no political head overseeing the sector, as is the case with other areas of governance, policy decisions in the ICT sector appear to have been stalled. At the same, it is unlikely that there will be any major policy reversal in this area. Before Buhari's regime, Nigeria has always played a relatively active role in the WSIS process. For example, at the WSIS Geneva phase in 2003, Nigeria announced that "…we have adopted a national policy for Information and Communications Technologies … to ensure that our country is part of the evolving Information Society …". The previous government of President Jonathan had also been engaged on the issue, principally through the Ministry of Communication Technology established in July 2011 specifically to ensure a more intensive focus on the ICT sector in Nigeria and to coordinate government efforts in the administration of ICT throughout Nigeria. To that effect, the Minister chaired the 18th Session of the CSTD in 2015. During this time, It was not clear whether the government supported the IGF renewal, but it embraced the ICT sector as a key enabler of its development agenda and a catalyst for growing other sectors of the economy. As a result of the current policy vacuum, there may be an opportunity to inform and shape the government's position on internet governance, including its position on IGF renewal. Given Nigeria's clear leadership in West Africa and its standing on the continent, a positive attitude from Nigeria at this point could have a tremendous influence on the positions of many other African countries.

PAKISTAN

Pakistan has been a strong proponent of the WSIS and accords the highest priority to development - particularly focusing on the establishment of ICT infrastructure and applications for provision of quality services, equal access, education, employment opportunities and the empowerment of women. Pakistan was a key partner in energising the WSIS process from its beginning and for the establishment of the IGF

during 2005-2006. However, in the following years, Pakistani authorities could not keep the momentum and tap into the potential that the WSIS framework provided, with limited progress towards WSIS action lines being reported at the national level. In the Review, Pakistan is expected to follow the G77 line. Moreover, with the prevailing situation of insecurity, lack of law and order and energy crisis, WSIS is not likely to be high on the government's agenda, nationally or internationally. In light of this, it is unlikely that Pakistan will hold national consultations or include civil society in its national delegation.

RUSSIA

Russia supports the continuation of the WSIS beyond 2015, and has called for a new Summit to be held in 2020. Russia is an enthusiastic supporter of WSIS as a tool for development and supports linking the WSIS to the SDGs. However, Russia's approach to the Review is informed by a view of cyberspace that is significantly different to that of the U.S. and it allies. Its perspective is rooted in a concern with uncontrolled exchange of information in cyberspace, which it perceives as a threat to society, state and the principle of national sovereignty. This is fomented by its belief that the government needs to be able to exercise effective control within its borders, something that Russia sees as being threatened by the various complexities of the digital era. Russia has forged alliances based on these views with members of the Commonwealth of Independent States (CIS), the Collective Security Treaty Organization (CSTO), and the Shanghai Cooperation Organisation (SCO). It is also closely aligned with the G77. Russia will most likely try to leverage these alliances during the Review to propose the introduction of some form or 'code of conduct' between states pledging non-interference and a greater role for the UN (particularly the ITU) in WSIS beyond 2015. In terms of governance, it has voiced reservation about WSIS consensus-based decision-making and the reticence of the Review to address issues of the role the U.S. plays in internet governance. This is in keeping with Russia's long-standing opposition to U.S. dominance in internet governance and preference for a model predicated on respect for 'digital sovereignty' and 'national internet segments'. Russian diplomacy has consistently sought to strengthen state control over the internet and is likely to push this view during the Review. Russian civil society has been poorly represented during the WSIS Review, with meetings scantily publicised, and with no formal opportunity to join the national delegation.

SOUTH AFRICA

South Africa does not yet have a consolidated public position on the WSIS Review process, but its views can be inferred from a range of national sources,[1] as well as interventions made by the government in international fora. The Department of Telecommunications and Postal Services (DTPS) commissioned a WSIS follow-up and implementation progress report earlier in 2015. The report was developed by the South African Communications Forum (SACF), an industry body. To our knowledge, and to the knowledge of the SACF, it is not yet publicly available. The country's position will likely be closely aligned with that of the Group of 77 (G77), on whose behalf the government spoke in the WSIS preparatory meeting held in New York on July 1 2015 at the United Nations. Although invested in promoting a development-oriented agenda within the WSIS framework, the government is not likely to secede its interest in seeing progress on issues related to internet governance, and enhanced cooperation in particular. South Africa's position on IGF renewal will likely be used as a bargaining chip to secure gains in the broader governance debate. There are no obvious avenues for civil society engagement in the WSIS process at this time but there is a civil society driven initiative to convene a local Internet Governance Forum on 11 September to which the DTPS has been invited.

SWEDEN

Sweden has been one of the leading European voices in internet-related public policy discussions in recent years. Its role in the WSIS Review builds on the government's engagement in other fora, including the UN Human Rights Council, CSTD, and the ITU.

Sweden sees the WSIS framework as a relevant international mechanism to promote ICTs for development that should be continued post 2015 and explicitly linked with the post-2015 development agenda. Once at the negotiation table, the government will likely hold up human rights-based development-related issues as their priority, and attempt to ward off discussions that may politicise the process such as those on internet governance and enhanced cooperation. Sweden will continue to support arguments in favour of bolstering the multistakeholder approach to governance originally espoused by the process as well as the renewal of the IGF. This position is in part driven by Sweden's domestic priorities linking ICTs and development, as well as their overall foreign policy objectives, which have human rights as a central pillar. In addition, the new government, which assumed office in fall 2014, has a strong gender focus. Throughout the Review, the government is expected to continue to work closely with its European allies, as well as the U.S. and Canada. Internally, Sweden's negotiating position in the Review is coordinated between several ministries, and the government is open to informal engagement with civil society actors to help inform their position.

UNITED KINGDOM

The UK has been one of the leading European voices in the WSIS, and will continue to play an active role in the Review, including as the coordinator for the EU position in negotiations. The Government's official position focuses on development concerns within the framework, as well as IGF renewal and the promotion of multistakeholder governance processes. The UK will also support human rights and pro-democracy language, along with its European allies. UK policy position text is drafted from the capital with coordinated input from various ministries, as well as civil society and other stakeholders.

UNITED STATES

The home of the world's largest ICT companies, and the country behind the invention of the internet, the U.S. is a key actor in the global ICT landscape, and, consequently, a key player in the WSIS Review. Its role and status in the overall ecosystem – real or perceived – has been a driving force behind much of the global internet governance discussions since the Summit, and will continue to shape the positions of various players in the Review. The U.S. itself supports the continuation of the WSIS in its current format and its ongoing efforts towards achieving the WSIS vision. It sees the current framework as sufficiently broad and the existing action lines to be suitable to address ongoing challenges in achieving development goals by leveraging ICTs. In line with this, the U.S. will focus on reaffirming the existing framework and the principles that underpin it, rather than renegotiating or changing them. The government is expected to put emphasis on the development aspects of the framework, as well as the benefits of the multistakeholder approach and the value of the IGF in achieving the WSIS targets and contributing to the development agenda more broadly. Drawing on its internet freedom agenda, the government is expected to note the importance of promoting and protecting human rights online – including freedom of expression, freedom of assembly, and privacy – in achieving the WSIS vision. In terms of governance, the U.S. is expected to oppose attempts to establish new governmental or intergovernmental action that may lead to exclusion of non-governmental stakeholders. Closest to its position in the Review will be OECD member states and members of the European Union, with whom the U.S. shares strong historical, political, and economic ties.

01

BRAZIL

BY JOANA VARON
CODING RIGHTS

As an emerging economy and an important player in the global internet governance debate, Brazil could play a critical role in negotiations. The government's official position supports the reinforcement of development concerns within the WSIS framework, as well as IGF renewal. However, Brazil is expected to enter negotiations emphasising the need for the Review to also address unresolved issues around internet governance and enhanced cooperation. Like other emerging economies and developing countries, Brazil is critical of Western dominance over the internet's technical infrastructure and its perceived hegemony in internet governance, and will likely favour solutions that enable a shift from the current asymmetrical power structure towards decision-making processes that allow for multilateral and multistakeholder solutions alike. The government is also supportive of a public policy agenda that preserves human rights, openness and innovation. The local mission currently drives the policy in New York, with instructions from the capital. Historically, the Ministry of External Relations has been receptive to the views of civil society, and as this year's IGF host, it is unlikely to relinquish its support for multistakeholder approaches to internet governance.

POSITION ON KEY ISSUES

Development

At the first meeting of the preparatory process for the WSIS High Level Meeting at the UN General Assembly (UNGA), held on July 1st in New York, the Brazilian representative stressed that the WSIS framework going forward should strongly reflect developmental concerns.[1] In his statement, he emphasised that ICTs need to be at the service of economic and social development and that the UN should have a say in this matter. He went on to stress the importance of a system-wide approach to ICT4D and the need to link the WSIS agenda with other ongoing processes at the UN, including the post-2015 Sustainable Development Agenda and the agenda for financing for development. In case a strong enough connection between ICTs and sustainable development does not get included in the outcomes of the upcoming SDG summit, Brazil suggested a statement to that effect be made in the WSIS outcomes.

Human Rights

In recent years, Brazil has taken the lead in several UN fora, including the ITU, UNESCO, UNGA and the Human Rights Council, in addressing concerns about protecting the right to privacy in the digital age – aligning itself with Germany, and in opposition to the U.S. and other "five eyes"[2] countries. In October 2014, Ambassador Patriota made a statement at the UNGA Second Committee in which he highlighted the "special responsibility of public policies in upholding the security, transparency and accountability of the Internet, as well as the promotion

1. http://tinyurl.com/ozawj9y; Brazil statement at 02:16:45

2. Australia, Canada, New Zealand, the United Kingdom, and the United States.

3. https://papersmart.unmeetings.org/media2/4654196/brazil-r1.pdf

and protection of all fundamental human rights, including the right to privacy."[3]

However, despite the latest achievements in this issue area, such as the setting up of the Special Rapporteur on Privacy, the weakening of President Rousseff's administration at the national level and the continuing economic crisis make it increasingly unlikely this trajectory in Brazil's foreign policy will continue. At the moment it is not expected that these issues will feature prominently on the government's agenda during the WSIS Review.

Internet Governance

Brazil has been an active participant in international internet governance debates since the WSIS in 2003. During the WSIS, Brazil identified states as the only legitimate authority to govern the internet and demanded full participation of developing countries in internet governance bodies and processes.[4] Their arguments for a stronger role for the state at the international level via multilateral mechanisms have since been complemented by an adherence to a multistakeholder approach to internet governance, which the government sees as mutually supportive.[5] To a large extent, this position has been informed by the experience with the multistakeholder approach at the national level, embedded in the form of the Brazilian Internet Steering Committee (CGI.br).[6] Internationally, Brazil has been one of the countries most committed to the IGF process (the only country to have hosted the Forum twice) and is expected to support the mandate renewal during the WSIS Review.

Brazil and its commitment to advancing the global internet governance agenda have garnered significant global attention in 2014, when the government, fuelled by the 2013 Snowden revelations, decided to host the Global Multistakeholder Meeting on the Future of Internet Governance – NETmundial.[7] Since then, the government has been actively promoting the NETmundial outcomes and continues to be engaged in its follow-up NETmundial Initiative (NMI). The recently approved NMI Terms of Reference[8] state the NMI's mission as "to provide a platform that helps catalyse practical cooperation between all stakeholders in order to address Internet issues and advance the implementation of the NETmundial Principles and Roadmap." Brazil's engagement in these initiatives can be interpreted as an effort to promote and showcase practical solutions to WSIS-related issues that go beyond existing input mechanisms (e.g. CSTD or UNESCO reports), much like its national example of CGI.br.

Finding a way for the NMI and the IGF to jointly contribute towards an equitable global multistakeholder internet governance ecosystem remains a key priority for Brazil, alongside finding measures to ensure that the existing multilateral mechanisms can interact constructively with the multistakeholder parts of the system, as stated in the opening speech of President Rousseff at NETmundial.[9]

However, although supportive of progress made in terms of multistakeholder approaches to governance, Brazil has expressed disappointment in terms of progress towards enhanced cooperation, which the government continues to see as critical in promoting a more equitable power balance in the internet governance ecosystem. In its submission to the consultation process of the CSTD Working Group on Enhanced Cooperation, it pointed to the fact that "the process of 'enhanced cooperation', as envisaged in the Tunis Agenda, has not yet been implemented."[10] Consistent with its view that multilateral and multistakeholder governance approaches can co-exist, Brazil further noted that "the significance, purpose and scope of enhanced cooperation cannot be taken out of the larger context provided by the Tunis Agenda" and that it "should evolve taking into account the multistakeholder dimension".[11] Although the government hasn't been explicit about the shape of implementation of enhanced cooperation in the WSIS framework beyond 2015, it will likely support proposals to set up a new intergovernmental mechanism to "enable governments, on an equal footing, to

4. Bhuiyan, A. (2014) Internet Governance and the Global South; (p. 52-53)

5. http://tinyurl.com/ozawj9y; Brazil statement at 02:16:45

6. CGI.br is the Brazilian Internet Steering Committee, recognised worldwide as an experience of multistakeholder dialogue for internet policies. http://www.cgi.br/about/

7. http://netmundial.br/wp-content/uploads/2014/04/NETmundial-Multistakeholder-Document.pdf

8. https://www.netmundial.org/terms-reference

9. http://netmundial.br/wp-content/uploads/2014/04/NETMundial-23April2014-Dilma-Rousseff-Opening-Speech-en.pdf

10. http://unctad.org/Sections/un_cstd/docs/WGEC_Brazil_Gov1.pdf

11. Ibid.

carry out their roles and responsibilities, in international public policy issues pertaining to the internet", as proposed in the recent submission to the WSIS non-paper submitted by the G77 and China.[12]

Finally, it is a key priority for Brazil in terms of internet governance to ensure that the IANA transition[13] takes place in time. These concerns and priorities have been recently stated at ICANN's Governamental Advisory Committee (GAC) sessions,[14] as well as at the recent inaugural council meeting of the NMI.[15]

Review Modalities
Brazil sees the Review as a multilateral process that needs to take into account the views of other stakeholders.[16] The government sees this consistent with its efforts to promote open, transparent and inclusive decision-making processes when it comes to internet-related public policy issues, nationally and internationally, as enshrined in the NETmundial outcome document.[17]

ACTORS

The Brazilian Mission to the UN in New York works in coordination with the Division of Information Society (DSI), Ministry of External Relations in Brasilia (the capital). While the mission in NY seams very involved in the SDGs, and the DSI has been in charge of all the debates regarding internet governance in multiple fora, they should integrate views to formulate all policy positions on the WSIS Review process.

MOTIVATIONS

Brazil's objectives and priorities in the Review are driven by, on the one hand, the government's continuing aspirations for global leadership in the field, and, on the other, the weakening of President Dilma Rousseff's administration and the ongoing economic crisis at the national level.

The weakening of Rousseff's political power at the national level stems from corruption scandals surrounding her campaign for the second term elections, economic recession and fiscal adjustments – further weakened by a complete lack of Congressional support. Currently, Rousseff's hold on power is threatened by the largely Conservative configuration of the new legislature since the beginning of 2015, which is alleged to have bypassed internal democratic procedures to approve conservative measures, in direct opposition to the priorities of the executive. This national landscape has led Rousseff to secure the second lowest level of public support in the history of Brazilian democracy (just 9%), according to Ibope,[18] as well as protests requesting her impeachment.

The president's weak political position domestically is further undermined by the economic crisis affecting the country, making it harder for Brazil to take positions that go against the interest of the U.S. and its allies, particularly in discussions on privacy and surveillance. Indeed, instead, Rousseff has recently undertaken an official visit to the U.S. (the last one had been cancelled right after Snowden revelations), seeking foreign investment and technological transfer. The visit also included meetings in the Silicon Valley, which included gatherings with Google's CEO, Eric Schmidt. Therefore, unless new events change this scenario, it is unlikely that Brazil remains a privacy champion in the international arena. In fact, very recently, in the beginning of July, Wikileaks has revealed from the Snowden files that the NSA had intercepted phones from at least 10 public servants of ministerial level from the Brazilian administration,[19] but, unlike the previous reaction in 2013, the president has asserted "this kind of surveillance as something from the past".[20] This episode clearly demonstrates a shift in the country position towards something more like an alliance or at least a more soft position towards the U.S.

12. http://workspace.unpan.org/sites/Internet/Documents/UNPAN95036.pdf

13. http://netchoice.org/wp-content/uploads/INTA-Slides.pdf

14. https://gacweb.icann.org/display/gacweb/IANA+Timeline+for+the+GAC

15. https://www.netmundial.org/blog/secretariat/s%C3%A3o-paulo-communiqu%C3%A9-inaugural-council-meeting

16. http://tinyurl.com/ozawj9y; Brazil statement at 02:16:45

17. http://netmundial.br/wp-content/uploads/2014/04/NETmundial-Multistakeholder-Document.pdf

18. http://g1.globo.com/politica/noticia/2015/07/governo-dilma-tem-aprovacao-de-9-aponta-pesquisa-ibope.html

19. https://wikileaks.org/nsa-brazil/selectors.html

20. https://antivigilancia.org/pt/2015/07/novas-revelacoes-do-wikileaks-sobre-vigilancia-no-brasil-dilma-disse-que-nao-tem/

In spite of this, Brazil is expected to remain active in the Review, particularly on questions of internet governance. Brazil's active role in this debate reflects the country's ambition to assert itself as a leader among developing nations at the international stage, and its continuing aspirations for global leadership in the field of internet policy and governance.

As mentioned above, Brazil is supportive of both multistakeholder and mulitalteral approaches and sees them as complementary. This position is driven in part by the effort to capitalise on the political investments made via the government's recent forays at the international level, including the NETmundial Conference, its follow-up NETmundial Initiative, and the global IGF. The implementation of multistakeholderism at the national level reinforces this position.

At the same time, Brazil is expected to argue for improvements to existing multilateral frameworks through the debate on enhanced cooperation. During the WSIS in 2003 and 2005, Brazil's position was informed by concerns about the dominance of developed countries in the ecosystem, especially the U.S.' role in ICANN and a desire to reform the ecosystem in a way that would allow all countries to participate in decision-making on an equal footing. The argument, shared by many developing countries during the WSIS, assumed that more equitable participation in decision-making, embedded firmly in the multilateral framework of the UN, would consequently lead to a more equitable distribution of benefits from ICTs worldwide.[21]

This support for multilateralism, however, has to be understood in the context of a broader geopolitical struggle of emerging economies to shift the global balance of power in their favour.

OPPORTUNITIES FOR CIVIL SOCIETY ENGAGEMENT
While there is no official process for consultation regarding the Brazilian position on the next steps for the WSIS review, the Brazilian government is open for multistakeholder dialogues in the process towards the December meeting.

In the past, Brazil has used the opportunity presented by gatherings of civil society at internet governance meetings to seek non-governmental input. Recently, it has encouraged national, regional and international IGFs as places to foster the broadest possible participation in the WSIS Review. As the host of the upcoming global IGF in Joao Pessoa in November, where WSIS promises to be a significant track in discussions, Brazil is expected to encourage open exchange with all stakeholders.

21. Bhuiyan, A. (2014) Internet Governance and the Global South; (p. 52-53)

02

CHILE

BY JUAN CARLOS LARA
DERECHOS DIGITALES

The Chilean government's position on the WSIS Review has not yet been made explicit, and it is currently unlikely that the country takes on a leadership role in the process. Once at the negotiation table, the government will probably prioritise development-related issues and support arguments in favour of the renewal of the IGF. These priorities are in part driven by national efforts in building connectivity and access, as well as strong national principles surrounding net neutrality. Internationally, Chile has strong regional ties with other Latin American countries. Chile's negotiating position in the Review will be in the hands of the Ministry of Transport and Telecommunications. The current lack of a well-defined policy position could be an opportunity for public interest advocates to shape the country's agenda

POSITION ON KEY ISSUES

Development
The government is expected to support arguments in favour of the continuation of the WSIS beyond 2015 with a strong emphasis on development and the need to link the WSIS with the SDGs. As recently highlighted by the Minister of Transport and Telecommunications, Mr Andrés Gómez–Lobo, there is "strong commitment" to WSIS goals and "market friendly" measures to increase ISP participation and, consequently, internet connectivity.[1] This position is in part driven by the view that there is a continued need for an international framework to support existing national efforts in building connectivity and infrastructure, including efforts to increase access to the internet at the national level (especially in remote areas), efforts to increase the use of ICTs by the government and by the public in their interaction with government,[2] and initiatives to maintain national jurisdiction over physical links to the internet.[3] Furthermore, Chile's position in the Review may draw upon the successful national experience of promoting net neutrality principles, which were enacted as obligations in national law in May 2010.[4]

Human Rights
The position of the Chilean government on human rights in the WSIS framework has not been made explicit.[5] However, within the broader internet governance context, Chile has expressed its strong support for human rights. For instance, it has supported the 2014 Human Rights Council Resolution 26/13 on the promotion, protection and enjoyment of human rights which affirms "that the same rights that people have offline must also be protected online, in particular freedom of expression, which is applicable regardless of frontiers and through any media of one's choice."[6] In addition, at the NETmundial Conference in April 2014, the Chilean representative stated:

1. http://www.itu.int/en/itu-wsis/ SiteAssets/hls/statements/4/H.%20E._Mr_ Andr%C3%A9s_G%C3%B3mez-Lobo.pdf

2. http://www.modernizacion.gob.cl/es/ejes-estrategicos/modernizacion/

3. http://www.subtel.gob.cl/diatelco/wp-content/uploads/2015/05/ppt_subse_ huichalaf.pptx

4. https://openmedia.ca/plan/international-comparisons/chile

5. https://www.derechosdigitales.org/wp-content/uploads/PP06.pdf

6. http://daccess-dds-ny.un.org/doc/ UNDOC/LTD/G14/059/67/PDF/G1405967. pdf?OpenElement

"Chile has developed an active policy to promote human rights especially in the past thirty years. Nowadays, such policy is present in different communication spaces and places, such as the case of the internet. Therefore, our country seeks to ensure that human rights will be protected and guaranteed in the global network."[7]

It is unclear how this will translate into Chile's position at the WSIS Review.

Internet Governance

When it comes to issues related to internet governance, Chile has been an active participant in recent years in global and regional internet governance forums (IGF, NETmundial), but its engagement has remained relatively low-key and its positions have not always been made explicit.[8] On the other hand, Chile's commitment on the necessity to move forward in the implementation of e-Government seems clear, both abroad and internally.[9] [10] [11] Regional coordination[12] and the impulse of regional consensus on matters of internet governance and regional network integration have also been supported.[13] Whether these statements are only a declaration of good intentions or a real commitment, is yet to be seen.

In some of these debates, Chile has been supportive of multistakeholder approaches, as well as IGF renewal, and has generally been receptive to such arguments.[14] Although the government's position on governance issues within the Review has not been made explicit, a radical departure from this position is unlikely to take place.

ACTORS

The main actors in the Chilean government who usually participate in internet governance forums are the Minister of Transport and Telecommunications, Mr Andrés Gómez–Lobo, and the Under-Secretary of Telecommunications, Mr Pedro Huichalaf. In the most recent WSIS-related international meetings they have been the lead representatives for Chile, with the Minister attending the WSIS Forum in May 2015, three members of Congress attending the Forum in 2011, and a delegate of the Under-Secretariat of Telecommunications attending in 2013.[15]

During the WSIS in 2005, Chile was represented by the Ministry of Economy, which makes them the most likely candidates to be in charge of developing Chile's position in the WSIS Review.

National policy decisions regarding matters related to internet connectivity (and to a minor extent, internet governance) have been placed in several bodies including the now defunct Executive Secretariat of Digital Development, and, currently, the Private-Public Council of Digital Development, chaired by the Under-Secretary of Economy, Mrs Katia Trusich, which has the task of delivering the new digital agenda. The role these bodies will play in developing Chile's position on WSIS is not clear, but the discussion surrounding the long-postponed digital development agenda has been the only instance in which issues regarding internet governance have been mentioned publicly. Therefore, it is likely that some of them will play a role in developing Chile's position at the WSIS Review. It is worth mentioning that the inability to generate a national digital development agenda explains, in part, the difficulties Chile has faced when participating in international forums on the subject.

MOTIVATIONS

In addition to the rationale behind particular issues on the agenda outlined above, it is important to note that the lack of stronger participation or more clearly defined positions in internet governance partly find their cause in the lack of continuity of successive governments in implementing digital development policies. Several attempts at "digital strategies" have been carried out by each

7. http://www.subtel.gob.cl/declaracion-del-sr-pero-huichalaf-subsecretario-de-telecomunicaciones-de-chile/

8. https://www.derechosdigitales.org/wp-content/uploads/PP06.pdf

9. http://www.cepal.org/socinfo/noticias/documentosdetrabajo/5/49565/Declaracion_de _Montevideo.pdf

10. http://www.modernizacion.gob.cl/es/noticias/ministra-rincon-presenta-12-compromisos-en-transparencia-participacion-ciudadana-y-modernizacion-del-estado/

11. http://www.opengovpartnership.org/

12. http://www.cepal.org/socinfo/noticias/documentosdetrabajo/5/41775/2010-820-eLAC-Plan_of_Action.pdf

13. http://www.subtel.gob.cl/declaracion-del-sr-pero-huichalaf-subsecretario-de-telecomunicaciones-de-chile/

14. https://www.derechosdigitales.org/wp-content/uploads/PP05.pdf

15. https://www.derechosdigitales.org/wp-content/uploads/PP05.pdf

government in the last decade, without consistent implementation of institutional policy decisions regarding internet governance or the WSIS outcomes. This may be explained, in part, because the common thread in all the "digital strategies" projects has been connectivity, E-Government and infrastructure, rather than internet governance seen as a more holistic concept.

In terms of external factors, Chilean governments have carried out a policy of openness and collaboration with regional and global alliances, including the Pacific Alliance (Colombia, Peru, Mexico and Chile), and the OECD, along with negotiations of Transpacific Partnership with Pacific Countries from the Americas, Asia and Oceania. This ties into Chile's recent history of maintaining economic freedom and trade alliances with the broadest possible number of partners. Most of these agreements are trade-related, and don't reflect a regional alliance on WSIS/ internet issues. Nonetheless, Chile's position in the TPP negotiations related to the notice-and-takedown mechanism and ISP liability are quite revealing on Chile's stand on those subjects.[16] It also seems Chile has played a unifying role, which has allowed the formation of a sort of common front for developing countries, challenging the provisions proposed by developed countries in matters related with copyright and industrial property.[17] This common front on IP related issues may not replicate itself at the WSIS or other internet forums.

OPPORTUNITIES FOR CIVIL SOCIETY ENGAGEMENT

The government is open to civil society participation, however the channels of engagement are unclear: the Under-Secretariat of Telecommunications' Civil Society Council meets regularly with several members from civil society and consumers' rights organisations, but matters of internet governance are not part of their discussions.[18] However, the Under-Secretariat of Telecommunications is usually regarded as open to civil society input in matters of their interest, and the current Under-Secretary has long-standing personal links with local civil society groups.

There have been no announcements of plans to hold national consultations regarding the WSIS process, and none is currently underway.[19] In preparation for previous processes or meetings related to internet governance in general, the Chilean government has not carried out national consultations. There have been no public announcements regarding the possibility to join the national delegation on WSIS meetings.

16. https://www.eff.org/deeplinks/2015/07/ new-leaked-tpp-chapter-reveals-countries- converging-anti-user-copyright

17. http://www.ip-watch.org/2015/04/23/ divide-and-conquer-the-new-us-strategy-to- disentangle-the-tpp-negotiations/

18. http://www.subtel.gob.cl/participacion- ciudadana/consejos-de-la-sociedad-civil/ actas-sesiones-ampliacion-consejo/

19. http://www.subtel.gob.cl/participacion- ciudadana/consultas-ciudadanas/

03

CHINA

BY ANDREW PUDDEPHATT AND LEA KASPAR
GLOBAL PARTNERS DIGITAL

China has been actively involved in the WSIS process from its outset. Its real concern is achieving state authority over the technical infrastructure of the internet to meet its own concerns with cybersecurity and 'cyber sovereignty'. It lays emphasis on development issues and the digital divide and has an increasing commercial interest in the export of digital technologies. China's view on human rights differs significantly from the understanding shared by most Western states. In the WSIS context, China is not expected to emphasise human rights in its interventions, and will be careful to counterbalance the notion with the concept of sovereignty. The government has been critical of the IGF, saying it has failed to act as an adequate governance model and supports a 'multilateral, democratic and transparent' mode of internet governance. While recognising a role for companies and civil society, it argues this should not be at the expense of marginalising governments. Emphasis on the need for greater state control is fomented by China's definition of threats in cyberspace, which, similar to that of Russia, views uncontrolled information flows as potential liability for state and society. China is concerned with its international image, has an acute sense of the balance of power internationally, and will not want to be seen to be obstructing any emerging UN consensus or alienate the G77 bloc with whom it frequently allies.

POSITION ON KEY ISSUES

Development

In the first phase of the WSIS, similar to other global South countries, China placed a strong emphasis on development and the need to bridge the digital divide, identifying it as the principle obstacle to building inclusive information societies.[1] It identified the absence of information infrastructure and skilled human resources as important causes of the digital divide, and reiterated the key role of governments in devising measures to deal with these causes.[2] While it didn't fail to mention that developed countries are "duty-bound to support developing countries [...] in terms of finance, technology and human resources", it also emphasised the importance of respecting "the right of all countries to choosing their own social systems and development paths".[3]

A similar approach by China can be expected in the upcoming Review. At the WSIS+10 High-Level Event hosted by the ITU in June 2014, China's high-level statement emphasised the importance of "information infrastructure… [to] encourage innovation [to] narrow the digital divide… providing practical assistance to developing countries while respecting differences of all.[4] [5] China's recent submission to the WSIS Review non-paper illustrates a continued focus on bridging the digital divide in the interest of promoting socio-economic development through science and technology via the WSIS.[6]

1. http://www.icvolunteers.org/files/wsis_past2future_ebook1.pdf
2. https://www.itu.int/wsis/tunis/statements/docs/g-china/1.html
3. Ibid.
4. Author's emphasis
5. http://www.itu.int/wsis/implementation/2014/forum/dam/policy-statements.html
6. http://workspace.unpan.org/sites/Internet/Documents/China.docx.pdf

Human Rights

Traditionally, China's approach to human rights within the international system has been "low-key, watchful and above all defensive".[7] This approach has been informed by the view that the enjoyment and implementation of rights should depend on a country's national conditions, rather than a set of prescribed universal principles.[8]

Accordingly, China's policy in the WSIS has been either to eschew the issue completely or sideline the focus on civil and political rights within the framework in favour of focusing on socio-economic rights. In the first phase of the WSIS in 2003, the Chinese Minister Wang Xudong noted: "While freedom of speech should be guaranteed and human dignity and rights safeguarded by law and system, social responsibilities and obligations should also be advocated."[9] In 2005 in Tunis, the Chinese vice premier Huang Ju went on to tell delegates that some online restrictions were needed to protect states, although China wanted to "guarantee freedom of speech".[10]

According to one commentator, China saw the WSIS negotiations in 2003 and 2005 as an opportunity to weaken the principles that are enshrined in the Universal Declaration of Human Rights.[11] Their efforts to downplay freedom of expression within the WSIS framework were eventually manifested in the WSIS Declaration, which noted a need to respect "cultures" and the need to uphold "morality, public order and the general welfare". This language has been interpreted as a loophole that legitimises censorship.[12]

Ten years later, in its submission to the WSIS non-paper,[13] China continues to posit the concept of human rights against the notions of "political independence, territorial integrity and sovereign equality of states, [and] non-interference in internal affairs of other states". Similar to many G77 countries, China's recent emphasis on cybersecurity, the threat of terrorism and crime predominates over any human rights concerns.[14]

This cyber-nationalist approach[15] is consistent with China's domestic efforts to exercise effective control over means of communication within its borders and concerns with social stability and national security. Recently, China's legislature adopted a sweeping national security law that includes measures to tighten cybersecurity, and a core component of the law, passed by the standing committee of the National People's Congress (NPC), is to make all key network infrastructure and information systems "secure and controllable".[16] The growing securitisation of the sector and consequent attempts by the government to tighten its control over cyberspace have been linked by international human rights groups with restrictions on free flow of information.[17] In a recent report, Human Rights Watch has called China the "world leader" in internet censorship.[18]

Overall, rather than a stand-alone priority, human rights are regarded as an issue to be managed in China's pursuit of its 'core interests' which include ensuring favourable conditions for its economic growth, preservation of its political system and social stability, and defence of its territorial integrity.[19]

Internet Governance

Three themes mark China's approach to internet governance – the ability of states to exercise effective control over modes of communications at the national level, primacy of government actors over other stakeholders in international policy making, and the effort to check U.S. dominance in global internet governance. With the latter arguably being addressed through the ICANN's IANA transition process, the former two will likely continue as key motifs for China in the upcoming Review.

At the informal meeting on July 1st 2015, part of the intergovernmental preparatory process for the UNGA's WSIS review, the Chinese representative

7. http://www.chathamhouse.org/sites/files/chathamhouse/public/Research/International%20Law/r1012_sceatsbreslin.pdf

8. http://news.xinhuanet.com/english/2005-12/12/content_3908887.htm

9. http://www.itu.int/wsis/geneva/coverage/statements/china/cn.html

10. http://news.bbc.co.uk/1/hi/technology/4450474.stm

11. http://www.cukier.com/writings/cukier-WSISWARS-30may05.html

12. Ibid.

13. http://workspace.unpan.org/sites/Internet/Documents/China.docx.pdf

14. http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2532336

15. http://access.opennet.net/wp-content/uploads/2011/12/accesscontested-chapter-09.pdf

16. http://www.reuters.com/article/2015/07/01/us-china-security-idUSKCN0PB39H20150701?feedType=RSS&feedName=technologyNews

17. http://www.cfr.org/china/media-censorship-china/p11515

18. https://www.hrw.org/news/2011/06/03/china-world-leader-internet-censorship

19. http://www.chathamhouse.org/sites/files/chathamhouse/public/Research/International%20Law/r1012_sceatsbreslin.pdf (Pg. 1)

repeated a consistent set of themes – supporting development and breaking down of the digital divide, associating itself with the G77 statement, but also noting the slow progress in internet governance and calling for "equitable and reasonable" governance that is "multilateral, democratic and transparent". While accepting the role of companies and civil society, governance frameworks should not be "lopsided", marginalising governments. The representative went on to say that the need for cybersecurity made urgent the international regulation of the internet.[20]

While China hasn't put forward concrete suggestions on how to tackle the perceived governance challenge in WSIS beyond 2015, we can expect its support for multilateral solutions within the UN framework, with limited room for non-state actors. As noted in China's submission to the WSIS non-paper, "it is necessary to ensure that United Nations plays a facilitating role in setting up international public policies pertaining to the internet".[21]

The government has been critical of the IGF and during the 2009 mandate renewal discussions has made efforts to transform it into a more intergovernmental body.[22] In its recent interventions, China has aligned itself with the G77 position in supporting IGF mandate renewal, subject to a review of its role, work, and governing structure.[23]

ACTORS

Politically, the dominant and only significant force in China is the Chinese Communist Party (CPC), which retains a monopoly over political representation (though institutions like the Peoples Liberation Army PLA will speak out on cybersecurity issues). In recent years, CPC control has allowed a degree of economic liberalism as the government has sought to maintain high levels of economic growth. This allows a degree of policy input from non-state actors such as companies, universities and apolitical social groups. This extends to the Chinese government's treatment of its internet sector, with Rebecca MacKinnon referring to this as "networked authoritarianism" and Jiang Min referring to it as "authoritarian informationalism".[24]

Domestically, the government has moved from seeing the internet as a communication tool to a driver of economic development, raising questions of national security, governance, and social management. To coordinate all policy, the Internet Security and Informatisation Leading Small Group (ISILSG) was established in February 2014, headed by General Secretary Xi Jinping himself with deputies Premier Li Keqiang and Politburo Standing Committee member Liu Yunshan. Its goal is to build China into a 'cyber-power'.[25] In his speech at the establishment of the Group, Xi Jinping called for China to move from being a "large internet country" to a "strong internet country", a statement that was seen by observers to signal a shift to stronger domestic control over the internet and to promote the case for national 'cyber sovereignty' internationally.[26]

Chinese private sector companies and civil society have been involved in the WSIS process, though less obviously than the government. Only one Chinese corporation, Huawei, attended the Geneva summit, while this increased to four at the Tunis WSIS, with substantial participation from Huawei and ZTE. These two Chinese telecommunications equipment producers were major sponsors for the Tunis WSIS, and ZTE was fully involved in policy debates.[27] The Internet Society of China has been the main civil society participant in IG discussions, particularly in the policy debates at WGIG. But it supported the Chinese government's position and argued that governments should play the primary role in setting internet technical standards, giving credence to the view that non state actors would only be allowed to promote the official view in relevant meetings.[28]

20. http://webtv.un.org/search/informal-meetings-of-the-plenary-as-part-of-the-intergovernmental-preparatory-process-for-the-overall-review-of-the-implementation-of-the-outcomes-of-the-world-summit-on-the-information-society-general-assembly/4333148552001?term=world%20summit%20on%20the%20information%20society; China statement at 1:08:30

21. http://workspace.unpan.org/sites/Internet/Documents/China.docx.pdf

22. http://access.opennet.net/wp-content/uploads/2011/12/accesscontested-chapter-09.pdf

23. http://workspace.unpan.org/sites/Internet/Documents/UNPAN95036.pdf

24. http://rconversation.blogs.com/rconversation/2010/06/chinas-internet-white-paper-networked-authoritarianism.html

25. https://www.aspi.org.au/publications/chinas-cyberpower-international-and-domestic-priorities/SR74_China_cyberpower.pdf

26. http://www.ecfr.eu/page/-/CA_1507_Governing_the_Web.pdf

27. http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2532336

28. Ibid.

MOTIVATIONS

China's policy goals are determined by the CPC. The ideas behind the term 'Chinese Dream' are the most prominent manifestation of China's great power ambitions expressed as a leadership slogan. At the launch of the ISILSG (see above), Xi Jinping declared that building cyber power is a key part of China's 'Chinese Dream' goals.

More specifically, the CPC internet policy has four main goals which drive the positions outlined above:

- Maintaining social stability and the control of public opinion domestically;
- Focusing on China's economic growth and innovation;
- Developing a proactive international strategy aimed at achieving 'cyber sovereignty' while calling for greater international cooperation;
- Using the internet to promote China's broader great power ambitions.[29]

Internationally, it is important to contextualise China's position in the WSIS Review within a broader landscape of power politics. Overall, Chinese policy globally is concerned with challenging perceived U.S. hegemony over the technical infrastructure through ICANN (one element of its general competition with the U.S.). Consequently, the main focus for Beijing has been on ICANN rather than WSIS/IGF with Chinese attempts to institute a broader inter-state role for technical governance.

Furthermore, over the past decade, based on a similar view of internet governance and cybersecurity in which uncontrolled information flows present a threat for state and society, China has forged a strong alliance with Russia through the Shanghai Cooperation Organisation and a number of bilateral agreements.[30] Their joint efforts to shape the international debate on norms in cyberspace, and develop an international code of conduct for information security will likely find their way into this year's WSIS negotiations.

Lastly, there is a strong desire to preserve China's image and enhance global power, including soft power in the international arena. This, for example, makes it reluctant to oppose any emerging UN consensus or position of the G77 bloc, which it sees as an important ally to be cultivated. China has a sophisticated recognition of the actual distribution of power across the world – who is strong and who is weak. It will avoid being exposed or putting forward a position that can be overturned.[31]

OPPORTUNITIES FOR CIVIL SOCIETY ENGAGEMENT

Chinese companies and Chinese civil society are present in internet governance policy forums but are there to promote the official policy line. The exception appears to be the management of purely technical resources where Chinese scientists have driven the policy approach. Within the WSIS process, however, official interests and government policy objectives will predominate.

There will be little or no opportunity for international civil society to impact directly upon Chinese positions. But there is recognition of the damage to China's soft power that would arise from being at odds with a widely supported UN initiative, as well as acceptance that the Chinese government lacks the power necessary to force reform on the wider international community. China seeks to identify with the G77 bloc and developing powers, so civil society advocacy aimed at strengthening these countries' support for progressive goals may, indirectly, influence China.

29. https://www.aspi.org.au/publications/chinas-cyberpower-international-and-domestic-priorities/SR74_China_cyberpower.pdf

30. http://blogs.cfr.org/cyber/2015/08/20/the-next-level-for-russia-china-cyberspace-cooperation/

31. [31] http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2532336

04

INDIA

BY DR ANJA KOVACS
INTERNET DEMOCRACY PROJECT

With growing global political weight and one of the biggest digital markets in the world, India, a leading developing country in the G77, is poised to play a critical role in the WSIS+10 Review. In line with its earlier positions on related issues, the priorities outlined by the Indian government for the Review so far prominently feature development and cybersecurity concerns. However, following a new-found alignment on internet-related policy issues across Ministries, earlier priorities regarding enhanced cooperation will now be balanced by active support for multistakeholder approaches to internet governance. For civil society advocates, the Indian government's recent embrace of multistakeholderism is of particular importance, as it provides a new opening for enhanced civil society engagement with the Ministry of External Affairs: the WSIS+10 Review can provide a first opportunity for the Ministry to prove that it is serious about this commitment. The practical impact of this shift in India's policy on the positions of the G77 and the negotiations more broadly may, however, remain limited.

POSITION ON KEY ISSUES

Development

In a first formal outline of its position, at the First UN General Assembly Governmental Preparatory meeting for the WSIS+10 Review in New York on 1 July 2015 (henceforth the New York Statement), India stressed that when identifying areas for cooperation during the WSIS+10 Review, the utilisation of ICTs for development and for the benefit of developing countries should remain central. Indeed, as Mr. Santosh Jha, Director General, Ministry of External Affairs, said on behalf of the Indian government on that occasion: '[India's] engagement at the WSIS+10 process stems from [its] deep and substantive understanding of the wherewithal needed to make ICTs truly relevant for the benefit of the entire planet and not just a privileged few'.[1]

India in particular highlighted, in New York, the continuing stark digital divide between the developed and developing world as well as the growing gender digital divide. At the same time, it stressed the need to go beyond access issues and to also focus on affordability and multilingualism if inclusive growth and development are to be achieved. With this, India's remarks were closely in line with other, related statements it had made in the General Assembly during the preceding year.[2] In an early contribution on the WSIS+10 Review made by India to the UN Commission on Science and Technology for Development (CSTD) (henceforth the CSTD submission), the Indian government had already given evidence of a highly nuanced and variegated approach to the issue of access, including access gaps 'due to erratic connectivity or usage ability which may require higher order skills and tools causing an economic and influence disadvantage'.[3]

1. https://www.pminewyork.org/adminpart/uploadpdf/74416WSIS%20stmnt%20on%20July%201,%202015.pdf.

2. https://www.pminewyork.org/pages.php?id=1956; https://www.pminewyork.org/pages.php?id=2016.

3. http://unctad.org/Sections/un_cstd/docs/cstd_wsis10_india_en.pdf, p. 12.

The WSIS+10 Review should not be seen in isolation, however. India further emphasised, in its New York statement, the linkages between the WSIS and other processes playing out in the UN system in 2015, in particular the post-2015 Development Agenda, the Financing for Development Conference, and the COP21 Meeting on Climate Change. Already in its CSTD submission had India stated: 'It is a foregone conclusion that the ICTs would hold the key for effective implementation of the post-2015 Development Agenda'.

That India also references the Financing for Development Conference should not come as a surprise: the lack of follow-up on funding mechanisms for meeting the challenges brought about by ICTs – an important theme of the WSIS Tunis Agenda – has been highlighted by India on a number of occasions.[4] Indeed, without appropriate funding mechanisms in place, the potential that ICTs have to support the realisation of the post-2015 Development Agenda is unlikely to materialise. Financing to address capacity building and transfer of technology have been especially singled out as priority areas in this respect by the Indian government.

Human Rights

In its statement in New York, India also commented on human rights. Mr. Jha stated:

> "we need to recognise the need to build a common understanding on the applicability of international rights and norms, particularly the freedom of expression to activities in cyberspace; to ensure better protection of all citizens in the online environment and strike an ideal balance between national security and internationally recognised human rights; and to create frameworks so that internet surveillance practices motivated by security concerns are conducted within a truly transparent and accountable framework. Further, my government would also like to express our strong affirmation of the principles of net neutrality."

While welcome, it remains to be seen to what extent a defence of human rights will be part of India's agenda at the WSIS+10 Review. As argued elsewhere, both because of domestic security compulsions and because of historical foreign policy positions emphasising the principles of sovereignty and non-interference, India has generally supported economic, social and cultural rights in the digital sphere far more vocally at global fora than civil and political rights.[5] While India's statement in New York is remarkable in that sense, for the moment the possibility that the human rights agenda will mostly be mobilised during the WSIS+10 Review process to serve India's agenda related to security and sovereignty remains a possibility. It is noteworthy, for example, that in the domestic context, India so far has made little effort to ensure that the right to privacy of its citizens is guaranteed.

Internet Governance

An area in which India is clearly embarking on a new course, however, is that of internet governance. In a noted video address to the ICANN53 meeting in Buenos Aires, in June 2015, India's Minister for Communications and Information Technology, Mr. Ravi Shankar Prasad, first signalled a new openness on the part of the current government to multistakeholder forms of internet governance.[6] India's Ministry of External Affairs' statement in New York on the WSIS+10 Review subsequently made clear that this policy will not be restricted to the Ministry of Communications and Information Technology alone.

Though India did state explicitly, in New York, that the mandate on enhanced cooperation of the Tunis Agenda remains "unfulfilled" and "needs our special consideration", in a clear departure from established practice enhanced cooperation did not dominate India's remarks.[7] Moreover, for the first time, India also somewhat restricted, in its New York statement, the scope of the debate it seeks around enhanced cooperation, by proposing as its subject in particular issues that have "a direct impact on national security and call for enhanced role

4. See India's CSTD submission and the New York statement.

5. http://internetdemocracy.in/reports/digital-india-abroad/

6. https://www.youtube.com/watch?v=ZeYnSxcLlMQ.

7. In India's CSTD submission, for example, enhanced cooperation was one of the dominating themes, arguably even more important than the theme of development.

for governments in dealing with such issues". Perhaps most importantly, India balanced its remarks on enhanced cooperation with a straightforward, and so far rare in UN meetings, endorsement of multistakeholder approaches to internet governance. Mr. Jha stated:

> "on the issue of internet governance it is imperative to acknowledge the platform of the internet as a global public good where all stakeholders have an equal stake in its functioning and efficiency. India would like to affirm and renew its commitment to the multistakeholder processes."

India's endorsement of multistakeholder approaches was not an uncritical one, however. Reflecting long-standing concerns of many other stakeholders in India and echoing Minister Ravi Shankar Prasad's remarks, Jha explicitly added, in the New York statement, the need to make multistakeholder fora, including the Internet Governance Forum (IGF), "more broad based and globalised": particular attention for "participation from the developing world in these processes" is especially urgently required.

It is notable that India has not yet made, in the context of the WSIS+10 Review, any explicit public statements on the proposed renewal of the IGF. However, the brief reference to the IGF in the New York statement indicates that India is likely to bat for a strengthened IGF, rather than mere renewal. This would be in line with its contributions to the UN CSTD Working Group on IGF Improvements during 2011-2012, following the hosting of a successful IGF by the Indian government in Hyderabad in 2008. An active member of the Working Group, India squarely argued, throughout the deliberations, for a more outcome-oriented IGF.[8]

Review Modalities
The WSIS+10 Review provides an excellent opportunity for the Government of India to put its commitment to a truly plural and democratic multistakeholder approach into practice. In its New York statement, India welcomed "the participation of all relevant WSIS stakeholders in the Review process". But to what extent inputs from these stakeholders will be taken into account remains unclear.

Seeing that India negotiated the UNGA Resolution on the modalities for the WSIS+10 Review on behalf of the G77 and China, it arguably played an important role in ensuring that the review is a government-led process, with only limited space for input from other stakeholders and a lack of clarity on how this input will be used. In the light of its earlier overwhelming emphasis on the enhanced cooperation debate, and in particular its demand for a larger role for governments in internet governance, this should of course not come as a surprise. If India is to make hard its claims of a new, more balanced approach to internet governance – one that has space for multistakeholderism and multilateralism – it would, however, do well to now play an equally proactive role in ensuring both that developing country stakeholders will be as well-represented in the Review as developed country stakeholders, and that their inputs and contributions are actually taken into account.

While India's Ministry of External Affairs traditionally is responsible for determining the stances of India at the UN General Assembly, India's New York statement on the WSIS+10 Review is among the first indications of a vastly improved coordination on internet-related issues across Ministries. As explained above, statements made by different Ministries in different fora over the last month or so are much more clearly aligned than was previously the case. This follows inter-ministerial consultations on the topic that were initiated by the Prime Minister's Office.[9] In so far as India's positions in the context of the WSIS+10

8. http://www.unctad.info/upload/CSTD-IGF/Contributions/M1/India.pdf.

9. http://thewire.in/2015/06/22/indias-new-multistakeholder-line-could-be-a-gamechanger-in-global-cyberpolitics-4585/.

Review are changing, these changes have, thus, been endorsed at the highest levels of government.

If current indications are anything to go by, it thus also looks like India's global internet policy will increasingly be determined in Delhi, rather than in its missions around the world. The fact that India's statement at the first WSIS+10 Review meeting in New York was delivered by Mr. Santosh Jha – Joint Secretary at the Ministry of External Affairs in Delhi with responsibility for global cyber issues, counter-terrorism and policy planning and research – rather than by staff of the New York mission further supports this contention.

MOTIVATIONS

What drives the recent changes in Indian policy is not yet fully clear, however. The current government's Digital India policy, of which Prime Minister Mr. Narendra Modi himself is the foremost ambassador, has undoubtedly given a further impetus across Ministries to the emphasis on development and bridging all digital divides.[10] But while the focus on security as a government responsibility, which has marked much of India's cyber policy in recent years,[11] [12] continues, the significance of India's recent embrace of multistakeholderism in this context remains as yet a question.

Is it supposed to signal a closer alignment to the US and its allies, and to imply that this can purportedly help serve India's interests better than its earlier emphasis on the principles of sovereignty and non-interference? Are these interests mostly related to security concerns, or is India hoping for other concessions, as some have argued it indeed should?[13] But what then to make of India's almost simultaneous acceptance into the Shanghai Cooperation Organisation as a full member? Wouldn't this indicate a very different alignment on internet issues?

To fully understand the significance of India's support for multistakeholderism and the repercussions of this for other internet governance related issues, more information is needed. Seeing the multitude of alliances that India continues to invest its energies in, it is unlikely, however, that India will want to let old allies down by breaking ranks – whether it is with BRICS, the Shanghai Cooperation Organisation (SCO), or the G77. Indeed, it is quite likely that India's embrace of multistakeholderism while re-emphasising the pre-eminence of governments when it comes to cybersecurity issues is a predominantly tactical move: designed to first and foremost expand the number of allies it has, rather than indicating a dramatic policy shift with far-reaching practical implications.

OPPORTUNITIES FOR CIVIL SOCIETY ENGAGEMENT

To the extent that its embrace of multistakeholderism has value in and of itself, it is, for the moment, at home that India can make this immediately clear. For example, India's Ministry of External Affairs already engages with other stakeholders in a more informal manner. It could now formalise these efforts by (co-)organising one or more national consultations on the WSIS+10 Review and/ or by joining initiatives organised around this topic by others. Replicating earlier initiatives of the Ministry for Communications and Information Technology in the context of the ITU, it could also formally include representatives from other stakeholder groups in its national delegation.

With the Ministry of External Affairs leading India's contributions to the WSIS+10 Review, civil society actors, as well as representatives from other stakeholder groups, could assist in making such consultative and inclusionary processes in India a reality, by providing the Ministry with a range of suggestions as to how to structure and organise these in practice. Seeing that it is the Prime Minister's Office that signed off on India's recent endorsement of multistakeholder approaches in

10. http://www.itu.int/en/itu-wsis/SiteAssets/hls/statements/9/Mr_Ram_Narain.pdf.

11. http://www.gp-digital.org/publication/netmundial-reflections-from-brazil-india-and-kenya/

12. http://internetdemocracy.in/reports/digital-india-abroad/

13. http://thewire.in/2015/06/24/the-i-in-the-internet-must-also-stand-for-india-4688/.

internet governance, it might, however, be worthwhile for civil society to direct some of its advocacy efforts in this regard there as well. Irrespective of which Ministry takes the lead, it is only when the Indian government starts to display such openness to broader stakeholder participation, already commonplace in many government delegations from the Western world, that India can enlarge its footprint in the important negotiations on ICTs, development, human rights and internet governance that the WSIS+10 Review represents.

05

INDONESIA

BY DONNY BU
ICT WATCH

Indonesia has been involved in the WSIS since its inception. Today, the WSIS framework is used as a reference point in various national ICT-related policies. Based on the existing context, Indonesia is expected to support the extension of the WSIS mandate as an enabler for the post-2015 Development Agenda. In addition, Indonesia is continuing to strengthen the role of multistakeholder approaches nationally, including in the sphere of internet governance. The Ministry of Communications and Information Technology (MCIT), which is responsible for ICT-related policies in Indonesia, has been gradually evolving and embracing multistakeholder approaches in developing national policies and including civil society in the process.

POSITION ON KEY ISSUES

Development

At the WSIS in Tunisia, November 2005, the main points highlighted by the Indonesian delegation were about the target time of achievement, monitoring, and matters related to efforts towards achieving the Millennium Development Goals (MDG).[1] Since then, the Indonesian government, in this case the Ministry of Communications and Information Technology (MCIT), has adopted a number of measures in line with the spirit and objective of the WSIS.

In following years, the Indonesian government regularly attended the WSIS Forum. During the WSIS Forum 2015 in Geneva, the Indonesian MCIT Directorate General Prof. Kalamullah Ramli asserted in the High-level Policy Statement that, "Indonesia believes that along with the effective and affordable ICT ecosystem, our works in WSIS and others venues would contribute positively to the achievement of the post-2015 Development Agenda that sets the ambitious targets in Sustainable Development Goals (SDGs). This summit will certainly continue to serve that purpose." In his closing statement, he emphasised strong commitment to strengthening the development-oriented information society through WSIS and continuous collaboration with all stakeholders in achieving its common goals and objectives.[2]

Human Rights

The Indonesian MCIT Minister Rudiantara, at the Opening Session of the Global Conference of Cyber Space (GCCS) 2015 in The Hague, encouraged the international community to reaffirm that, "the same rights that people have offline must as well be protected online." He also stated that there must be adequate efforts on safeguarding the rights of others to prevent the risk of abuse or arbitrary exercise.[3]

Previously, at the ITU-led WSIS +10 High Level Forum in Geneva in 2014,

1. http://www.postel.go.id/info_view_c_6_p_1318.htm

2. http://www.itu.int/en/itu-wsis/SiteAssets/hls/statements/9/Prof._Kalamullah_Ramli.pdf

3. https://www.gccs2015.com/sites/default/files/documents/Statement%20of%20Indonesia.pdf

Ramli encouraged that internet governance should be arranged in a way that acknowledges cyber-jurisdiction in cyberspace, as a logical reflection and exercise of states' sovereignty. He also stated, "Indonesia views this with an equal weight and importance to those of democracy and respect to the freedom of speech and information, in the conduct of cyber-space, while adhering to the well-being of the whole community".[4]

Internet Governance

In issues related to internet governance, at the WSIS in Tunisia, November 2005, Indonesia stressed the importance of promoting the principles of multilateralism, multistakeholderism, transparency, democracy, and promoting the role of government in the regulation of the public interest in the management of the internet world.[5] At the WSIS +10 High Level Forum 2014, MCIT Directorate General, Ramli, stated that the best course of action to build and to house the system of internet governance is through the United Nations' System, as the world's core forum for international norm setting and cooperation. He emphasised that, "Indonesia therefore strongly calls for the Tunis 2005 formula to be retained as an indispensable part of WSIS as it was then, now and in the future".[6]

In terms of IGF mandate renewal, as one of the hosts of the global IGF, it is expected for Indonesia to express support for the renewal of the mandate. Several recent official statements support this assumption. MCIT Minister Rudiantara, at the Opening Session of the GCCS 2015, noted that, "Indonesia had hosted the 8th IGF 2013 in Bali with the theme Building Bridges: Enhancing Multistakeholder Cooperation for Growth and Sustainable Development". He stated that a conference where government, the business sector, and civil society work hand in hand is indeed exemplary and shows that multistakeholderism works.[7] Although he did not specifically mention the IGF, the Minister clearly stated that, "an inclusive, effective, and clear objective global architecture forum participated by governments, private sectors, and civil society in the framework of the United Nations World Summit of Information Society (WSIS) is essential."[8]

On a separate occasion, MCIT Directorate General Ramli further outlined Indonesia's support for the "multistakeholder approach that engages governments, private businesses, civil society, and other components in the ICT ecosystem."[9]

ACTORS

The Ministry of Communications and Information Technology (MCIT)[10] is responsible for ICT-related policies in Indonesia. There are at least two Directorate Generals under MCIT that engage with WSIS closely, namely the Directorate General of Post and IT, and the Directorate General of ICT Application. MCIT is now gradually involving and embracing multistakeholder approaches, including civil society organisations, when drafting or developing a policy. For example, Infocomm Society (Mastel) is a well-respected non-profit organisation that has a significant influence in providing ICT policy considerations in Indonesia, and is quite often invited by the House of Representatives to provide input. Mastel is also actively involved as part of the Indonesian delegation when attending various international fora such as WSIS.[11]

Other bodies involved in ICT issues in Indonesia include the Indonesia ISPs Association (APJII)[12] and the .ID Indonesia Domain Name Registry (PANDI)[13] which manages the Indonesia Country Code Top Level Domain (cc-TLD). The APJII and PANDI, are both significant partners to the MCIT. APJII is delegated by the Asia Pacific Network Information Center (APNIC) to manage Internet Protocol (IP numbers) in Indonesia.[14] APJII also manages the Indonesia Internet eXchange (IIX), as one of the Internet traffic hubs in the country. PANDI receives a mandate from ICANN to manage the cc-TLD IDs in Indonesia. Both, along with MCIT and other stakeholders including Indonesian civil society organisations Network for Internet

4. https://www.itu.int/wsis/ implementation/2014/forum/inc/ps/ doc/PolicyStatementsSessionOne-B/Prof. Kalamullah.Ramli_Indonesia_Long.docx

5. http://www.postel.go.id/info_ view_c_6_p_1318.htm

6. https://www.itu.int/wsis/ implementation/2014/forum/inc/ps/ doc/PolicyStatementsSessionOne-B/Prof. Kalamullah.Ramli_Indonesia_Long.docx

7. https://www.gccs2015.com/sites/default/ files/documents/Statement%20of%20 Indonesia.pdf

8. Ibid.

9. http://www.itu.int/en/itu-wsis/SiteAssets/ hls/statements/9/Prof._Kalamullah_Ramli. pdf

10. http://www.kominfo.go.id

11. http://www.mastel.or.id/index. php?q=sekilas-aktivitas-mastel

12. http://www.apjii.or.id

13. http://www.pandi.id

14. https://www.apnic.net/about-APNIC/ organization/apnics-region/national- internet-registries

Governance (ID-CONFIG), HIVOS Southeast Asia, and ICT Watch Indonesia, had a significant role in the success of the IGF 2013 in Bali. They also initiated the Indonesia IGF (ID-IGF), and held the National ID-IGF Dialogue in 2012 and 2014.

MOTIVATIONS

In every WSIS Forum, a high-ranking officer of MCIT has chaired the Indonesian delegation. Since the Second Phase of WSIS in Tunisia, MCIT has made WSIS one of the main references in its strategic planning of ICT in Indonesia.[15] According to MCIT's strategic plan, there are seven main national development programs that should be supported by MCIT: food sovereignty, energy, maritime, tourism and industry, infrastructure, human resources and the border area. As the lead sector, MCIT is focusing on telecommunication, internet and broadcasting. The summary of MCIT strategic planning is also published on its website.[16]

Externally, Indonesia is active in the Association of Southeast Asian Nations (ASEAN) and regularly takes part in the ASEAN Telecommunications and IT Ministers Meeting (TELMIN). Its position in the WSIS Review will likely be closely aligned with ASEAN initiatives and agreements. ASEAN TELMIN submitted a joint statement to the WSIS 2003 in Geneva, which advocated the following: (a) that the global strategy to realise the Information Society must be based on concrete milestones rather than broad visions; (b) that the Plan of Action should be adapted to each region's unique and diverse needs; and (c) that existing regional initiatives such as the e-ASEAN should be leveraged upon when implementing ICT Programs.[17]

ASEAN TELMIN also provided input to the WSIS 2005 in Tunisia in 2005, that, "we urge of participants in the WSIS process to recall that the WSIS process is not just about the Internet Governance but also about using ICTs to achieve the Millennium Development Goals". Specifically on Internet Governance, ASEAN TELMIN asserted, "any approach to Internet Governance must be done in a multistakeholder environment with the full, inclusive and appropriate participation of all stakeholders; government, private sector and civil society."[18]

At the 10th ASEAN TELMIN meeting in 2011 at Kuala Lumpur, the ministers agreed upon a common reference document[19] called the ASEAN ICT Masterplan 2015 (AIM2015).[20] Four key outcomes of the implementation of this document are: ICT as an engine of growth for ASEAN countries, recognition for ASEAN as a global ICT hub, enhanced quality of life for the people of ASEAN, and contribution towards ASEAN integration. At the 14th ASEAN TELMIN meeting in January 2015 in Bangkok, the ministers agreed to build upon the progress made under AIM2015 to chart the course for the post-2015 vision to further enhance innovative utilisation of ICTs for sustainable economic development.[21]

In addition to its regional interests, Indonesia's position will also likely take into account the country's membership in the G77 and the Organisation of Islamic Cooperation (OIC), although it is not clear to what extent.

OPPORTUNITIES FOR CIVIL SOCIETY ENGAGEMENT

In general, the government of Indonesia, especially MCIT, is now more open to civil society involvement and engagement in the policy making process. MCIT quite often asks for public feedback and input openly on draft ministerial regulations, such as the draft universal service obligation[22] and the draft personal data protection.[23] MCIT also frequently invites civil society organisations to contribute to meetings on strategic or technical issues. One example was when ICT Watch was invited to become one of the panellists on the MCIT National Coordination Meeting in Jakarta, June 8 this year[24] where the group gave a presentation on the

15. http://publikasi.kominfo.go.id/bitstream/handle/54323613/794/DokHasilSidangWSIS_Terjemahan.pdf

16. http://web.kominfo.go.id/sites/default/files/Ringkasan%20Draft%20Renstra%20Kemkominfo%20Tahun%202015--2019.pdf

17. http://www.asean.org/communities/asean-economic-community/category/overview-18

18. http://www.asean.org/communities/asean-economic-community/item/statement-by-the-association-of-southeast-asian-nations-telecommunications-and-it-ministers-as-input-to-wsis-tunis

19. http://www.asean.org/images/2012/Economic/TELMIN/presrelease/Joint%20Media%20Statement%20of%20the%20Tenth%20ASEAN%20Telecommunications%20and%20Information%20Technology%20Ministers%20Meeting%20%2810th%20TELMIN%29.pdf

20. http://www.asean.org/resources/publications/asean-publications/item/asean-ict-masterplan-2015

21. http://www.asean.org/images/2015/January/jms_telmin/TELMIN-14-JMS%20Final%20cleared.pdf

22. http://kominfo.go.id/index.php/content/detail/4906/Siaran+Pers+No.28-PIH-KOMINFO-5-2015+tentang+Uji+Publik+atas+Rancangan+Peraturan+Menteri+mengenai+Kewajiban+Pelayanan+Universal+%28KPU%29+Telekomunikasi+dan+Informatika/0/siaran_pers#.Va-LULUt-pQ

23. http://kominfo.go.id/index.php/content/detail/5128/Siaran+Pers+No.53-PIH-KOMINFO-07-2015+tentang+Uji+Publik+Rancangan+Peraturan+Menteri+mengenai+Perlindungan+Data+Pribadi+dalam+Sistem+Elektronik/0/siaran_pers#.Va-KNLUt-pQ

24. http://kominfo.go.id/index.php/content/detail/5085/Siaran+Pers+No.39-PIH-KOMINFO-6-2015+tentang+Rapat+Koordinasi+Nasional+%28RAKORNAS%29+Kementerian+Komunikasi+dan+Informatika+RI+2015+%E2%80%93+2019/0/siaran_pers#.Va-LF7Ut-pQ

25. [25] http://web.kominfo.go.id/sites/default/files/users/12/Rakornas%20kominfo%20-%20ICT%20Watch-%20final.pdf

multistakeholder approach to the linkage of WSIS and the SDGs.[25]

For international events or fora where Indonesia is involved or invited, there is no firm procedure whereby civil society may engage or get involved as part the official Indonesian delegation. Nevertheless, previously MCIT has invited other stakeholders to give input and ideas to the delegation, before they departed for events, which may be the case for WSIS.

06

IRAN

BY KYLE BOWEN AND JAMES MARCHANT
SMALL MEDIA

Iran has been fairly active in the WSIS Review process. Its primary policy priorities have included strong support for the development aspects of WSIS, and advocacy for state sovereignty approaches to global internet governance. The agenda is set by the government, with the ICT Ministry usually leading the way. There is evidence to suggest that the President also plays some role in determining the extent of Iran's engagement at global internet governance events, and the recently inked nuclear agreement may prompt increased engagement between Iran and the international community. Yet Iran's preference for intergovernmental formats over multistakeholder arrangements has generally left little room for civil society engagement. While there have been some recent indications that Iran may be showing signs of openness towards multistakeholder processes, Iran's approach to internet governance is likely to remain a predominantly government-led affair.

POSITION ON KEY ISSUES

Development

The topic of development has been a persistent focus of Iranian representatives at WSIS events since 2003. As a report from Small Media explains, "Iran has repeatedly emphasised the importance of the Millennium Development Goals, and of other internationally-recognised development treaties and agreements".[1] These efforts have not gone unnoticed. In 2010, UNESCO awarded Iran a special certificate for its efforts to expand broadband access to rural areas.[2]

For the upcoming WSIS+10 Review, there is no reason to expect Iran to waver in its stated commitment to development. During the open consultation process for the WSIS Forum 2015, one of Iran's delegates pointed out that "the main theme of this year is innovation and sustainable development. I suggest paying more attention to the vision of this agenda in the WSIS meeting".[3] Moreover, increasing access to broadband has been one of the stated ICT policies of Rouhani's government,[4] and Iran's delegation mentioned this policy goal several times during the WSIS+10 Iran country workshop.[5]

Human Rights

Iran's position on human rights within the WSIS framework remains unclear. At previous internet governance events, Iran has drawn on human rights language to argue for an expanded role for the nation-state in international telecommunications regulation. As Nolasco explains, at the World Conference on International Telecommunications (WCIT-12):

> "The African States proposed to add text, immediately after the preamble statement on the protection of human rights, recognising the right of access of

1. http://www.global.asc.upenn.edu/app/uploads/2015/01/Chaos-and-Control.pdf

2. http://unctad.org/sections/wcmu/docs/cImem3_2nd_IRAN_en.pdf

3. https://www.itu.int/net4/wsis/forum/2015/Content/doc/ocp/outcomes/WF15_OCP_Outcomes.pdf

4. http://smallmedia.org.uk/sites/default/files/u8/IIIP_Feb15.pdf (pg. 11)

5. https://connect.itu.int/p4zd1anm6ov/?launcher=false&fcsContent=true&pbMode=normal

member states to international telecommunications services. China, Cuba, Iran, the African states and several Middle East countries supported the proposal, arguing that there is a connection between human rights and member states' rights, and that some member states are currently deprived of access to international telecommunications services and to the internet."[6]

On the other hand, Iran has evinced rhetorical support for human rights in other internet governance fora. In its contribution to NetMundial, Iran argued that "freedom, privacy, and human rights must be considered and recognised".[7] The extent to which Iran will honour this pledge is unclear.

Internet Governance

Iran has affirmed its commitment to enhanced cooperation, but seems intent on privileging the state above other stakeholders.[8] Iran's high-level policy statement for the WSIS+10 Review, issued by deputy ICT Minister Nasrollah Jahangard, states:

"Iran will remain committed to all visions and missions that can enhance better connected global information and knowledge societies. By enhancing synergy and cooperation among all concerned parties and preserving sovereign rights of states, with respect to their role and responsibility in regard with internet governance."[9]

Iran's specific position on the renewal of the IGF is unclear. However, it is worth mentioning that Iran's participation in the IGF has been minimal. Since 2006, Iran has only sent more than one delegate to the IGF one time (it sent 2 in 2009). And it sent no delegates in 2006, 2010, and 2012.[10] For comparison, Afghanistan sent four delegates in 2014, while Burkina Faso sent three.[11]

ACTORS

Since 2003, the government has been the primary actor in Iran's internet governance participation. This year, the majority of participants (4 out of 7) in Iran's WSIS+10 country workshop were from the government.[12] Within the government, numerous, overlapping bodies compete for influence over internet governance policy; the byzantine, institutional complexity makes it difficult to ascertain the source of various policy positions.[13] However, as Small Media's report on Iranian internet governance explains, "the ICT Ministry appears to retain the largest profile amongst Iranian organisations participating at internet governance events."[14]

The ICT Ministry has sent representatives to numerous internet governance events, including the 2005 Tunis Summit and the WSIS forum events of 2009, 2012, and 2013.[15] This year, high level policy statements for the WSIS+10 Review were given by ICT Deputy Minister Nasrollah Jahangard[16] and ICT Minister Mahmoud Vaezi.[17]

Moreover, the fact that the High Level Event will take place at the UN General Assembly could pave the way for a greater role for the Ministry of Foreign Affairs. As mentioned previously, the Iranian government is the dominant actor in internet governance arenas. This has traditionally been led by the ICT Ministry, but has also included other branches of government such as the Ministry of Economic Affairs.[18] There's no reason to suspect that the Ministry of Foreign Affairs (as well as Iran's NY mission) would miss an opportunity to get involved as well, particularly in the wake of the nuclear deal. Indeed, this agreement is likely to embolden Iran to seek greater engagement with the international community at various global fora, including the WSIS High Level Event.

Kavous Arasteh is another actor who warrants some discussion. Representative Arasteh has been a frequent and vocal participant at many internet governance

6. WCIT-12, a post-mortem, http://www.cullen-international.com/asset/?location=/content/assets/regulatory-intelligence/regulatory-news/wcit-12_post-mortem_culleninternational.pdf/wcit-12_post-mortem_culleninternational.pdf

7. http://content.netmundial.br/files/236.pdf (pg. 32)

8. http://en.trend.az/iran/society/2399766.html

9. http://www.itu.int/en/itu-wsis/SiteAssets/hls/statements/10/H.E._Mr%20Nasrollah_Jahangard.pdf

10. http://www.intgovforum.org/. Participation data for 2011 was not readily available.

11. http://www.intgovforum.org/cms/147-igf-2014/2071-igf-2014-government-participants

12. http://www.itu.int/net4/wsis/forum/2015/Agenda/Session/213

13. For a discussion of the various bodies involved in internet governance policy in Iran, see http://www.global.asc.upenn.edu/app/uploads/2015/01/Chaos-and-Control.pdf (pg. 29-32)

14. http://www.global.asc.upenn.edu/app/uploads/2015/01/Chaos-and-Control.pdf (pg. 31)

15. https://connect.itu.int/p4zd1anm6ov/?launcher=false&fcsContent=true&pbMode=normal

16. http://www.itu.int/en/itu-wsis/SiteAssets/hls/statements/10/H.E._Mr%20Nasrollah_Jahangard.pdf

17. http://www.itu.int/en/itu-wsis/SiteAssets/hls/statements/6/H.E._Mr_Mahmoud_Vaezi%20.pdf

18. A representative from the Ministry of Economic Affairs and Finance attended Iran's country profile at the 2015 WSIS forum in May. See: http://smallmedia.org.uk/sites/default/files/u8/IIIP_JUNE15.pdf, (pg. 7)

events on Iran's behalf.[19] He has been an ardent critic of America's privileged position vis-a-vis ICANN, stating that the relationship gives the US government and American corporations too much control over the administrative regulation of the internet.[20] He has also advocated for ICANN to be placed under the control of the UN, likely via the ITU.[21] There is no reason to suspect that he has changed his position on these issues, and they are thus likely to feature prominently in Iran's contributions to the WSIS Review.

The case of Kavous Arasteh also reveals something about the role of personalities in this process. We've seen that Representative Arasteh has no qualms about being confrontational (one might even say disruptive) in trying to advance his goals. This approach has likely impacted both Iran's contributions to global internet governance events, as well as the way they are perceived by other participants, all of which suggests that personalities do matter in Iran's engagement in internet governance processes.

MOTIVATIONS

There is evidence to suggest that domestic policy considerations influence Iran's approach to internet governance. For example, development has been a cornerstone of Rouhani's domestic ICT policy, and has also featured heavily in Iran's contributions to global internet governance events.[22] Similarly, Iran's vote in favour of the WCIT Final Acts (which included controversial provisions enabling surveillance techniques such as deep packet inspection)[23] fully comports with its domestic internet surveillance efforts.[24]

However, it is important not to overstate the relationship between Iranian domestic ICT policy and global internet governance. As Small Media director Mahmood Enayat points out, "They don't need any global initiatives to control their networks inside Iran... what they're advocating externally, they already do internally."[25]

In terms of external influences, Iran's commitment to development and its antipathy to American control of ICANN has led to temporary alliances with several Global South countries, including democracies such as Brazil and South Africa.[26] Yet Iran's more durable alliances tend to be with countries aiming to increase state control over the domestic internet. This includes both geopolitical allies like Russia, as well as bitter adversaries like Saudi Arabia.[27] Still, Iran's internet governance allegiances tend to be ad hoc, with little evidence of broad governance policy coordination between Iran and any other country.[28]

OPPORTUNITIES FOR CIVIL SOCIETY ENGAGEMENT

As mentioned above, Iran's approach to internet governance to date has been decidedly state-centric. Vice ICT Minister Nasrollah Jahangard's high level policy statement for the WSIS+10 Review underlines the importance of "preserving [the] sovereign rights of states" in internet governance decision making.[29] Iran's country workshop featured 7 speakers, only one of which came from a civil society organisation. Moreover, participation records indicate that since its founding in 2006, the IGF has only ever featured one participant from an Iranian civil society organisation.[30]

The organising processes for the Persian IGF, which was spearheaded by civil society groups such as the Tehran ICT Guild and the Lebanese ICT for development organisation IJMA3, suggests that the government might be open to multistakeholder formats, at least in a domestic context.[31] However, the event never moved past the planning stages due to political and logistical hurdles, which

19. At the World Conference on International Telecommunications (WCIT) in 2012, Representative Arasteh pushed for a vote even though ITU protocol normally stipulates that decisions should be reached by consensus. http://blogs.lse.ac.uk/mediapolicyproject/2015/02/23/chaos-and-control-the-competing-tensions-of-internet-governance-in-iran/

20. Sharif, (2013), "The internet conflict in Dubai's assembly," Donya-e-Eqtesad. Available from: http://www.donya-e-eqtesad.com/news/511973/

21. Ibid.

22. For a discussion of Iran's development-related contributions to global internet governance events, see: http://globalnetpolicy.org/wp-content/uploads/2015/01/Chaos-and-Control.pdf, (pg. 27-28) On the role of development in the Rouhani government's domestic ICT policy, see: http://www.al-monitor.com/pulse/originals/2013/08/expect-iran-telecom-sector.html.

23. http://www.global.asc.upenn.edu/app/uploads/2015/01/Chaos-and-Control.pdf (pg. 28)

24. http://smallmedia.org.uk/revolutiondecoded/a/RevolutionDecoded_Ch2_InternetCensorship.pdf

25. http://www.global.asc.upenn.edu/app/uploads/2015/01/Chaos-and-Control.pdf (pg. 18)

26. Ibid. (pg. 36)

27. Ibid.

28. Ibid. (pg. 37)

29. http://www.itu.int/en/itu-wsis/SiteAssets/hls/statements/10/H.E._Mr%20Nasrollah_Jahangard.pdf

30. The 2009 IGF was attended by Mahmood Hajli, from an organisation called Iran ICT NGO. http://www.intgovforum.org/cms/images/OFFICIAL%20IGF%202009%20Participants%20List.pdf

31. http://www.internetgovernance.org/2015/03/19/an-autocratic-country-in-global-multistakeholder-internet-governance/

makes it difficult to draw any firm conclusions from this experience.[32]

An additional barrier to civil society participation is a lack of knowledge about internet governance issues. Iranian activist and former parliamentarian Ali Akbar Mousavi Khoeini attributes the problem in part to the scant coverage internet governance issues receive in the Iranian press: "Unfortunately these issues are censored in the news of Persian media inside Iran. Even international Persian media outside the country have given little coverage to such issues. Therefore, sometimes there is little knowledge or awareness of the functions of these institutions or organisations in society."[33]

In summary, it seems generally clear that Iranian participation in internet governance events remains primarily a government activity.

32. http://blogs.lse.ac.uk/
mediapolicyproject/2015/02/23/chaos-and-
control-the-competing-tensions-of-internet-
governance-in-iran/

33. http://www.global.asc.upenn.edu/app/
uploads/2015/01/Chaos-and-Control.pdf
(pg. 41)

07

KENYA

BY GRACE GITHAIGA
KENYA ICT ACTION NETWORK (KICTANET)

Kenya is the leading African country in terms of ICT innovation, and it currently ranks as the country with the highest bandwidth per person on the continent, the fastest speeds, and some of the lowest internet costs. The government has put in place a number of policies to promote the use and development of ICTs, which it recognises as one of the key drivers of the economy. Although acknowledging the WSIS as an important international framework to guide national efforts, the government has not been very active in the WSIS Review process so far. Kenya's position in the Review is expected to focus on maximising the ability of the framework to leverage ICTs for socio-economic development, while addressing new and emerging challenges. Kenya's position in the Review will be drafted in a coordinated fashion across government departments, with the Regulator spearheading the process. Regional alliances and Kenya's membership in the G77 are expected to play a role in its approach to the Review. Despite a constitutional requirement to consult stakeholders on issues related to public policy, at the moment, it is unclear to what extent the government plans to consult other stakeholders.

POSITION ON KEY ISSUES

Development

It is expected that Kenya's position in the Review will focus on efforts needed to encourage connectivity, ensure access to ICTs, and support the development of content and access to the internet. The government of Kenya considers development to be a key element of the WSIS, and sees the WSIS framework as an important international mechanism to facilitate countries to harness ICTs to attain the post-2015 Development Agenda. At the ITU-led WSIS+10 High Level Event in 2014, Kenya's Cabinet Secretary of the Ministry of ICT Fred Matiang'i noted:

> "Kenya recognises ICTs as one of the key drivers of the economy, and commensurate recognition has been given in our national long-term development plan Vision 2030 and in Kenya's Nation ICT Master Plan "SMART Kenya". Both documents support the Millennium Development Goals and support the achievement of WSIS outcomes."[1]

An emphasis on the link between ICTs and growth was similarly reflected in the theme of the global IGF hosted by Kenya in Nairobi in 2011 which focused on "Internet as a catalyst for change: access, development, freedoms and innovation".[2]

At the national level, Kenya has made progress in implementing the 11 major directives of the WSIS as defined in the Geneva Action Plan,[3] and its focus on leveraging ICTs to achieve socio-economic development is expected to remain critical in the years to come. This vision is articulated in Kenya's Vision 2030,[4]

1. http://www.itu.int/wsis/ implementation/2014/forum/inc/doc/ outcome/wsis10.hle.policy_statements.pdf

2. http://www.intgovforum.org/cms/2011-igf-nairobi

3. http://www.itu.int/wsis/docs/geneva/ official/poa.html

4. http://www.researchictafrica.net/ countries/kenya/Kenya_Vision_2030_-_2007. pdf

a development blueprint that outlines among other things, the role of science, technology and innovation (STI) in a modern economy. The Vision identifies ICTs as a key enabler to the attainment of development goals and predicts that the government will transform Kenya into a knowledgeable and information-based economy through enabling access to quality, affordable and reliable ICT services. The Vision is complemented and further elaborated in the National ICT Master Plan.[5]

According to local commentators, Kenya's efforts to implement the WSIS outcomes, although advanced in comparison to other African countries, could benefit from a more systematic and mainstreamed approach.[6] At the moment, WSIS-related information, including data on progress towards specific targets, is hard to find and access. According to an official source, there would be value in setting up a research unit within the government to support current implementation efforts and act as a data repository.[7]

Besides the value of WSIS in implementing national policies, Kenya has highlighted the role of ICTs in regional development and integration and has taken on a role as regional champion in the field.[8]

Human Rights
In identifying ongoing and new challenges affecting the implementation of the WSIS outcomes and achieving the WSIS vision, Kenya notes that more work is needed to address "complex privacy, security, and social issues relating to the Internet".[9]

Although the need to align national policy and legal frameworks with human rights features in the Kenya Vision 2030, this has not been reflected in the government's approach to WSIS-related discussions. In fact, over the past few years, Kenya's focus in international forums seems to have shifted from highlighting opportunities offered by ICTs relating to access to knowledge and information as the pillars of human development,[10] to addressing risks and the need to balance security and human rights.[11] [12] The increased focus on the need to address the growing risks posed by cyber-threats and cyber-attacks and the government's role therein is likely to come to fore particularly in assessing the progress on WSIS action line C5 (Building Confidence and Security in the use of ICTs).

Internet Governance
Although it used to be an active player in global internet governance debates,[13] Kenya has not been vocal on the issue in international forums since the current government took office in 2013.

Pre-2013, its support for multistakeholder approaches to governance was illustrated both nationally and internationally. At the national level, building on a constitutional provision that requires the government to consult all relevant stakeholders on matters of public policy, an active multistakeholder network (KICTANet) provided a platform for anyone interested in ICT policy and regulation to exchange views and information and contribute towards policy-making.[14] Internationally, the government was an active participant in the global IGF (and hosted its 7th edition in 2011), it hosted the 37 ICANN meeting in 2010, and hosted the Freedom Online Conference in 2012. In 2012, Kenya was one of the few African countries that had non-governmental stakeholders on its national delegation at the World Conference on International Telecommunications (WCIT). However, this trend has been radically reversed in the following years, with Kenya's engagement in international internet governance debates notably reduced, mostly focussing on interventions at the ITU-level.

At the recent WSIS Forum, the Cabinet Secretary noted that, "Kenya firmly believes in the framework of multistakeholder partnership that provides us with a

5. http://www.icta.go.ke/national-ict-masterplan/

6. Personal Interview with official from the Regulator who chose to remain anonymous. July 2, 2015.

7. Ibid.

8. http://www.itu.int/wsis/implementation/2014/forum/inc/doc/outcome/wsis10.hle.policy_statements.pdf

9. http://www.itu.int/en/itu-wsis/SiteAssets/hls/statements/5/H.E._Dr_Fred_Matiang'I.pdf

10. http://www.intgovforum.org/cms/2011/IGF.2011.%20Chair's%20Summary%20copy.pdf

11. http://giplatform.org/events/wsis-forum-2015

12. http://www.itu.int/net4/wsis/forum/2015/Agenda/Session/216

13. http://www.gp-digital.org/publication/netmundial-reflections-from-brazil-india-and-kenya/ (p. 27)

14. http://unctad.org/en/PublicationsLibrary/dtlstict2015d3_en.pdf

connected, open and free space that is beneficial to all."[15] While he made no explicit mention of the IGF or enhanced cooperation, he highlighted that it was, "the role of governments to protect citizens in this vast, often anonymous, space. As we build it, it behooves us to do whatever it takes to also safeguard it."[16] Emphasis on the role of governments, fomented by growing concerns around cybersecurity, may bring Kenya closer to the G77 position, which argues that the "multistakeholder model should not be lopsided" and that approaches that marginalise governments in internet governance should be avoided.[17] With its legacy as the global 2011 IGF host and its historic support for multistakeholder approaches to governance, the government is not expected to oppose the renewal of the Forum, but its support for the IGF may be conditional upon progress towards enhanced cooperation, echoing the G77 line.

ACTORS

The WSIS position will be developed in the capital in a coordinated fashion between the Ministry of ICT,[18] the Communications Authority (CA),[19] and the National Communications Secretariat.[20] The latter two agencies are also known as the Semi Autonomous Government Agencies (SAGAs). It is expected that Kenya will send representatives drawn from SAGAs and the Ministry of ICT for the face-to-face meetings in New York.

MOTIVATIONS

It is expected that Kenya's position in the Review will be informed by national-level efforts to harness ICT for development and the potential of the WSIS framework to give an additional boost to advance innovation and growth in the ICT sector.

In addition, growing concerns around cybersecurity and cybercrime at the national level are likely to make Kenya supportive of proposals that are framed as ways of enabling governments to implement policy and regulatory measures that address these challenges. With the increase in the use of ICTs in everyday personal and business transactions, the country has seen a significant increase in cyber-attacks and is considered among the top countries for most incidents of cybercrime alongside the United States (US), Brazil, China and South Korea.[21] In addition, the country has seen an increase in the number of violent terrorist attacks in different parts of the country, which has led the government to embrace ICTs in the management of security services. Lastly, spam continues to be an issue of considerable concern for many African countries, including Kenya, due to its presumed negative impact on availability of bandwidth.[22]

In response to these challenges, Kenya has been putting in place several measures, including a National Cyber Security Strategy and a draft Cybercrime and Computer Related Crimes Bill 2014. It has signed the International Telecommunication Regulations (ITRs)[23] and ratified the African Union Convention on Cybersecurity and Personal Data Protection. In the interest of recognising the role of governments in managing cybersecurity threats, Kenya might find itself aligned with the G77 position – favouring the development of a global framework to facilitate harmonisation and cooperation among states, possibly to the detriment of its support for open and inclusive approaches to governance.

Internationally, in ICT-related debates, Kenya tends to align itself with the Africa common position.[24] Although there have been instances of Kenya breaking ranks, most notably during the WCIT in 2012,[25] [26] this has not been the case since then. Furthermore, Kenya is a member of the G77, which has made several joint inputs into the WSIS Review. Seeing as the government hasn't made official statements in the first round of intergovernmental negotiations in New York in July, it remains to be seen to what extent Kenya follows the positions attributed to this group.

15. http://www.itu.int/en/itu-wsis/SiteAssets/hls/statements/5/H.E._Dr_Fred_Matiang'I.pdf

16. Ibid.

17. http://workspace.unpan.org/sites/Internet/Documents/UNPAN95036.pdf

18. http://www.information.go.ke/

19. http://www.ca.go.ke/

20. The National Communications Secretariat is tasked with advising on policies, management and technological development, carrying out specialised research and conducting continuous review of development under info communications sector. http://www.presidency.go.ke/index.php/national-communications-secretariat

21. http://www.humanipo.com/news/45024/kenya-ranked-amongst-top-countries-globally-for-cybercrime/

22. http://www.cisco.com/web/about/ac123/ac147/archived_issues/ipj_16-1/161_wcit.html

23. Kenya signed the ITRs two years after the WCIT in 2012.

24. http://www.un.org/en/ecosoc/julyhls/pdf13/ECA%20ECOSOC%20presentation-%20African%20Common%20position%20on%20Post%202015.pdf

25. https://www.techdirt.com/articles/20121214/14133321389/who-signed-itu-wcit-treaty-who-didnt.shtml

26. http://mondediplo.com/2013/02/15internet

OPPORTUNITIES FOR CIVIL SOCIETY ENGAGEMENT

Article 10 of Kenya's Constitution[27] places a requirement for stakeholders to be consulted in any policy making process and before legislation can be passed. However, the government has not been consistent in implementing this provision.[28] In the past, the regulator has conducted stakeholder consultations on different processes related to ICTs. However, it is unclear whether any such plans are being considered for the WSIS Review. As for joining the national delegation, the system in the current government is such that the Ministry of ICT has to authorise the registration of non-state actors to be part of government delegation. During the 2014 ITU Plenipotentiary Conference in Busan, South Korea, non-state actors had to get accreditation from foreign governments as the Cabinet Secretary in the Ministry of ICT declined last minute to register them, citing that the Kenyan Delegation was large enough in that it had included some legislators.

27. https://www.kenyaembassy.com/pdfs/The%20Constitution%20of%20Kenya.pdf

28. Personal Interview with official from the Regulator who chose to remain anonymous. July 2, 2015.

08

MEXICO

BY STACIE WALSH AND LEA KASPAR
GLOBAL PARTNERS DIGITAL

Over the last few years, Mexico has become increasingly active in international ICT-related policy debates and is expected to play an active role in the Review. At the national level, the government has made significant efforts to address the goals set out by WSIS, reflected in the country's National Digital Strategy and its Telecommunications Reform. Since 2013, Mexico has recognised access to the internet as a fundamental right, enshrined in its Constitution. The government has strong regional ties and is currently leading the efforts to implement the Action Plan for the Information Society in Latin America and the Caribbean (eLAC). In light of this, Mexico takes a local/regional approach to the WSIS Review, using it as encouragement to enact new national policies and work towards achieving the sustainable development goals in Mexico and Latin America. The government has expressed strong support for the multistakeholder approach to internet governance and has offered to host the IGF in 2016, provided its mandate is renewed.

POSITION ON KEY ISSUES

Development
Mexico sees the development and use of ICTs as critical in advancing social, economic and political development, and views the WSIS as a key international framework in developing national and regional policies. It considers ICTs as a potential "game-changer for all countries' efforts to achieve sustainable development,"[1] including eradicating poverty, and achieving sustainable development goals such as gender equality, environmental sustainability and health. In its contributions to the WSIS Review, Mexico has argued for a robust integration of the WSIS action lines and the post-2015 Development Agenda.[2][3]

In terms of progress in implementing the WSIS outcomes so far, in Mexico's view, greatest progress has been made in the areas of access, connectivity, and digital inclusion. However, much more needs to be done to ensure universal access, especially in rural and marginalised areas, and to effectively bridge the ongoing digital divide.[4] Measures to address these challenges should include strengthening public policies that promote a more egalitarian access to ICTs, fostering public-private partnerships, improving spectrum management and use, encouraging information sharing to foster deployment of broadband networks, etc.[5]

The government's approach to the Review is informed by its efforts to implement the WSIS outcomes at the national level, and its ability to showcase these as examples of international best practice. For instance, the government has embarked on a comprehensive telecommunications reform,[6] which included recognising access to internet as a fundamental right,[7] and has been vigorously implementing its 2013 National Digital Strategy.[8] As part of the Strategy, which

1. http://unctad.org/Sections/un_cstd/docs/cstd_wsis10_mexico_en.pdf

2. Ibid.

3. http://workspace.unpan.org/sites/Internet/Documents/UNPAN94971.pdf

4. http://unctad.org/Sections/un_cstd/docs/cstd_wsis10_mexico_en.pdf

5. http://workspace.unpan.org/sites/Internet/Documents/UNPAN94971.pdf

6. http://reformas.gob.mx/

7. http://www.itu.int/wsis/implementation/2014/forum/inc/doc/outcome/wsis10.hle.policy_statements.pdf

8. http://www.mexicodigital.gob.mx

sets out a plan to address challenges in achieving the WSIS vision, Mexico has made notable progress in increasing connectivity, and was recently awarded a WSIS Prize under the WSIS action line C2 (Information and Communication Infrastructure).[9] In what it calls a "bold decision" in policy objectives, Mexico aims "to build a complete ecosystem to foster development and achieve growth through structural reforms, policies and technology".[10] Mexico has noted the importance of sharing best practices, expertise, technical, and financial assistance in helping developing countries and emerging economies reach WSIS goals in its contribution to the CSTD ten-year review.

Human Rights

Although Mexico hasn't focused on addressing human rights within the WSIS framework, the country supports a human rights approach to internet governance, and the belief that rights offline need to be protected online.[11]

In its submission to the CSTD review, the government identified misuse of ICTs and issues related to user security, human rights, privacy and data protection as emerging trends that have affected the implementation of the WSIS outcomes. To address this, the government has suggested the adoption of "preventive measures against the abuse of ICT", and has argued for international cooperation on cyber-security and child online protection to increase security and confidence in ICTs.[12]

Internet Governance

As the potential next host, Mexico is a strong supporter of IGF renewal for a period beyond the current five-year term. In its submission to the WSIS non-paper, it has noted the value of the IGF in the global ecosystem as a space for multistakeholder dialogue and highlighted its role in the development of various national and regional IGFs.[13]

Mexico's endorsement of the IGF reflects the government's ongoing support for multistakeholder approaches to governance, and the effort to resist a governmental capture of internet governance.[14] Mexico sees the multistakeholder model as a model that "allows us to listen and to take into consideration approaches for all the actors involved in the information society".[15] Mexico also claims that its own contribution to the model "has to be more open and more engaged," with the first step hosting the IGF in 2016.[16] In Mexico's view, "the healthy debate that happens in a multistakeholder environment" cannot be reduced to "an intergovernmental debate – internet is owned by all the people."[17]

However, in its submission to the WSIS non-paper, the government does not fail to note the need for the WSIS beyond 2015 to focus on strengthening enhanced cooperation, as envisaged in the Tunis Agenda, articles 69 and 65.[18] On balance, both in terms of the WSIS and internet governance, Mexico believes that the work could be expanded and strengthened, but does not think that the current WSIS texts should be changed.[19] In general, Mexico sees room for improvement and believes in acknowledging any issues or opportunities.[20]

Review Modalities

With regard to the Review modalities, Mexico maintains that one of the most important developments thus far is the "creation of a set of tools that has allowed evaluating the positive impact of ICT on economic growth, productivity, employment and competitiveness".[21] Bringing this attitude into the WSIS Review, the country supports measuring outcomes "through a series of statistical indicators that could be useful to compare and monitor the implementation of WSIS action plan, taking into consideration the circumstances of each country".[22]

9. http://groups.itu.int/stocktaking/WSISProjectPrizes.aspx#home

10. http://www.itu.int/wsis/implementation/2014/forum/inc/doc/outcome/wsis10.hle.policy_statements.pdf

11. Romero Caballero, Victoria. Telephone interview. 01 July 2015.

12. http://unctad.org/Sections/un_cstd/docs/cstd_wsis10_mexico_en.pdf

13. http://workspace.unpan.org/sites/Internet/Documents/UNPAN94971.pdf

14. Romero Caballero, Victoria. Telephone interview. 01 July 2015.

15. http://unctad.org/Sections/un_cstd/docs/cstd_wsis10_mexico_en.pdf

16. http://www.itu.int/net4/wsis/forum/2015/Content/doc/outcomes/Policy_Statements_Booklet_WSIS2015.pdf

17. http://www.itu.int/wsis/implementation/2014/forum/inc/doc/outcome/wsis10.hle.policy_statements.pdf

18. http://workspace.unpan.org/sites/Internet/Documents/UNPAN94971.pdf

19. Romero Caballero, Victoria. Telephone interview. 01 July 2015.

20. Ibid.

21. http://www.unctad.info/upload/WSIS5/Contributions/Governments/Mexico.pdf

22. http://unctad.org/Sections/un_cstd/docs/cstd_wsis10_mexico_en.pdf

THE ROAD TO WSIS+10: KEY COUNTRY PERSPECTIVES IN THE TEN-YEAR REVIEW OF THE WSIS

ACTORS

The National Digital Strategy team in Mexico, located within central government and coordinated through the Office of the President, is in charge of strategy development for forums like WSIS as well as facilitating multistakeholder participation.

MOTIVATIONS

Mexico has adopted strong national and regional initiatives in terms of ICT development and WSIS goals, and it sees the Review as an opportunity to highlight these as best practice in the field. Implementing the National Digital Strategy is expected to "provide success stories that will contribute to the global discussion about what is the best way to promote development through the use of Internet and Technology".[23]

The country has strong regional ties in Latin America in the field of ICTs for development, particularly through its leadership role in implementing the Action Plan for the Information Society in Latin America and the Caribbean (eLAC). Furthermore, recognising the difficulties posed by multistakeholder governance for small and developing countries that may not have the capacity to engage on an equal footing, Mexico aspires to become a regional leader in internet governance debates. Its aim is to include more diverse voices in international internet governance debates.[24] To that effect, Mexico is hosting the eLAC Ministerial Meeting in August 2015 and is planning to host the next IGF. In 2016, the country is hosting a high level OECD Ministerial Meeting on the digital economy, and in 2017, it will host the next Global Conference on Cyberspace. Although not a member of the G77, Mexico could have a mediation role between the Group and the U.S. and EU via its regional partners.

OPPORTUNITIES FOR CIVIL SOCIETY ENGAGEMENT

Elements of multistakeholder governance have been incorporated into Mexico's new telecommunications law.[25] Reflecting this, the National Digital Strategy office is currently holding open public consultations that are accessible at the following web address: http:// www.gob.mx/participa/docs/manifesto-para-la-gobernanza-de-internet. However, it is unclear if civil society will be allowed to join the Mexican delegation at the WSIS High Level Meeting or participate in other ways.

23. http://www.itu.int/wsis/ implementation/2014/forum/inc/doc/ outcome/wsis10.hle.policy_statements.pdf

24. Romero Caballero, Victoria. Telephone interview. 01 July 2015

25. Ibid.

42

09

NIGERIA

BY EDETAEN OJO
MEDIA RIGHTS AGENDA

Having come to power in May 2015, it is still unclear what policy direction the new government of President Muhammadu Buhari will take in the WSIS Review and, more generally, on internet and digital rights issues. It remains to be seen whether the government will stay engaged in the WSIS, as did its predecessor, or if it will jettison previous commitments. Nearly three months into the new administration, no cabinet has been formed nor members named. With no political head overseeing the sector, as is the case with other areas of governance, policy decisions in the ICT sector appear to have been stalled. At the same, it is unlikely that there will be any major policy reversal in this area. Before Buhari's regime, Nigeria has always played a relatively active role in the WSIS process. For example, at the WSIS Geneva phase in 2003, Nigeria announced that "...we have adopted a national policy for Information and Communications Technologies ... to ensure that our country is part of the evolving Information Society ...".[1] The previous government of President Jonathan had also been engaged on the issue, principally through the Ministry of Communication Technology established in July 2011 specifically to ensure a more intensive focus on the ICT sector in Nigeria and to coordinate government efforts in the administration of ICT throughout Nigeria. To that effect, the Minister chaired the 18th Session of the CSTD in 2015. During this time, It was not clear whether the government supported the IGF renewal, but it embraced the ICT sector as a key enabler of its development agenda and a catalyst for growing other sectors of the economy. As a result of the current policy vacuum, there may be an opportunity to inform and shape the government's position on internet governance, including its position on IGF renewal. Given Nigeria's clear leadership in West Africa and its standing on the continent, a positive attitude from Nigeria at this point could have a tremendous influence on the positions of many other African countries.

POSITION ON KEY ISSUES

Development

The Nigerian government's position on development within the WSIS Review is not known at this time as the new government has not indicated a formal position. However, previous governments in Nigeria have indicated a strong focus on development. During the 2005 WSIS phase, then Nigerian President Olusegun Obasanjo offered to assist other developing countries with funding, technical expertise and investments, in addition to debt relief, noting that ICTs are central to the development of poorer countries.[2]

President Obasanjo also stressed Africa's commitment to the Digital Solidarity Fund (DSF), which he said was a voluntary commitment of stakeholders to which Nigeria had already contributed 500,000 euros at the time.[3] In addition, for the 2012 WSIS Stocktaking Report, Nigeria submitted a report on how the

1. http://unpan1.un.org/intradoc/groups/public/documents/un-dpadm/unpan039421.pdf

2. http://www.panapress.com/WSiS-must-usher-hope-for-rural-communities---Obasanjo--13-576086-17-lang2-index.html

3. The DSF was set up in 2003 to help developing and disadvantaged nations attain an appreciable level of development in the information and communication technology sector and to link them up with the international community. https://www.itu.int/wsis/tunis/statements/docs/g-nigeria/1.html

implementation of the country's ICT projects was part of its national strategy towards achieving WSIS 2015 goals.[4] This position has subsequently been reinforced by former Communication Technology Minister Johnson, who noted in 2014 that the "combined ICT sector" is the fastest growing sector of the Nigerian economy, contributing about 8 per cent to a GDP of over USD 500 billion.[5] In light of this, the former government saw the ICT sector as a catalyst that underpins the development of other sectors of the Nigerian economy and a key enabler of the government's development and growth agenda.

Access to the Internet was a major priority for the government as it developed the National Broadband Plan under which it sought to deploy broadband network infrastructure and services across Nigeria. According to Minister Johnson, the government's target was to have 30 per cent broadband penetration by 2017, up from 6 per cent as at 2011.[6] Another priority area for the government was promoting local content as declared as one of its objectives, ensuring the participation of more Nigerians in the ICT sector as both producers and consumers of local content delivered over the Internet. Its stated strategy was to collaborate with the private sector to ensure increase in local content participation, especially in the hardware, software and services sectors.[7] This was evidently building on the foundation laid by the Obasanjo Administration.

The government also expressed its commitment to using ICT to improve internal efficiency in government by facilitating e-government to enhance transparency, efficiency, productivity and citizen engagement. Additionally, it also saw the ICT sector as a way of extending internet access and e-learning opportunities to secondary schools and tertiary institutions in Nigeria.[8]

Human Rights

The Nigerian government's current position on human rights within the WSIS Review is not known. However, the former government had declared its desire to respect the "freedom to seek, receive, impart and use information, especially when it relates to the creation, accumulation and dissemination of knowledge."[9] But it also noted the "competing concerns" of insecurity, cybercrime, piracy, privacy and spam as well as the security and stability of internet infrastructure.[10]

In addition, during the same administration, Nigeria was one of the countries that co-sponsored at the UN Human Rights Council Resolution A/HRC/20/L.13, adopted on July 5, 2012, wherein the Human Rights Council affirmed that "the same rights that people have offline must also be protected online, in particular freedom of expression, which is applicable regardless of frontiers and through any media of one's choice, in accordance with articles 19 of the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights."[11]

Internet Governance

The Nigerian government's current position on the issue of internet governance within the WSIS Review, including IGF renewal, is not known. internet governance issues were certainly not a priority for President Buhari during his campaigns and he has only made a fleeting reference to the ICT sector when he pledged to set up "Colleges of Skills and Enterprise", each of which would focus on "high job demand sectors of the economy", including ICT and telecommunications.[12]

However, the former government of President Jonathan had expressed support for multistakeholder approaches in referring to the national IGF, stating that fora such as the IGF, "with its strong focus on multistakeholderism" had a responsibility in searching for consensus, and allowing for views from each stakeholder community.[13] Although the extent to which such commitments have been implemented in reality may be contested, in articulating the government's position, Communication Technology Minister Omobola Johnson stressed that, "we all – government, private sector, and civil society – have responsibilities in ensuring that the beneficial uses of the internet far outweigh its manipulation

4. http://www.itu.int/wsis/stocktaking/docs/reports/S-POL-WSIS.REP-2012-PDF-E.pdf

5. http://www.ionigeria.com/48m-internet-users-ict-contributes-8-nigerias-gdp-nitda-dg/

6. http://www.bloomberg.com/news/articles/2013-12-19/nigeria-targets-30-broadband-penetration-by-2017-minister-says

7. http://a4ai.org/wp-content/uploads/2014/03/Approved_ICT_Policy-2012.pdf

8. http://www.oxfordbusinessgroup.com/nigeria-2013

9. Consolidating Nigeria's Position on the Global Internet Governance Forum 2012", Speech delivered by Mrs. Omobola Johnson, Honourable Minister for Communication Technology, on Tuesday, September 25, 2012 at the NICON Luxury Hotel, Abuja

10. Ibid.

11. UN Human Rights Council Resolution A/HRC.20/L.13 of July 5, 2012

12. http://www.thisdaylive.com/articles/in-covenant-with-nigerians-buhari-unveils-marshall-plan/204306/

13. file:///Users/shaiguttman/Downloads/speech_by_hon_min_comm.pdf

to cause harm".[14] In its contribution to the CSTD 10-year review of the implementation of WSIS outcomes, Nigeria emphasised the importance of the contribution of the WSIS process to enhanced freedom of expression and universal and non-discriminatory access to information and knowledge, thereby clearly underscoring its human rights underpinning.[15]

Review Modalities
The current position of Nigeria on the openness of the WSIS Review is not known. However, Nigeria had clearly been committed to the process under the previous government as evidenced by Nigeria's key role as chair of the CSTD. Nigeria also submitted a contribution to the CSTD 10-year review of the implementation of WSIS outcomes in July 2014 which took the view that the implementation of WSIS outcomes was contributing towards the development of a "people-centred, inclusive and development-oriented information society" and, in particular, that the WSIS implementation is contributing to the development of knowledge societies with quality education for all, perhaps indicating a tacit approval of an inclusive process - though not articulating any view on this explicitly.[16]

ACTORS

It is quite clear that the decisions about the position to be taken by Nigeria in the WSIS Review and other internet-related issues have largely been made by the Ministry of Communication Technology, since it came into existence in 2011, and specifically by the Minister in charge of the Ministry during President Jonathan's Administration. Minister Omobola Johnson, without doubt, enjoyed considerable confidence and trust from the government of President Jonathan as a result of her impressive academic qualifications and professional background.

Minister Johnson left office on May 29, 2015, at the expiration of the tenure of President Jonathan. There is no indication yet on who will succeed her. Indeed, with the promised fundamental restructuring of government ministries, departments and agencies underway at the time of publication, it is uncertain whether the Ministry of Communication Technology will be retained or scrapped. With Minister Johnson gone and in the absence of a successor, the Ministry of Communication Technology is being managed by its Permanent Secretary Dr. Tunji Olaopa, who is believed to be influential. But there is no indication yet about the degree of influence he has with the current political leadership in Nigeria and how confident he is with making policy decisions without clear instructions or broad guidelines from the leadership. Besides, he has hardly played any role on the international arena.

There are also a number of Nigerian government institutions and regulatory bodies which are active in various aspects of internet governance as well as digital and internet regulations, including the Nigeria Internet Registration Association (NIRA), the Nigerian Communications Commission (NCC), the National Identity Management Commission (NIMC), and National Information Technology Development Agency (NITDA), among others.

MOTIVATIONS

Nigeria's engagement with the WSIS Review in particular and ICTs in general has always been motivated by its view that ICTs "should play the role of facilitator and development enabler in the implementation of the post-2015 development agenda",[17] as well as in its national development agenda. This was particularly evident in Nigeria's contribution to the CSTD 10-year review of the implementation of the WSIS outcomes, which highlighted one of the key challenges as the lack of affordable access to ICTs, especially for people in rural communities. The view was also expressed that the challenges could be addressed through the implementation of the MDGs, particularly the declaration of universal basic education for all, poverty reduction, the provision of adequate infrastructure

14. Consolidating Nigeria's Position on the Global Internet Governance Forum 2012", Speech delivered by Mrs. Omobola Johnson, Honourable Minister for Communication Technology, on Tuesday, September 25, 2012 at the NICON Luxury Hotel, Abuja

15. http://unctad.org/Sections/un_cstd/docs/cstd_wsis10_nigeria_en.pdf

16. Ibid.

17. Ibid.

such as electricity, and encouraging North-South and South-South cooperation to enhance technology utilization and training.

Nigeria also identified the need for international and regional cooperation and capacity building "to ensure information security in the use of ICTs" and "the need for infrastructure development and access to quality education" as priority areas.[18]

OPPORTUNITIES FOR CIVIL SOCIETY ENGAGEMENT

In a sense, the present state of affairs in Nigeria presents an opportunity to engage the new government at the highest levels and shape or, at least, influence its policy direction. The government can be convinced to take the issue of internet governance on board and approach it with a positive attitude instead of taking a negative view and attempting to control the sector. Although the President has no discernible policy position at the present time, thousands of young Nigerians supported his campaign and used social media aggressively to push his campaign message of change. For now, he continues to enjoy a considerably positive image on social media and is therefore likely to support progressive policy initiatives. But this may change with time as disenchantment grows and he comes under increasing criticism, which could affect his outlook.

Although his government is yet to be fully formed, a few initial appointments made by President Buhari provide clear access points. Mr. Femi Adesina was appointed Special Adviser to the President on Media and Publicity on May 31, 2015, while Mr. Garba Shehu was similarly named Senior Special Assistant, Media and Publicity. Both of them are accessible and have a progressive view of the issues. More recently, there is widespread speculation that journalist and social media activist, Mr. Tolu Ogunlesi, would be named Special Adviser to the President on New Media. Mr. Ogunlesi, who has strong links with civil society organisations has been working with a coalition of stakeholders campaigning for the passage of a Digital Rights and Freedoms Bill.[19]

In addition to these appointments, the Vice President, Professor Yemi Osinbajo, a professor of law, also comes from a civil society background and has worked for many years with the current crop of civil society leaders in Nigeria on a variety of advocacy issues. These represent initial opportunities for civil society engagement with the new government even before all the necessary appointments are made.

18. Ibid.

19. http://netrights.ng/

10

PAKISTAN

BY SHAHZAD AHMAD AND HAROON BALOCH
BYTES FOR ALL, PAKISTAN

Pakistan has been a strong proponent of the WSIS and accords the highest priority to development - particularly focusing on the establishment of ICT infrastructure and applications for provision of quality services, equal access, education, employment opportunities and the empowerment of women. Pakistan was a key partner in energising the WSIS process from its beginning and for the establishment of the IGF during 2005-2006. However, in the following years, Pakistani authorities could not keep the momentum and tap into the potential that the WSIS framework provided, with limited progress towards WSIS action lines being reported at the national level. In the Review, Pakistan is expected to follow the G77 line. Moreover, with the prevailing situation of insecurity, lack of law and order and energy crisis, WSIS is not likely to be high on the government's agenda, nationally or internationally. In light of this, it is unlikely that Pakistan will hold national consultations or include civil society in its national delegation.

POSITION ON KEY ISSUES

Development

The Minister for Information and Technology stated at the WSIS Forum this year that the Pakistan government accords the highest priority to development – particularly focusing on the establishment of ICT infrastructure and applications for provision of quality services, equal access, education, employment opportunities and the empowerment of women.[1] In addition, Pakistan called upon the Geneva Principles and the Tunis Agenda while pursuing ongoing and forthcoming work regarding WSIS.[2] Indeed, on the access side, pursuant to accelerated digitisation and WSIS action line C2, 3G/4G services were launched in Pakistan in April 2014 with the expectation of achieving relatively faster deployment of mobile broadband infrastructure, which is seen as critical to ICT development.

However, despite Pakistan's initial progress, the situation on the ground largely has not shown these commitments translated into concrete actions. For example, although the proposed Telecommunication Policy[3] pays significant attention to initiatives started under the Universal Service Fund (USF),[4] which was exclusively established for development of ICTs in Pakistan, particularly connecting under-served rural areas, in reality, these funds were instead used by the current government to pay off the circular debt of the energy sector.[5] Misuse of USF money can be interpreted as the government's lack of commitment towards development of ICTs in the rural and remote areas of Pakistan, and mainstreaming access to underserved communities.

1. http://www.itu.int/net4/wsis/forum/2015/Content/doc/outcomes/Policy_Statements_Booklet_WSIS2015.pdf http://www.itu.int/net4/wsis/forum/2015/Content/doc/outcomes/Policy_Statements_Booklet_WSIS2015.pdfhttp://www.itu.int/net4/wsis/forum/2015/Content/doc/outcomes/Policy_Statements_Booklet_WSIS2015.pdf

2. http://www.itu.int/wsis/implementation/2014/forum/inc/doc/outcome/wsis10.hle.policy_statements.pdf

3. http://www.moitt.gov.pk/gop/index.php?q=aHR0cDovLzE5Mi4xNjguNzAuMTM2L21vaXQvdXNlcmZpbGVzL21haWxsL1 http://www.moitt.gov.pk/gop/index.

4. http://www.usf.org.pk/FCKeditor/editor/filemanager/connectors/aspx/UserFiles/USF-Policy.pdf

5. http://www.thenews.com.pk/Todays-News-2-187372-Telecom-funds-diverted-to-circular-debt http://www.thenews.com.pk/Todays-News-2-187372-Telecom-funds-diverted-to-circular-debt

Human Rights

Pakistan is not likely to take any strong stances on human rights issues in the WSIS Review. At face value, the government of Pakistan appears to broadly support human rights within the WSIS framework. At the WSIS Forum 2015, the Minister for Information and Technology stated that "every state has its own legal framework and socio-economic dynamics, and it is the responsibility of the state to accordingly protect the rights of citizens, both online and offline". She went on to add that "the safety and privacy of internet users is of utmost importance and without over regulating internet, there is a need to keep a balance to be determined by the respective states in accordance with their legal framework and socio-cultural norms".[6] This position, however, should be contextualised within the government's overarching concern with national security.

Domestically, security concerns have been detrimental to the efforts of ICT authorities to progress towards achieving the WSIS targets. For instance, information and knowledge are strongly subject to state censorship. YouTube has been inaccessible in Pakistan since September 2012, and there have been many examples of government-imposed bans on platforms and services such as Wikipedia, Facebook, Flickr, Wordpress, etc. (see cases like Innocence of Muslims,[7] Draw Muhammad Day[8] [hyperlink itself is blocked in Pakistan]). These measures are at odds with WSIS action line C3, which focuses on access to information and knowledge.

Discrepancies between Pakistan's official statements and its commitment to human rights on the ground are also evident when looking at implementation of WSIS action line C10. C10 urges states to promote the common good, protect privacy and personal data, and discourage abusive use of ICTs such as illegal activities and other acts including those motivated by racism, racial discrimination, xenophobia and related intolerance, hatred and violence. However, the abusive use of ICTs and human rights violations online in Pakistan has been on the increase. Furthermore, through the proposed Pakistan Electronic Crime Bill (PECB) 2015, the government appears to be working against the WSIS human rights framework, compromising users' privacy[9] and failing to protect consumer's data.[10]

Internet Governance

During WSIS in 2005, Pakistan, via its former permanent representative in Geneva, Ambassador Masood Khan,[11] in his capacity as the Chairman of one of the WSIS sub-committees, helped develop consensus[12] in defining the shared role of governments, businesses, civil society, and international organisations in decisions regarding internet governance. In 2006, on behalf of the G77 and China, Pakistan emphasised at the consultation on the establishment of the IGF, that effective and adequate participation by governments, civil society, NGOs, and businesses from developing countries is essential to realise development aspirations.[13]

In international fora such as the ITU and the Human Rights Council, Pakistan has stated that it has a clear-cut policy for provision of e-services to people while ensuring transparency and accountability in the public sector and facilitating good governance both at grassroots and inter-agency levels. However, on the ground, only the policy-making institutions are involved in decision-making while keeping the public in the dark, rarely taking other stakeholders on board. Indeed, the drafting of the PECB 2015 was done in isolation – reflecting the government's reluctance to engage in multistakeholder initiatives.

Pakistan's position on internet governance in the upcoming Review will probably reflect the joint position of the G77 and China,[14] reinforcing the role of governments and the need to address lack of progress towards enhanced cooperation. This assumption is supported by Pakistan's intervention in recent WSIS-related fora. In 2014, during the ITU-led WSIS High Level Event, Pakistan emphasised that "governments […] have a role and responsibility for internet

6. http://www.itu.int/net4/wsis/forum/2015/
    Content/doc/outcomes/Policy_Statements_
    Booklet_WSIS2015.pdf

7. http://www.dawn.com/news/750069/
    pm-orders-immediate-shutdown-of-youtube-
    services

8. http://www.drawmuhammad.tumblr.com/

9. https://www.facebook.com/voaurdu/
    videos/884218154957247/

10. http://www.netfreedom.pk/wp-content/
    uploads/2015/01/PEC-Bill-PDF.pdf

11. http://www.theregister.co.uk/2005/11/14/
    masood_khan_wsis/

12. http://www.wipo.int/edocs/mdocs/
    govbody/en/wo_cc_58/wo_cc_58_2874_
    pk.pdf

13. http://www.intgovforum.org/contributions/
    IGF%20Statement%20by%20PR.pdf

14. http://workspace.unpan.org/sites/Internet/
    Documents/UNPAN95036.pdf

governance on an equal footing."[15] At this year's WSIS Forum, Pakistan's Minister of State for Information Technology noted how "internet governance needs to be taken up in a conclusive manner on a relevant platform, such as the ITU whereby member states may consider agreeing upon minimum common denominators".[16]

Review Modalities

While recognising a role for civil society and private sector, Pakistan sees governments, under the umbrella of the UN General Assembly, as key players in the Review and has welcomed appointment of the two co-facilitators by the UNGA President to open intergovernmental consultations.[17] Pakistan has openly opposed participation of non-governmental stakeholders in the past when it demanded that civil society observers vacate a session of an early prepcom for WSIS I, arguing that governments need an opportunity to talk among themselves.[18]

ACTORS

According to Ministry of Foreign Affairs sources, the Ministry of Information Technology and Telecommunication is responsible for Pakistan's overall position on the WSIS Review process. However, before formulating any policy, it also seeks inputs from different government institutions and authorities, including the powerful Pakistani military establishment, security agencies, the Ministry of Foreign Affairs, the Ministry of the Interior, the Finance Ministry, and the Pakistan Telecommunication Authority (PTA). The role of the regulator (PTA) however, is limited to giving inputs, and it is not in a position to influence policy making. Additionally, Pakistan's permanent missions in Geneva and New York are on the forefront to bargain and debate on ICT issues on the negotiation table, however, policy making on ICTs is the domain of the Ministry of Information, Technology and Telecommunication. The missions are bound to consult with the relevant quarters through the headquarters in Islamabad.

MOTIVATIONS

Pakistan's foreign policy is strongly influenced by its security-related concerns at the national level. Pakistan has been confronting numerous internal as well as external security challenges since the 1980s, and every issue of Pakistani policy-making is channelled through the prism of national security. This approach has damaged the development of ICTs in Pakistan on a large scale, and the ICT industry and internet freedoms have been curbed through legislation, such as the recently proposed PECB in 2015. The 'War on Terror' and ongoing counter-terrorism operations in different parts of the country are among the main drivers that affect policy-making in Pakistan.

In terms of external factors, Pakistan is an influential member of the Muslim world and part of the second largest intergovernmental organisation in the world, the Organisation of Islamic Cooperation (OIC). The OIC coordinates a group of 57 Muslim countries. Pakistan and the OIC have a history of working in close coordination to project the collective agenda of the Muslim world. Hence, Pakistan refrains from taking any initiative which can harm the OIC agenda or go against the interests of individual Muslim countries. Moreover, in the regional context, Pakistan has strong bilateral ties with and is a close ally of Russia, China and Sri Lanka on human rights and humanitarian issues. China is Pakistan's strategic partner with large investments in Pakistan, while ties with Russia have been steadily increasing over the past five years.[19] Within the context of the UN General Assembly, Pakistan tends to align its position with that of these actors and the lines taken by the G77, and is not expected to break ranks during the WSIS Review.

15. http://www.itu.int/wsis/implementation/2014/forum/inc/doc/outcome/wsis10.hle.policy_statements.pdf

16. http://www.itu.int/net4/wsis/forum/2015/Content/doc/outcomes/Policy_Statements_Booklet_WSIS2015.pdf

17. http://www.itu.int/wsis/implementation/2014/forum/inc/doc/outcome/wsis10.hle.policy_statements.pdf

18. http://www.icvolunteers.org/files/wsis_past2future_ebook1.pdf (pg.160)

19. http://www.mofa.gov.pk/pr-details.php?mm=MjM2OQ

OPPORTUNITIES FOR CIVIL SOCIETY ENGAGEMENT

The current government has been adopting a clear policy of disengagement with civil society and relevant stakeholders. The government's parliamentary consultations for the Pakistan Electronic Crimes Bill (PECB) 2015 are the best

example of this, as they tried to promulgate legislation without consulting civil society and other relevant stakeholders. This move was ultimately barred by civil society, the IT industry, and the opposition parties' coalition. Currently, the government's stance towards civil society is extremely confrontational after banning the operations of Save the Children, an international non-governmental organisation in Pakistan, with new bills on the cards meant to further limit the activities of civil society organisations and monitor funding of NGOs in Pakistan. These circumstances do not signal at any relationship between the government and civil society instrumental for the WSIS Review, and indicate that it is unlikely that Pakistan will hold national consultations with civil society. Bytes for All, a human rights organisation in Pakistan, along with other CSOs, has been using numerous advocacy tactics to engage a range of stakeholders, including the government, to establish stable grounds for the initiation of a dialogue in this direction.

11

RUSSIA

BY DANIEL KENNEDY

Russia supports the continuation of the WSIS beyond 2015, and has called for a new Summit to be held in 2020. Russia is an enthusiastic supporter of WSIS as a tool for development and supports linking the WSIS to the SDGs. However, Russia's approach to the Review is informed by a view of cyberspace that is significantly different to that of the U.S. and it allies. Its perspective is rooted in a concern with uncontrolled exchange of information in cyberspace, which it perceives as a threat to society, state and the principle of national sovereignty. This is fomented by its belief that the government needs to be able to exercise effective control within its borders, something that Russia sees as being threatened by the various complexities of the digital era. Russia has forged alliances based on these views with members of the Commonwealth of Independent States (CIS), the Collective Security Treaty Organization (CSTO), and the Shanghai Cooperation Organisation (SCO). It is also closely aligned with the G77. Russia will most likely try to leverage these alliances during the Review to propose the introduction of some form or 'code of conduct' between states pledging non-interference and a greater role for the UN (particularly the ITU) in WSIS beyond 2015. In terms of governance, it has voiced reservation about WSIS consensus-based decision-making and the reticence of the Review to address issues of the role the U.S. plays in internet governance. This is in keeping with Russia's long-standing opposition to U.S. dominance in internet governance and preference for a model predicated on respect for 'digital sovereignty' and 'national internet segments'. Russian diplomacy has consistently sought to strengthen state control over the internet and is likely to push this view during the Review. Russian civil society has been poorly represented during the WSIS Review, with meetings scantily publicised, and with no formal opportunity to join the national delegation.

POSITION ON KEY ISSUES

Development

The government has been a vocal supported of the role of ICTs in development, and has pointed to the WSIS as an important international framework for the advancement of national and regional development strategies and plans.[1] Although supportive of the continuation of the WSIS beyond 2015, Russia has called for a reframing of the WSIS development paradigm:

"We note the importance of new development paradigm of the Information Society which in the future should evolve into the Knowledge Society. It is inadmissible to equate the development of the society to the development of technologies, forgetting the development of individuals, to substitute acquiring knowledge for acquiring skills in using computers and smartphones, to focus on bridging the digital divide and improving capacity rather than the quality and security of information in the Internet."[2]

1. http://www.itu.int/wsis/review/mpp/pages/consolidated-texts.html

2. http://workspace.unpan.org/sites/Internet/Documents/UNPAN94956.pdf

At the moment, it is hard to say with certainty whether the push to reframe the WSIS vision via a new Summit is a red herring or a genuine objective for Russia. Although on the face of it an un-objectionable proposition, Russia's reference to 'information security' in the WSIS context, coupled with a call for a new Summit in 2020,[3] reflects Russia's on-going attempts to export its vision of cyberspace and embed it in the international system. The 'information security doctrine', underpinned by the idea of 'internet sovereignty' and the perception of 'content as threat' and widely considered to be at odds with the 'Western consensus', is a critical feature of Russia's international cyber policy.[4] As a unique opportunity to link this vision with the notion of development, Russia will likely insist on this point during the Review.

Russia has expressed support for linking the WSIS to the SDGs, and has emphasised the direct relationship between the key goals of the WSIS and the sustainable development goals. In its submission to the WSIS non-paper, Russia went as far as describing the UN General Assembly High-level Meeting in December as an "important stepping-stone in the world's efforts to eradicate poverty and to attain the internationally agreed development goals and objectives."[5] Coherent with its overall support for the role of the ITU, the government has been particularly complimentary of the WSIS-SDG matrix developed by the ITU that links the WSIS action lines and the SDGs.[6]

In identifying new challenges relevant for the implementation of the WSIS outcomes related to development, Russia has noted that affordable access and use of ICTs are still far from being uniformly distributed, curbing the opportunity of parts of the world to maximise the potential of ICTs.[7] Russia's views on priority areas for WSIS beyond 2015 are echoed in the outcomes of the ITU-led WSIS+10 High Level Event, which it fully endorses and sees as providing "clear directions for further activities in close connection with the Post-2015 Development Agenda."[8] Further, Russia has noted the urgent need to fully implement commitments regarding financial mechanisms as outlined in the Tunis Agenda.[9]

On balance, Russia's focus on development needs to be contextualised within the framework of its broader geopolitical interests, as well as its objective to reaffirm the principle of state sovereignty in cyberspace and strengthen the role of state in internet governance. (see below)

Human Rights

Russian officials have often stated that internet rights are best upheld by states, which act as "guarantors of rights and freedoms for their citizens".[10] Although it acknowledges the importance of respecting and protecting human rights online, Russia is careful to counterbalance this notion with the "necessity to respect national sovereignty and applicable norms of the international law".[11] In its proposed 'Code of Conduct', presented at the UN General Assembly in 2015, called upon states "not to use information and communications technologies and information and communications networks to interfere in the internal affairs of other States or with the aim of undermining their political, economic and social stability."[12]

At the national level, Russia's commitment to human rights online has been thrown into doubt in recent years by a host of national laws and measures that were seen to be instrumental in restricting access to information, enabling censorship, and stifling free expression.[13] [14] Despite a relatively poor domestic record on digital rights,[15] at the international level, Russia has recently expressed particular concerns over users' right to privacy and access. This has been most clearly manifested in concerns over the blocking of access to ICT resources and domains for residents of the Republic of Crimea, a territory claimed by Russia but regarded by the U.S. and EU as de jure part of Ukraine. At the 52nd ICANN in Singapore in February 2015, Julia Elanskaya, Deputy Director of Department on International

3. Ibid.

4. http://www.conflictstudies.org.uk/files/giles-russia_public_stance.pdf

5. http://www.itu.int/wsis/review/mpp/pages/consolidated-texts.html

6. Ibid.

7. Ibid.

8. http://www.itu.int/net4/wsis/forum/2015/PolicyStatements/

9. http://www.itu.int/wsis/review/mpp/pages/consolidated-texts.html

10. Ibid.

11. Ibid.

12. https://ccdcoe.org/sites/default/files/documents/UN-150113-CodeOfConduct.pdf

13. http://advocacy.globalvoicesonline.org/2014/04/30/the-kremlins-internet-annexation/

14. http://www.aei.org/publication/internet-freedom-vladimir-putins-russia-noose-tightens/

15. https://freedomhouse.org/report/freedom-net/2014/russia

Collaboration of Ministry of Telecom and Mass Communications stated that the sanctions violated the UN Declaration on Human Rights and the framework of the WSIS:

> "Sanctions, especially those, that are imposed on the internet users, must be considered as restriction of the right of every person to receive and distribute information and ideas through mass media independently of state borders, as it is established in Article 19 of the Universal Declaration of Human Rights. This precedent contradicts with values of the International meeting at the highest level on information society [WSIS], especially with principles of using ICT for ensuring general access to information in accordance with Tunisian program on information society."[16]

It's important to note that while this issue demonstrates a genuine concern around access, it also feeds into a wider geopolitical issue of Crimea's legal status under international law.

Internet Governance

Russia has consistently favoured a more state-centric mode of internet governance. Both the need to strengthen the role of state (nationally and internationally) and the need to root internet governance more firmly within the framework of the United Nations, have been recurring motifs in its interventions in international fora. It is worth noting that Russia's position on internet governance is based on a view that the state is the final arbiter of decisions on internet governance, rather than a repudiation of the multistakeholder model. Consistent with this interpretation, Russia's submission to the WSIS non-paper puts considerable emphasis on the need for the WSIS beyond 2015 to strengthen and increase the role of governments in internet governance.

This position is supported by Russia's negative assessment of progress on both major elements of the WSIS agenda related to internet governance: enhanced cooperation and the IGF. In regards to the former, Russia has noted on several occasions that the process towards enhanced cooperation has not been fully established, and that this would be best addressed "in the framework of the ITU."[17 18 19] Russia's interest in enhanced cooperation is fuelled by a combination of it being seen as a potential mechanism to increase and strengthen the role of governments in internet governance in relation to other stakeholders, but also an opportunity to offset the dominant political role of the U.S. and its allies in the global internet governance ecosystem. It is possible that Russia's call "to establish a special committee for preparation of universal convention on the Internet Governance in order to elaborate the international legal framework in this field" aimed at harmonising the interaction among stakeholders[20] gets framed as an answer to the lack of progress on enhanced cooperation.

As far as its view of the IGF, Russia does not see the Forum to be sufficiently effective as an "autonomous structure capable to bear responsibility for the elaboration and adoption of global Internet governance policy."[21] Rashid Ismailov, Russia's Deputy Minister of Telecom and Mass Communications, has expressed similar doubts about the Forum's authority to act as a vehicle for discussions on internet governance:

> "Russia is not sure that the [IGF] is ready to be responsible for development of global policy in sphere of Internet management. However, we support participation of the Forum as an independent structure in more pragmatic, coordinated and integral WSIS process within Geneva Plan of Actions and Tunisian Program for Information Society."[22]

Consistent with this view, Russia has stated that their support for the renewal of the IGF's mandate was conditional upon its reform, including through "increasing

16. http://minsvyaz.ru/en/events/32631/

17. http://unctad.org/en/Pages/CSTD/WGEC-Responses.aspx?In=31,30

18. http://workspace.unpan.org/sites/Internet/Documents/UNPAN94857.pdf

19. http://www.itu.int/wsis/review/mpp/pages/consolidated-texts.html

20. Ibid.

21. Ibid.

22. http://minsvyaz.ru/en/events/33522/

practical efficiency of discussed issues and strengthening the role of governments including improvement of organizational, procedural and other aspects of the Forum's work."[23]

ACTORS

Formally, internet governance is the remit of the Ministry of Telecom and Mass Communications. On a more practical level, policy is set by the Ministry of Foreign Affairs as part of a larger foreign policy agenda and the Ministry of Telecom and Mass Communications is left to implement decisions. Generally, all policy decisions in Russia dealing with strategic affairs flow from the Kremlin which in recent years has moved from the doctrine of "managed" democracy where the political and media landscape, including all public discussion, were stage managed from above to something more coercive of any independent voices.

MOTIVATIONS

On the domestic level, politicians and government officials have spoken of the need to maintain "sovereignty" in the digital realm and of "national internet segments". This securitised narrative can be seen most clearly in the "International Code of Conduct for Information Security", which was presented to the United Nations General Assembly in January 2015.[24] Russia's Deputy Minister for Communications, Rashid Ismailov has explicitly drawn the international community's attention to this document in a statement at the 2015 WSIS Forum[25] and it is likely that Russia will push for an adoption of some form of the Code of Conduct in December, as indicated by its submission to the WSIS non-paper.

The Code can be seen as an attempt to establish national sovereignty over the information space as an international norm. Numerous commentators and officials in Russia have repeatedly expressed concern that the internet could be used by foreign governments and actors to destabilise Russia politically or otherwise harm Russia's interests.[26] [27]

Outside of this narrative, economic and developmental concerns are also important. The growth of Russia's ICT sector is a key aim of the communications ministry, and a part of Russia's recently launched import-substitution plan.[28] Research from the Russian Association for Electronic Communications, an industry group, suggests internet-dependent business may make up as much as 10% of Russia's economy and that growth in content and service provisions and online payment may be as much as 30% in 2014 compared with the previous year.[29] Much of this move is primarily economic, but in nature, Russia's communications Minister has specifically linked the move to a protection of users from western venders using "politically motivated so-called sanctions to limit the provision of certain products or refuse service."[30]

While geopolitical concerns have played a role in Russian policy on internet governance for many years, the issue has become more explicit in public statements since the Ukrainian crisis began in early 2014. Concerns that the EU and US will use the internet architecture to sanction Russia have seemingly been vindicated in the cancellation by ICANN of domains, registered on the territory of Crimea. The role of ICANN, as an organisation formally under US jurisdiction, is viewed with increasing suspicion as relations with the US deteriorate. Commenting on US sanctions on Crimean domains, Elanskaya stated that "these restrictions also damage the multilateral model of Internet Governance and clearly demonstrate its inefficiency. We suppose that it's necessary to ensure more fair allocation of Internet Governance means based on international agreements between countries under the aegis of the United Nations."[31]

Russian President Vladimir Putin has even considered creating a back-up DNS

23. http://www.itu.int/wsis/review/mpp/pages/consolidated-texts.html

24. https://ccdcoe.org/sites/default/files/documents/UN-150113-CodeOfConduct.pdf

25. http://www.itu.int/net4/wsis/forum/2015/Content/doc/outcomes/Policy_Statements_Booklet_WSIS2015.pdf

26. http://www.global.asc.upenn.edu/isolating-not-taming-whats-behind-the-impetus-to-digital-sovereignty-in-russia/

27. http://www.global.asc.upenn.edu/demand-for-internet-freedom-an-interview-with-erik-nisbet/

28. http://www.vestifinance.ru/articles/55063 [Russian]

29. http://xn--80aaokjbmheeb2a2al4l.xn--p1ai/upload/2014/research-economics-2013-2014_min.pdf [Russian]

30. http://www.vestifinance.ru/articles/55063 [Russian]

31. http://minsvyaz.ru/en/events/32631/

in order to ensure Russian websites function during a national emergency: "We need to greatly improve the security of domestic communications networks and information resources, primarily those used by state structures."[32] The implication is that government fears another state could move to cut off Russia from the rest of the internet architecture with devastating results.

Russia has embraced regional groupings like BRICS (Brazil, Russia, India, China and South Africa) and the Shanghai Cooperation Organization (made up of China, Kazakhstan, Kyrgyzstan, Tajikistan, Russia and Uzbekistan, and most recently India and Pakistan) as a forum for discussion on internet governance and other ICT policy issues. It was at a December 2008 session of the Shanghai Cooperation Organization that an "Agreement on Cooperation in the Field of Information Security" was first drafted, which would later form the basis of the "Code of Conduct".[33] Discussion on internet governance was on the agenda when Russia hosted the Seventh BRICS Summit in Ufa between July 8-10, 2015. Minister for Communications Nikolai Nikiforov has stated he wished to use the opportunity the Ufa Summit presents to work on a joint plan with the countries of BRICS for fighting the digital divide, working together in the sphere of cybersecurity and on the question of governance of critical structures of the internet.[34] In the statement issued following the Ufa summit,[35] the BRICS countries confirmed their commitment to making ICT an integral part of the post-2015 development agenda and bridging the digital divide. The member countries used the summit to make a strong stand against mass-surveillance, calling on both sovereignty (the rights of states to not have their affairs interfered with by other states) and human rights principles (the rights of citizens to privacy).

It is likely that Russia's relations with the SCO and BRICS will play a role in the WSIS Forum in December 2015 and they may use these links to put forward more normative international rules in relation to internet governance with a particular emphasis on data privacy and mass surveillance.

OPPORTUNITIES FOR CIVIL SOCIETY ENGAGEMENT

The Russian government is generally not highly receptive to engaging with civil society on the WSIS and is hostile to any independent domestic civil society voices. Some small groups, such as the Institute of the Information Society took part in various sessions at the ITU-led WSIS +10 High Level Event in 2014,[36] and even sent a representative to the Russian delegation at the WSIS Forum in May 2015,[37] but in general, the level of civil society engagement on the issue is low and generally limited to small representations from the Russian Coordinating Council for Top Level Domains, Russian Association for Electronic Communications and the world of academia. Any engagement taking place has been poorly publicised. There are not currently any plans to hold national consultations and it is currently not possible to join the national delegation.

32. http://www.nytimes.com/2014/10/02/world/europe/russia-vladimir-putin-internet.html?_r=1

33. http://www.npr.org/templates/story/story.php?storyId=130052701

34. http://minsvyaz.ru/ru/events/32955/

35. http://www.nkibrics.ru/system/asset_docs/data/559e/7a9a/6272/6943/0821/0000/original/VII_BRICS_SUMMIT_-_UFA_DECLARATION_JULY_9__2015_UFA__RUSSIA.pdf?1436449434

36. http://www.iis.ru/en/content/view/630/91/

37. http://www.iis.ru/en/content/view/655/91/

12

SOUTH AFRICA

BY ASSOCIATION FOR PROGRESSIVE COMMUNICATIONS (APC)

South Africa does not yet have a consolidated public position on the WSIS Review process, but its views can be inferred from a range of national sources,[1] as well as interventions made by the government in international fora. The Department of Telecommunications and Postal Services (DTPS) commissioned a WSIS follow-up and implementation progress report earlier in 2015. The report was developed by the South African Communications Forum (SACF), an industry body. To our knowledge, and to the knowledge of the SACF, it is not yet publicly available. The country's position will likely be closely aligned with that of the Group of 77 (G77), on whose behalf the government spoke in the WSIS preparatory meeting held in New York on July 1 2015 at the United Nations. Although invested in promoting a development-oriented agenda within the WSIS framework, the government is not likely to secede its interest in seeing progress on issues related to internet governance, and enhanced cooperation in particular. South Africa's position on IGF renewal will likely be used as a bargaining chip to secure gains in the broader governance debate. There are no obvious avenues for civil society engagement in the WSIS process at this time but there is a civil society driven initiative to convene a local Internet Governance Forum on 11 September to which the DTPS has been invited.

POSITION ON KEY ISSUES

Development

Broadly, South Africa aligns it position on development and the WSIS Review with the position taken by the G77. Namely, it sees poverty reduction as one of the key priorities for the WSIS, and believes that the outcomes of the Review "must recognise the […] synergies between the [WSIS] Vision […] and the newly crafted SDGs".[2] What is also interesting about the G77 statement of 1 July is that it says, referring to the ten-year WSIS Review, that: "It is imperative that, as per the modalities resolution, the focus of this Review is anchored in the vision of the Tunis Agenda. There is no need to renegotiate or re-invent the Tunis Agenda."[3]

This can be interpreted to mean that while they are committed to exploring synergies between WSIS goals and the SDGs, they are not likely to opt for complete integration, at least not to the extent of letting go of some of the non-SDG related aspects of the Tunis Agenda such as 'enhanced cooperation'.

Human Rights

South Africa has never emphasised the human rights related content in the WSIS framework. It generally, at least in international forums, maintains that tackling extreme inequality is only possible in the context of policies and programmes that take economic, social and cultural rights seriously – giving them prominence and priority equal to that of civil and political rights. Speaking on behalf of the G77 and

1. National Development Plan, the Broadband Policy of 2013, the National Integrated ICT Policy Green Paper of 2014

2. http://www.g77.org/statement/getstatement.php?id=150701

3. Ibid.

China, South Africa recommended that the WSIS Review should establish a shared understanding on the applicability of international rights, ethics, and freedom of expression and norms to activities in cyberspace. The statement noted that the WSIS Review was an opportunity to call on governments to protect their citizens from human rights violations online, close the gap on the digital divide, and promote gender rights.[4]

South Africa has expressed serious reservations with attempts to equate online and offline exercise of the right to freedom of opinion and expression. They are the most vocal member of the Human Rights Council (HRC) to have openly questioned this assumption. While they joined the consensus for the 2012 HRC resolution, they have since adopted a position of dissociating themselves from UN resolutions that reference the protection of human rights offline and online. They did so for the 2014 UNGA resolution (68/167) on the right to privacy in the digital age,[5] the 2014 HRC resolution on internet and human rights,[6] and the 2015 HRC resolution on the appointment of a Special Rapporteur on the Right to Privacy.[7]

Internet Governance

The general position of the country on internet governance at a global level is that it should be government-led, with developing countries having equal voice to developed countries, and that other stakeholders should be engaged in "their respective roles and responsibilities".[8] During the July 1 WSIS preparatory meeting, South Africa endorsed the G77 view that much work remains to fully implement the WSIS outcomes, particularly in the field of internet governance. Similarly to other G77 countries, South Africa identifies the lack of progress on enhanced cooperation as one of the major obstacles for developing countries to fully benefit from ICTs. Achieving progress on enhanced cooperation is thus likely to emerge as a key ask for South Africa.

The above-mentioned G77 statement does not mention the IGF, or IGF renewal. This should not be interpreted as South Africa not supporting the IGF, but rather as a tactical position that would allow them to use IGF renewal in negotiations on the final text of the WSIS Review. In general, South Africa has not been opposed to the IGF, but also not a great supporter. When they have spoken on the IGF they say that the mandate of the IGF should remain as it is presented in paragraph 72 of the Tunis Agenda.[9] They have said, on the one hand that the IGF does not have concrete outcomes, which diminishes its value, but on the other hand, they have not shown much interest in making it more outcome-oriented.

Review Modalities

South Africa would have supported the original draft version of the resolution presented by Fiji in September 2013 on behalf of the G77 States, which proposed a full-scale review process for WSIS+10, with a series of preparatory meetings and a main event in 2015.[10] It is important to read this text carefully. It asks for a full-scale review and preparatory process and does create the opportunity for participation of other stakeholders. The draft resolution stated that an intergovernmental preparatory committee should be established and that this committee would decide on how non-governmental stakeholders could participate.[11]

The July 1 G77 statement reaffirms the July 2014 Resolution adopted by the UNGA (68/302) outlining the modalities for the overall review.[12] According to the resolution, the high-level meeting will be "preceded by an intergovernmental preparatory process, which also takes into account inputs from all relevant WSIS stakeholders." The process will result "in an intergovernmentally agreed outcome document" for adoption by the UN General Assembly. South Africa will likely stick to the letter of this resolution which limits the roles of non-governmental stakeholders to providing input rather than actively shaping the outcome documents.

4. Ibid.

5. http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/68/167

6. http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/082/83/PDF/G1408283.pdf?OpenElement

7. http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15763&LangID=E

8. http://www.g77.org/statement/getstatement.php?id=111026

9. http://www.itu.int/wsis/docs2/tunis/off/6rev1.html

10. http://www.un.org/ga/search/view_doc.asp?symbol=A/68/435

11. Ibid.

12. http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/68/302

ACTORS

Originally, the Department of Communications was in charge of all communications matters in the country, including telecommunications. In 2014, power was transferred to the newly created Department of Telecommunications and Postal Services (DTPS).

DTPS creates the policy framework that the national regulator, the Independent Communications Authority of South Africa (ICASA), has to work with. Together with the Department of International Relations and Cooperation (DIRCO) – they are the most important bodies in terms of decision-making on international internet policy issues in South Africa. Minister Siyabonga Cwele, former Minister of Intelligence, heads this department with a mandate focused – but not limited to – "using ICTs to deal with the effects of persistent unemployment, inequality and poverty prolonged by the legacy of apartheid".[13] As far as we can ascertain, for the purpose of the current WSIS Review, the DIRCO has been the primary actor. But this might change in the course of the preparatory process.

MOTIVATIONS

Development will likely continue to be a key internal driving force in South Africa's position in the WSIS Review. South Africa's National Development Plan (NDP) acknowledges ICTs as central to development – with the goal of achieving universal access by 2020.[14] Much investment is being put into the domestic ICT sector – in November 2013, SA Connect, a plan to develop and implement nationwide broadband ICT infrastructure to meet the electronic communications needs of citizens, business and the public sector was launched.[15] In addition, security concerns are a priority in the country's decisions regarding ICTs. In 2012, South Africa adopted a cyber security policy and has since worked with members of the African Union (AU) on a continental cyber security framework, which was recently adopted by the African Union Summit.[16]

At regional level, South Africa participated actively in the African Union and would have contributed to the AU Agenda 2063.[17] They also would have contributed to the Southern African Development Community – Regional Infrastructure Development Master Plan.[18] Internationally, they are part of IBSA and BRICS. The outcome statement from the 5th BRICS Summit recognised the critical and positive role the internet plays globally in promoting economic, social and cultural development and emphasised the importance of a peaceful, secure, and open cyberspace and that "security in the use of Information and Communication Technologies (ICTs) through universally accepted norms, standards and practices is of paramount importance".[19]

The South African government participates in the Government Advisory Committee (GAC) of ICANN, but they have said on occasion in informal contexts that the structure of the GAC renders governments powerless because the GAC only acts in an advisory capacity to the ICANN board.

In its internal strategy document the DTPS outlines a vision of South Africa being a global leader in the use and development of ICTs for socio-economic development.[20] The country seeks to be part of structures that can further enhance their vision and has lobbied to be part of the ITU Council in 2014.[21]

OPPORTUNITIES FOR CIVIL SOCIETY ENGAGEMENT

In theory, there are opportunities for civil society engagement as espoused in the integrated ICT policy documents, but in practice there is little room for effective, influential civil society participation in South Africa. Currently, there are no known plans to hold national consultations for the WSIS Review. In her Strategic and Annual Performance Plans presentation for 2015-16,[22] Director General

13. http://www.dtps.gov.za/about-us.html

14. http://www.itu.int/en/ plenipotentiary/2014/statements/file/ Pages/south-africa.aspx

15. http://mybroadband.co.za/news/ government/93243-south-africa-connect-the-new-broadband-policy.html

16. http://www.itu.int/en/ plenipotentiary/2014/statements/file/ Pages/south-africa.aspx

17. http://www.agenda2063.au.int/

18. http://www.sadc.int/files/7513/5293/3530/ Regional_Infrastructure_Development_ Master_Plan_Executive_Summary.pdf

19. http://www.brics5.co.za/fifth-brics-summit-declaration-and-action-plan/

20. http://www.dtps.gov.za/strategic-overview. html

21. http://www.itu.int/en/ plenipotentiary/2014/statements/file/ Pages/south-africa.aspx

22. http://pmg.org.za/committee-meeting/20662/

Rosey Sekese made no mention of the country's plans for the WSIS Review. It is possible that a consultation may take place, if there is enough demand from non-governmental stakeholders and if it can be raised in the parliamentary portfolio committee. South Africa has shown no interest in including non-governmental members in its official delegations recently. During the WSIS however, it did. While this does not mean complete disregard for multistakeholder participation, it does show lack of continuous commitment.

In May 2015, with under two weeks' notice, the government announced the establishment of a the National ICT Forum[23] to enable stakeholder engagement, and to replace previous mechanisms such as the Broadband Advisory Council which was convened by the previous minister and then abandoned by his successor.[24] The Forum is made up of four 'chambers': social, economic, governance and security, and ICTs and disability. The Association for Progressive Communications (APC) through the South African Communications Forum (SACF) was invited to contribute to the inclusion of internet governance under the 'governance and security' chamber. However, it is unclear if internet governance was included and it is also unclear who participated at the Forum as it was not widely publicised and we could not find a record of the event.

23. http://www.gov.za/speeches/minister-siyabonga-cwele-launch-national-ict-forum-15-may-2015-0000

24. http://www.da.org.za/2015/05/cwele-creates-another-ict-talkshop/

13

SWEDEN

BY ADITI GUPTA
GLOBAL PARTNERS DIGITAL

Sweden has been one of the leading European voices in internet-related public policy discussions in recent years. Its role in the WSIS Review builds on the government's engagement in other fora, including the UN Human Rights Council, CSTD, and the ITU. Sweden sees the WSIS framework as a relevant international mechanism to promote ICTs for development that should be continued post 2015 and explicitly linked with the post-2015 development agenda. Once at the negotiation table, the government will likely hold up human rights-based development-related issues as their priority, and attempt to ward off discussions that may politicise the process such as those on internet governance and enhanced cooperation. Sweden will continue to support arguments in favour of bolstering the multistakeholder approach to governance originally espoused by the process as well as the renewal of the IGF. This position is in part driven by Sweden's domestic priorities linking ICTs and development, as well as their overall foreign policy objectives, which have human rights as a central pillar. In addition, the new government, which assumed office in fall 2014, has a strong gender focus. Throughout the Review, the government is expected to continue to work closely with its European allies, as well as the U.S. and Canada. Internally, Sweden's negotiating position in the Review is coordinated between several ministries, and the government is open to informal engagement with civil society actors to help inform their position.

POSITION ON KEY ISSUES

Development

Reaffirming the WSIS as a unique framework to promote development through ICTs will likely be the main priority for Sweden in the Review, and they have echoed this sentiment domestically by making ICTs a pillar in Sweden's overall development strategy for global, sustainable growth.[1] The Swedish government sees the WSIS Review as an opportunity to rectify the failure to link the WSIS framework with the Millennium Development Goals[2] and is now pushing for "ensuring an explicit connection between the key aim of the WSIS...and the post-2015 development agenda."[3]

In recent official statements, the government has focused on the importance of "bridging the digital divide between developed and developing countries", and pushing for "affordable access provided by a strong and capable institutional structure as well as the necessary technological means".[4] Within this goal, Sweden has emphasised the importance of youth engagement, gender equality, and "providing equitable access to information and knowledge for all".[5] Interestingly, during the ITU-led Multistakeholder Preparatory Platform (MPP), the government was opposed to a proposal put forward by UN Women to introduce a new Action Line on gender, most probably for strategic reasons.

1. WSIS+10 HLE 2014: http://www.itu.int/wsis/implementation/2014/forum/inc/ps/doc/PolicyStatementsSessionOne-C/H.E.Mr.Olof.Ehrenkrona_Sweden.docx

2. Interview with Swedish official

3. WSIS MPP Doc V1/B/16: http://www.itu.int/wsis/review/inc/docs/phase2/rc/V1-B-16.docx

4. Ibid.

5. WSIS MPP Doc WSIS+10/4/58: http://www.itu.int/wsis/review/inc/docs/phase5/r/wsis10-4-58.docx

Despite their calling for internet governance capacity-building initiatives to be included in international development programmes,[6] Sweden is hesitant to back the Digital Solidarity Fund, stating that "creating a single fund would not deal with the issue [of disparity in technology between rich and poor countries]." According to the government, "this issue is better addressed through bilateral relations between countries."[7]

Human Rights

Human rights issues are a key priority for Sweden and integral to their emphasis on development in the WSIS Review. For Sweden, human rights are fundamental to any development process and respecting and promoting them is seen as a prerequisite to realising the goals of a post-2015 development agenda and the WSIS process beyond 2015. At the WSIS+10 High Level Event in 2014, Ambassador Olof Ehrenkrona held up ICTs as a "transformational technology" for realising rights-based development as "freedom of expression and freedom of information means equal access to knowledge, and knowledge in itself is the basic development tool".[8]

Nevertheless, the government is unlikely to favour discussing human rights separately from development within the framework of the Review. As stated on various occasions, they are wary of attempts by some governments to water down internationally agreed-upon human rights language via the WSIS process[9] and have argued that human rights issues are better addressed in other established processes. For example, In response to a proposal by Egypt during the ITU-led MPP for the "development of a global online code of ethics", Sweden vigorously disagreed, stating that this is neither "desirable nor feasible" - "rather, existing and universally agreed international law and human rights apply online, just as they do in the offline world, and should remain the guiding principle also in this area."[10]

The human rights issues they do take a stand on specifically are thus seen as part of the overall development agenda. These include "strengthening the interconnection between human rights online and offline"[11] - including economic, social and cultural rights; "encouraging and facilitating people-centred and inclusive governance models...based on human rights and the rule of law"[12]; placing special emphasis on the safety of journalists and the media environment;[13] and "ensuring that surveillance conforms to universally accepted human rights principles."[14] Indeed, Sweden's support of privacy and protection of data has also been cached within its significance for economic development (i.e. its importance for trade relations and agreements),[15] thus feeding into their broader focus on development.

Internet Governance

When it comes to governance, Sweden's key aim is to ensure that the internet remains open and unconstrained, and to do so by "further developing [...] distributed, bottom-up internet governance mechanisms" which they see as a natural "reflection of the technology itself" and a "fundamental enabler for innovation and growth".[16] Sweden's key concern in the WSIS Review is to mitigate and avoid further politicisation of the governance debate, which they see as detrimental to focusing on substantive results and concrete development-oriented outcomes.[17]

In the Review, it is expected that Sweden remains aligned with other EU states and the U.S. in pushing against proposals that risk altering the current internet governance ecosystem, including any attempts to introduce new governance institutions or mechanisms. Sweden will remain supportive of the IGF and the extension of its mandate, but have stated that they wouldn't want to see it transformed into a more formal UN entity, which they think would limit its openness.[18] They would however prefer "a more development-focused IGF" to fulfil its full potential in not just connecting all stakeholders, but connecting internet

6. CWG-internet: http://www.itu.int/en/council/cwg-internet/Pages/consultation-mar2014.aspx

7. http://www.dailysummit.net/english/archives/2003/12/12/swedish_massage.asp

8. WSIS+10 HLE 2014: http://www.itu.int/wsis/implementation/2014/forum/inc/ps/doc/PolicyStatementsSessionOne-C/H.E.Mr.Olof.Ehrenkrona_Sweden.docx

9. Interview with Swedish Official

10. Doc WSIS+10/4/60: http://www.itu.int/wsis/review/inc/docs/phase5/r/wsis10-4-60.docx

11. Ibid.

12. WSIS MPP Doc V1/B/16: http://www.itu.int/wsis/review/inc/docs/phase2/rc/V1-B-16.docx

13. In response to Egypt's proposal imposed self-regulation of media for chapter C Challenges MPP - Sweden strongly stated that it could not support any language that "incurs responsibilities of social responsibility and objectivity on any media as this could have severe effects on freedom of speech".

14. WSIS MPP Doc V1/B/16: http://www.itu.int/wsis/review/inc/docs/phase2/rc/V1-B-16.docx

15. Response to CWG-Internet consultation March 2014: http://www.itu.int/en/council/cwg-internet/Pages/consultation-mar2014.aspx

16. Doc S1/C/13: http://www.itu.int/wsis/review/inc/docs/phase2/rc/S1-C-13.docx

17. Ibid.

18. Interview with Swedish Official

related-issues to the global level human rights and development debates.[19]

On the issue of enhanced cooperation, Sweden believes that continuous focus on this issue runs the risk of further isolating internet issues from the post-2015 development agenda.[20] Sweden will most likely oppose any attempts to expand this mandate, which they see as already having been addressed by the CSTD Working Group on Enhanced Cooperation.[21] Furthermore, according to a senior government official, the enhanced cooperation argument "can be construed as a cover for increasing government influence over other stakeholders", and its selective interpretation can be used to justify attempts to centralise control over the internet to the detriment of the current distributed governance ecosystem. On a different occasion, Sweden stated that "increased government influence at the expense of other stakeholders would be a disincentive", curbing innovation and leading to politicisation and bureaucratisation of decision-making.[22]

Review Modalities
Sweden supports an open and multistakeholder Review process, and they have argued for more inclusive modalities for non-governmental stakeholders. In addition, they favour greater coordination between the WSIS Review and other processes taking place, especially the SDGs discussions.[23] As part of their commitment to an inclusive process, Sweden takes a strong stance calling for states to "ensure broad and competent representation for all countries", especially developing countries to boost their engagement in the global discussion, and supports the improvement of funding mechanisms to support participation of government representatives, civil society and the technical community in international forums such as ICANN, GAC, IGF and IETF.[24]

ACTORS
Sweden's position on the WSIS Review is coordinated between four ministries: the Ministry for Foreign Affairs, The Ministry of Commerce, The Ministry of Culture and the Ministry of Education and Research. The Ministry of Foreign Affairs, represented by the Swedish mission in NY on instructions from Stockholm, will carry out the negotiations in NY.

MOTIVATIONS
Sweden promotes an open internet with a welcoming enabling environment to support their domestic internet industry, whereby they advocate for "economic policies and regulations that enable competition on a level market playing field with predictability and accountability".[25] The Ministry of Education and Research and Ministry of Culture emphasise content policy, human rights and education issues, while the Ministry for Foreign Affairs focuses on more political and security concerns such as "forum shopping" and cybersecurity. Post-election, however the main concern for Sweden will be the development sphere.[26]

Externally, Sweden works closely with EU member states, and sides with statements on the WSIS given by the Council of Europe[27] and the European Union.[28] European statements given at the WSIS High Level Event in 2014, and at the 2015 WSIS Forum are closely aligned with Sweden's focus on development issues, and support Sweden's position on addressing the digital divide, working for a multistakeholder system with an enabling environment, and linking the SDGs to ICT tools to attain them.

An additional factor to consider is Sweden's candidacy for one of the non-permanent seats on the UN Security Council (UNSC) for the Western European and Others Group (WEOG). In an effort to secure votes among UN member states, the government will be cautious in using its political capital in a way that may negatively affect its chances of winning the 2016 election.

19. Ibid.

20. Ibid.

21. WSIS MPP doc V1/B/16: http://www.itu.int/wsis/review/inc/docs/phase2/rc/V1-B-16.docx

22. Response to CWG-Internet consultation March 2014: http://www.itu.int/en/council/cwg-internet/Pages/consultation-mar2014.aspx

23. Interview with Swedish Official

24. Response to CWG-Internet consultation March 2014: http://www.itu.int/en/council/cwg-internet/Pages/consultation-mar2014.aspx

25. Ibid.

26. Interview with Swedish Official

27. http://www.itu.int/en/itu-wsis/SiteAssets/hls/statements/5/Mr_Patrick_Penninckx.pdf

28. http://www.itu.int/wsis/implementation/2014/forum/inc/ps/doc/High-LevelOpeningSessionbyUNFacilitators/Ms.Neelie.Kroes_European.Commission.doc

OPPORTUNITIES FOR CIVIL SOCIETY ENGAGEMENT

The Swedish government is very open to working with civil society on the WSIS process, however does not have any formalised processes in place to do this. They have an internal mechanism for coordination with civil society nationally, and are reliant on civil society input to substantively drive their policy position and generate ideas.

Sweden consults with civil society and other stakeholders informally at forums like the IGF and Stockholm Internet Forum. Previously, Sweden also had civil society delegates on their ITU delegation, however this was also done informally with no plans to formalise the process of gaining access to the delegation. Civil society actors are advised to directly contact Swedish government representatives working in the internet field, and each submission of interest can be evaluated on a case by case basis.

14

UNITED KINGDOM

BY ADITI GUPTA
GLOBAL PARTNERS DIGITAL

The UK has been one of the leading European voices in the WSIS, and will continue to play an active role in the Review, including as the coordinator for the EU position in negotiations. The Government's official position focuses on development concerns within the framework, as well as IGF renewal and the promotion of multistakeholder governance processes. The UK will also support human rights and pro-democracy language, along with its European allies. UK policy position text is drafted from the capital with coordinated input from various ministries, as well as civil society and other stakeholders.

POSITION ON KEY ISSUES

Development

The UK government sees the WSIS Review as primarily about development: "The fundamental aim of the WSIS process was not to establish governance models, but to use technology to improve people's lives and to bridge the digital divide."[1] WSIS is crucially seen as an opportunity to "use the information society as a tool to realise the post 2015 development goals" by aligning the WSIS Action Lines with the Sustainable Development Goals.[2] Indeed, the UK has voiced frustration at the lack of connection between the WSIS track and the post-2015 development agenda track,[3] which they see as imperative in coordinating global efforts to ensure the process delivers real change.[4] For the UK, WSIS development goals are not just seen in terms of building infrastructure – emphasis is placed on capacity-building, building skills, equal access and women's empowerment – with action line C9 on good media environment seen as crucial.[5]

In addition, the UK sees the WSIS Review's development goals as fundamentally linked with WSIS Action Line C6 for creating an enabling environment. They stress that the huge economic and social benefits from the development of ICTs over the last 10 years has been driven by an enabling environment characterised by the "'liberalised markets' concept",[6] created by governments working in concert with private companies.[7] Within this vision, the UK is likely to push for "more stable and predictable regulatory environments which promote competition and attract inward investment" to allow the private sector to flourish.[8]

Going forward, the UK recently noted that "a very broad WSIS agenda will spread efforts too thinly to make a meaningful difference".[9] Instead, the UK is likely to push for refining the WSIS Action Lines in order to refocus attention and resources to those Action Lines that need more work.[10]

Human Rights

The UK government's key aim within the WSIS is to enable development, and

1. Document S1/A/1: UK submission for the preamble of the zero draft of the WSIS+10 statement on the implementation of WSIS outcomes: http://www.itu.int/wsis/review/inc/docs/phase2/rc/S1-A-1.docx

2. Document V1/B/4: UK submission for WSIS+10 Statement - Priority areas to be addressed in the implementation of WSIS Beyond 2015: http://www.itu.int/wsis/review/inc/docs/phase2/rc/V1-B-4.docx

3. Document S1/A/1: UK submission for the preamble of the zero draft of the WSIS+10 statement on the implementation of WSIS outcomes: http://www.itu.int/wsis/review/inc/docs/phase2/rc/S1-A-1.docx

4. Questionnaire for the CSTD's ten year review of WSIS implementation September 2014: http://unctad.org/Sections/un_cstd/docs/cstd_wsis10_uk_en.pdf

5. 2014 WSIS HLE High Level Policy Statement – UK: http://www.itu.int/wsis/implementation/2014/forum/inc/ps/doc/PolicyStatementsSessionOne-E/H.E.Mr.Mark_Matthews.docx

6. http://www.itu.int/wsis/review/inc/docs/submissions/Form1_WSIS10-HLE-OC_OfficialSubmissions-UK_web.pdf

7. Ibid.

8. Questionnaire for the CSTD's ten year review of WSIS implementation September 2014: http://unctad.org/Sections/un_cstd/docs/cstd_wsis10_uk_en.pdf

9. Ibid.

10. Document V1/B/4: UK submission for WSIS+10 Statement - Priority areas to be addressed in the implementation of WSIS Beyond 2015: http://www.itu.int/wsis/review/inc/docs/phase2/rc/V1-B-4.docx

they see "respecting and promoting human rights as prerequisites to realising the development and policy goals of a post-2015 development agenda".[11] In particular, they emphasise strengthening the interconnection between human rights online and offline, governance models based on the rule of law and ensuring that surveillance conforms to universally accepted human rights principles.[12]

In an interview with a UK government official, it was explained that it was a priority for the UK to ensure that the existing international framework for human rights was not diluted in the WSIS Review outcome document.[13]

Internet Governance

The UK sees the WSIS Review as an opportunity to endorse governance approaches that are open and inclusive; are distributed and local; and are transparent and accountable.[14] The UK sees enhanced cooperation as a way to create a dynamic information society that serves the interests of all countries and communities, and characterised by models of open, inclusive, transparent multistakeholder internet governance established by the WSIS.[15] The government believes that to address global challenges most effectively, WSIS outcomes should be properly embedded within all relevant institutions, through a governance model that is transparent and multistakeholder.[16] However, they feel that enhanced cooperation as envisaged and described in the Tunis Agenda is already successfully taking place. Therefore they are not likely to support any new inter-governmental processes of implementation, direction or oversight in respect to "enhanced cooperation".[17]

The UK Government believes that the IGF plays an important role as a unique, non-duplicative platform for all actors (including the UN agencies, relevant IGOs, multistakeholder international bodies such as ICANN) to come together and share perspectives that in turn inform more coherent and consistent approaches to development.[18] They support the renewal and strengthening of the IGF's mandate for another ten years so that it is able to play this role more fully.[19] The UK believes that a key strength of the IGF is that it is not a negotiating forum producing binding outcomes, however they do support the setting of questions and objectives for each IGF in order to provide the necessary focus. In addition, the WSIS Review is seen as an opportunity to make the IGF more inclusive, particularly for developing countries and to establish better engagement with governments. Finally, the UK strongly supports the current multistakeholder donation mechanism for funding the IGF Secretariat and related activities, with the host (where possible) financing the IGF event.[20]

Review Modalities

First and foremost, the UK government expects the WSIS Review process to be inclusive and open as this is what the Review modalities stipulate, and they work on the assumption that they will be followed through properly.[21] In addition, they align themselves with the statement given by EU member states at the WSIS+10 Review First Preparatory Meeting on 1 July 2015 which reiterated the importance given to the multistakeholder model of internet governance, and to ensuring active and meaningful participation, inputs and engagement by all stakeholders – not just in the interactive hearings but throughout the preparatory process and at the High Level Meeting itself.[22]

ACTORS

The Department of Culture, Media and Sports leads on the WSIS Review, working with the Ministry of Foreign Affairs and others to draft text and coordinate policy positions from the capital using a formalised multistakeholder input process. The UK mission to the UN in New York leads negotiations working with other European Union Member States.

11. Document V1/B/4: UK submission for WSIS+10 Statement - Priority areas to be addressed in the implementation of WSIS Beyond 2015: http://www.itu.int/wsis/review/inc/docs/phase2/rc/V1-B-4.docx

12. Ibid.

13. Ibid.

14. Interview

15. http://unctad.org/Sections/un_cstd/docs/WGEC_UK_Gov.pdf

16. Questionnaire for the CSTD's ten year review of WSIS implementation September 2014: http://unctad.org/Sections/un_cstd/docs/cstd_wsis10_uk_en.pdf

17. http://unctad.org/Sections/un_cstd/docs/WGEC_UK_Gov.pdf

18. Interview

19. Interview

20. http://www.unctad.info/upload/CSTD-IGF/Contributions/M1/UK.pdf

21. Interview

22. http://workspace.unpan.org/sites/Internet/Documents/UNPAN94855.pdf

MOTIVATIONS

Domestically, the UK has invested in ICT infrastructure and sees ICTs as key to creating successful "knowledge economies".[23] This notion can be seen to be linked to the desire to create an enabling environment of liberalised telecommunication markets and removal of barriers to foreign investment in order to create an enabling environment for the private sector to flourish. Within this goal, they promote the private sector as the main source of funding for capacity-building projects in developing countries.[24]

Reflecting the UK's strong position on development issues within the WSIS Review, a key external motivation for this is the UK's established commitment to the development agenda, globally. This year, the UK pledged 0.7% of its GDP in development aid,[25] and they remain closely engaged with countries across the world with many historical ties drawing from the UK's imperial past. In addition, the UK is committed to promoting human rights and democracy throughout the world, and they see the information society as an opportunity to establish more accountable and transparent governance as well as being a key development enabler.[26]

In addition, the UK takes very seriously its links with Commonwealth countries within the WSIS process as they see it as a helpful platform for the sharing of ideas and examples of best practice[27] for issues such as cybercrime, cybersecurity and online child protection.[28]

Finally, though traditionally the UK had strong ties with the U.S., most external coordination on the UK position is informed by discussion within the European Union, where the UK plays a leading role. The UK therefore aligns itself with joint statements made on behalf of European member states. Most of these states have similar positions on the issues discussed in this chapter.

OPPORTUNITIES FOR CIVIL SOCIETY ENGAGEMENT

The UK has been open to working with civil society organisations and other stakeholders. As noted in a recent statement, while governments have an important role to play, "it is crucially important that the private sector, civil society and others have an equal place at the table".[29] At the national level, the UK regularly consults non-governmental stakeholders in the development of national ICT strategies and policies. Notable consultation practices include the UK's Multistakeholder Advisory Group on Internet Governance (MAGIG), and informal mechanisms for input such as ad hoc consultations with academics and civil society members. The UK has been known to include non-governmental stakeholders in its delegations at international conferences dealing with internet-related issues, including at high-level events such as last year's ITU Plenipotentiary Conference.

The UK has pushed for more stakeholders to be at the High Level Event in December and has consulted with civil society during the UK IGF. The UK plans to use the contributions from the UK IGF and informal coordination with civil society in the run-up to the WSIS High Level Event to inform their overall position.

23. http://unctad.org/Sections/un_cstd/docs/WGEC_UK_Gov.pdf

24. 2014 WSIS HLE High Level Policy Statement – UK: http://www.itu.int/wsis/implementation/2014/forum/inc/ps/doc/PolicyStatementsSessionOne-E/H.E.Mr.Mark_Matthews.docx

25. http://www.theguardian.com/global-development/2015/mar/09/uk-passes-bill-law-aid-target-percentage-income

26. Interview

27. Interview

28. Questionnaire for the CSTD's ten year review of WSIS implementation September 2014: http://unctad.org/Sections/un_cstd/docs/cstd_wsis10_uk_en.pdf

29. 2014 WSIS HLE High Level Policy Statement – UK: http://www.itu.int/wsis/implementation/2014/forum/inc/ps/doc/PolicyStatementsSessionOne-E/H.E.Mr.Mark_Matthews.docx

15

UNITED STATES

BY ANDREW PUDDEPHATT, LEA KASPAR AND STACIE WALSH
GLOBAL PARTNERS DIGITAL

The home of the world's largest ICT companies, and the country behind the invention of the internet, the U.S. is a key actor in the global ICT landscape, and, consequently, a key player in the WSIS Review. Its role and status in the overall ecosystem – real or perceived – has been a driving force behind much of the global internet governance discussions since the Summit, and will continue to shape the positions of various players in the Review. The U.S. itself supports the continuation of the WSIS in its current format and its ongoing efforts towards achieving the WSIS vision. It sees the current framework as sufficiently broad and the existing action lines to be suitable to address ongoing challenges in achieving development goals by leveraging ICTs. In line with this, the U.S. will focus on reaffirming the existing framework and the principles that underpin it, rather than renegotiating or changing them. The government is expected to put emphasis on the development aspects of the framework, as well as the benefits of the multistakeholder approach and the value of the IGF in achieving the WSIS targets and contributing to the development agenda more broadly. Drawing on its internet freedom agenda, the government is expected to note the importance of promoting and protecting human rights online – including freedom of expression, freedom of assembly, and privacy – in achieving the WSIS vision. In terms of governance, the U.S. is expected to oppose attempts to establish new governmental or intergovernmental action that may lead to exclusion of non-governmental stakeholders. Closest to its position in the Review will be OECD member states and members of the European Union, with whom the U.S. shares strong historical, political, and economic ties.

POSITION ON KEY ISSUES

Development

The U.S. sees ICTs as a key enabler for economic and social development and the WSIS as an important driver for the post-2015 Development Agenda.[1][2] One of its objectives in the Review is to "ensure that WSIS continues to facilitate the development and deployment of ICTs as tools for achieving […] economic and social development goals […]."[3] According to the U.S., "ICTs are transforming markets, creating new industries and driving efficiency gains, improving healthcare services, expanding educational opportunities, empowering citizens, and connecting the world in ways unimaginable a decade ago. The economic benefits are widespread."[4]

Within a generally positive assessment of WSIS and its impact upon development, the U.S. recognises that there are ongoing and emerging challenges that the framework beyond 2015 should address. In his statement at the ITU-led WSIS High Level Event in 2014, Ambassador Daniel Sepulveda, the U.S. Coordinator for International Communications and Information Policy noted that, "while in

1. https://geneva.usmission.gov/2015/05/26/ambassador-daniel-sepulveda-statement-at-high-level-track-of-2015-wsis-forum/

2. http://workspace.unpan.org/sites/Internet/Documents/UNPAN95007.pdf

3. https://blogs.state.gov/stories/2015/08/24/wsis10-look-back-move-forward#sthash.Rcc54vxJ.dpuf

4. http://workspace.unpan.org/sites/Internet/Documents/UNPAN95007.pdf

developed countries access has become ubiquitous and is increasingly considered an essential part of modern life, in many developing countries the cost of access to broadband remains too high and people's ability to use that access to fulfil their potential remains too low."[5]

In addressing the lingering digital divide, the U.S. sees an important role for all stakeholders and emphasises the role of the multistakeholder community "in innovation, problem-solving, and implementation of solutions".[6] In its view, government leadership and investment should focus on implementing national policies that "encourage investment and competition and promote creativity, innovation, entrepreneurship, and free flow of information".[7] The focus on fostering enabling environments for private sector investment and innovation has been a feature of the U.S. approach since the Summit. In 2005, the then U.S. Coordinator for International Communications and Information Policy, Ambassador David Gross stated:

> "[…] Governments must focus on creating, within their own nations, the appropriate legal, regulatory and policy environment that encourages privatization, competition, liberalization, and intellectual property protection and enforcement. We should never lose sight of the fact that the private sector is the primary investor in, and innovator of, infrastructure, products and services. A stable legal environment where the private sector can invest and innovate is essential to ensuring a sustainable information society."[8]

At the 2015 WSIS Forum, Ambassador Sepulveda conveyed a similar message:

> "[…] The exercise of governmental responsibilities does not mean by definition the writing and imposing of rules and regulations. In fact, oftentimes in order to fulfil its responsibility to empower people and enable them to create and fulfil their own potential, Governments must do directly the opposite. It must set markets and people free. It must be humble and nimble, open and flexible."[9]

The free market approach to the digital economy goes hand in hand with the U.S. 'internet freedom' agenda, which sees internet access as intrinsically linked with the people's ability to "innovate, learn, organize, and express herself free from undue interference or censorship."[10] Accordingly, the U.S. believes that the framework beyond 2015 should go beyond just "striving for greater internet penetration" and aspire towards access that is "relevant and meaningful, and delivered to users that have the skills and opportunities to use it, while protecting their human rights and fundamental freedoms".[11]

Human Rights

The U.S. identifies the promotion of universal human rights within the WSIS framework as a priority and believes that the same rights that people have offline must also be protected online. It sees human rights as one of the core elements of the WSIS agenda and believes that "ICTs, respect for human rights, and economic development are integrally linked and inseparable".[12]

For the U.S., enjoyment of human rights is depicted as instrumental in harnessing the benefits of ICTs, as well as an end in and of itself. On the one hand, policies that promote and protect human rights are assumed to have positive social and economic effects by building knowledge and digital economies.[13] On the other hand, policies that hinder human rights by blocking, restricting, or unduly interfering with the free flow of information, or failing to respect privacy and the freedoms of expression, association and peaceful assembly while individuals are online, are seen to, "limit the growth of the Information Society and hinder our collective efforts to close the digital divide."[14]

This position reflects the government's global internet freedom agenda – a

5. http://www.itu.int/wsis/ implementation/2014/forum/inc/doc/ outcome/wsis10.hle.policy_statements.pdf

6. http://workspace.unpan.org/sites/Internet/ Documents/UNPAN95007.pdf

7. Ibid.

8. http://www.icvolunteers.org/files/wsis_ past2future_ebook1.pdf (Pg. 50)

9. http://www.itu.int/net4/wsis/forum/2015/ Content/doc/outcomes/Policy_Statements_ Booklet_WSIS2015.pdf

10. http://www.state.gov/e/eb/cip/netfreedom/ index.htm

11. http://workspace.unpan.org/sites/Internet/ Documents/UNPAN95007.pdf

12. Ibid.

13. http://www.itu.int/wsis/review/mpp/ pages/phase1-submissions.html

14. http://workspace.unpan.org/sites/Internet/ Documents/UNPAN95007.pdf

foreign policy priority developed during the tenure of State Secretary Clinton, and continued during the term of Secretary Kerry, which argues that respect for the freedoms of expression, peaceful assembly, and association has the ability to improve people's lives as long as it is extended to the online world.[15]

Internet governance

The U.S. sees the distributed and decentralised internet governance ecosystem based on multistakeholder principles as instrumental to the rapid development of the ICT sector and its continued growth.[16] It is critical of attempts to alter it in any way that would risk undermining this feature. Language in support of multistakeholderism is thus found in almost every document released by the U.S., indicating a clear policy priority.

The U.S. outlook on future challenges in this respect focuses on further strengthening the existing features of the ecosystem and expanding and consolidating them at the national, regional and international levels alike. According to the official position, a key challenge in the next 10 years will be "building models of governance at national, regional, and international levels that are open, transparent, and inclusive, and encourage multistakeholder participation in policy development and decision-making".[17] This includes "[creating] a clear link between [the] WSIS Process at the international level and institutional set up at the national level".[18]

Consistent with its support for multistakeholderism, the U.S. is a strong supporter of the IGF and will back renewal of the IGF mandate as it stands. It believes that the IGF is "hugely valuable as a Forum for timely, candid and multi-stakeholder dialogue on the current Internet policy issues of the day"[19] and therefore "[looks] forward to the extension of the IGF's mandate at the next opportunity."[20] It sees the IGF's "continued growth and long-term stability [as] absolutely essential to the future of the internet".[21] In its submission to the WSIS non-paper, the U.S. makes note of the need to continue the efforts to improve the IGF based on the recommendations of the CTSD Working Group on Improvements to the IGF.[22]

While on the face of it supportive of enhanced cooperation, it is worth noting that the U.S.' interpretation of the term differs from the one espoused by the G77.[23] Instead of what can be described as a state-centric reading, the U.S. frames enhanced cooperation through a multistakeholder lens and sees its ability to allow all stakeholders to participate in internet policy debates as its critical feature. This interpretation of enhanced cooperation lends itself to a positive assessment of progress made and the argument that new mechanisms and bodies would not add to furthering its implementation.

ACTORS

The U.S. position in the Review is coordinated by the U.S. State Department, with input from other interested agencies, including the Federal Communications Commission (FCC) and the National Telecommunications and Information Administration (NTIA), seated with the U.S. Department of Commerce. Ambassador Daniel Sepulveda, the U.S. Coordinator for International Communications and Information Policy is heading the U.S. delegation for the preparatory process in New York.

It is important to note the complexity of national-level decision-making in the U.S., and the sheer number of agencies involved in providing co-ordinated input to U.S. policy. These include the Coordinator for Cyber Issues, the U.S. Coordinator for International Communications and Information Policy, and the Bureau of Democracy, Human Rights, and Labor at the U.S. State Department, the NTIA, as well as the Department of Justice, Department of Trade, Department of Homeland Security and the White House. This setting reflects an endeavour toward

15. http://www.state.gov/e/eb/cip/netfreedom/index.htm

16. https://blogs.state.gov/stories/2015/04/14/embracing-digital-economy-enduring-partner#sthash.VSSErP5p.dpuf

17. http://www.itu.int/net4/wsis/forum/2015/Content/doc/outcomes/Policy_Statements_Booklet_WSIS2015.pdf

18. http://www.itu.int/wsis/review/mpp/pages/consolidated-texts.html (USA, Doc# S1/C/12)

19. http://www.itu.int/net4/wsis/forum/2015/Content/doc/outcomes/Policy_Statements_Booklet_WSIS2015.pdf

20. http://usun.state.gov/briefing/statements/218743.htm

21. http://www.state.gov/e/rls/rmk/245011.htm

22. http://workspace.unpan.org/sites/Internet/Documents/UNPAN95007.pdf

23. http://workspace.unpan.org/sites/Internet/Documents/UNPAN95036.pdf

integrating policy across various aspects of any issue, but it can make it difficult to pinpoint where individual positions originate.

MOTIVATIONS

The U.S. position is informed by commercial, security and political incentives. The U.S. believes that the current system of internet governance works well. In their view, it has enabled the rapid spread of the internet, facilitated the role of the private sector in providing infrastructure and services, and provided new opportunities to exchange ideas and information across borders. As an early adopter of the internet, with a liberal open market approach, a strong venture capital environment and a history of innovation, the U.S. will be keen to retain these features of the ecosystem. The U.S. recognises there is an alignment between current governance arrangements and its own strong commercial position within the internet environment. It often interprets attempts to change governance arrangements as both attacking core democratic values and as undermining its commercial position. As President Obama said:

> "We have owned the Internet. Our companies have created it, expanded it, perfected it, in ways they [European companies] can't compete. And oftentimes what is portrayed as high-minded positions on issues sometimes is designed to carve out their commercial interests."[24]

There is recognition within parts of the U.S. administration that a perception of U.S. dominance over the internet infrastructure (for example through the IANA contract) causes diplomatic political difficulties and that if alternative arrangements can be made that do not threaten fundamental interests and global, multistakeholder efforts, the U.S. will be willing to accept them. It should be noted however that policy positions on these issues require the buy-in from many different parts of the administration as well as Congress, which may well take an antagonistic view of any change in governance arrangements.
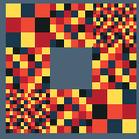
Another factor that makes the U.S. different to many countries is the legalistic nature of its political and administrative culture that means that a policy document is subjected to intense scrutiny across a wide range of government actors and that language is analysed for any potentially negative construction. This means that during international negotiations the scope for U.S. negotiators to drastically shift position can be limited – any advocacy needs to be directed to the government long before the final negotiating position is adopted.

OPPORTUNITIES FOR CIVIL SOCIETY ENGAGEMENT

The U.S. conducts multistakeholder consultations under its formal federal advisory mechanism at the national level, and regularly consults U.S. stakeholders on internet-related policy issues in person and via a designated mailing list. The government has in the past included non-governmental stakeholders on its delegations to high level international meetings. At the moment, it is unclear whether this will be the case at the December UNGA WSIS Review event as the U.S. joins others in advocating for stakeholder participation in the event itself.

24. http://recode.net/2015/02/13/obama-says-europes-aggressiveness-towards-google-comes-from-protecting-lesser-competitors/