Response to Pakistan's submission to the 24th HRC on the importance of multi-stakeholder Internet Governance

At the 24th session of the Human Rights Council, during General Debate on the promotion and protection of all human rights, Pakistan, speaking on behalf of Ecuador, Venezuela, Cuba, Zimbabwe, Uganda, Russia, Indonesia, Bolivia, Iran, and China, expressed concerns regarding revelations of the use and abuse of advanced surveillance technologies by some states, in serious violation of the right to privacy and international law.

Bytes for All - Pakistan and the Association for Progressive Communications (APC) commend those countries for their concern on a matter of such relevance. At the same time, we are concerned about proposals to develop a new intergovernmental mechanism of internet governance. It was stated that:

The existing mechanisms like the Internet Governance Forum established under paragraph 72 of the World Summit on Information Society- Tunis Agenda have not been able to deliver the desired results. A strategic rethinking of the global internet governance mechanism is inevitable. Further development of an international mechanism in the context of 'Enhanced cooperation' within the WSIS Tunis Agenda can be a concrete way forward. However we will need to be sincere in our efforts to ensure a transparent, free, fair and respectful international intergovernmental mechanism of internet governance and one that also ensures the right to privacy.[1]

We suggest that before significant time and resources are spent proposing new mechanisms, Pakistan, Ecuador, Venezuela, Cuba, Zimbabwe, Uganda, Russia, Indonesia, Bolivia, Iran, and China disclose and review their own domestic practices with regard to the protection of privacy, in line with international human rights obligations. This would demonstrate government's commitment to the protection of privacy more effectively than through the establishment of a new mechanism.

Bytes for All - Pakistan and APC firmly believe that creating a new UN body to focus on internet policy will not be sustainable, or effective. The internet touches on so many issues that no single policy space could ever effectively deal with them all. The imposition of a new global internet policy framework determined and agreed by governments - and therefore being a top down and central mechanism - contradicts the bottom-up multi-stakeholder principles of policy making, as well as the end to end principles of internet architecture that are essential to a free and open internet.

The 2005 WSIS Tunis Agenda[2] reaffirms the principles enunciated in the Geneva phase of the WSIS, that the internet has evolved into a global facility available to the public and its governance should constitute a core issue of the Information Society agenda. The international management of the internet should be multilateral, transparent and democratic, with the full involvement of governments, the private sector, civil society and international organisations.

Participation from all stakeholder communities has become and needs to remain a generally accepted norm for internet governance. Internet governance entities should actively foster participation in their work by all those who are or may be affected, or consider themselves affected, by the decisions that they make, including individuals and organisations from all stakeholder communities and world regions.

Bytes for All, Pakistan and APC believe that a distributed governance with concrete and effective multi-stakeholder mechanisms of participation in decision making is a way with great potential for strengthening an open and free internet.

It is imperative that internet policy be framed in terms of human rights; that the same rights which apply offline, also apply online. Ongoing violations of human rights online, including violations of

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1   https://extranet.ohchr.org/sites/hrc/HRCSessions/RegularSessions/24thSession/OralStatements/Pakistan%20on%20behalf%20of%20group%20of%20countries_GD_10.pdf
2   http://www.itu.int/wsis/docs2/tunis/off/6rev1.html

privacy, free expression and association and freedom from violence and intolerance, are having an immense impact on individual rights to life and liberty offline.

More discussion on this issue is available in APC's recent response to the Working Group on Enhanced Cooperation, which is available at:

http://www.apc.org/en/system/files/APC_response_CSTD_WGEC_10092013.pdf