

EXTRACTING LESSONS FROM NETMUNDIAL

ACHIEVING BOTTOM-UP AND MULTISTAKEHOLDER OUTCOMES FROM GLOBAL INTERNET GOVERNANCE POLICY DISCUSSIONS

SUMMARY


The 2014 Global Multistakeholder Meeting on the Future of Internet Governance (NETmundial) was a breakthrough both in terms of what it achieved and how it achieved it. In under six months, the organisers convened global actors to produce a consensus¹ statement on internet

governance principles and a roadmap for the future evolution of the internet governance ecosystem. The outcome of the meeting was formulated in an open and participatory manner, through successive primarily bottom-up consultations.

This study documents the NETmundial process, looks at what worked well and what did not, specifically in terms of processes and methodology, and what lessons can be extracted and applied to other global internet governance processes, particularly the Internet Governance Forum (IGF).

¹ This consensus should be qualified in that even though the statement was adopted by consensus, some participants, specifically the Russian Federation, India, Cuba, and ARTICLE 19, representing some participants from civil society, expressed some dissent with its contents and the process. See "NETmundial-Closing Session" (p 21-24), at: netmundial.br/wp-content/uploads/2014/04/NETMundial-23April2014-Closing-Session-en.pdf





Given the short timeframe in which the NETmundial was convened, some shortcomings were inevitable. Lack of a clearly defined and transparent process for the meeting meant the host had a lot of process-steering power. Impromptu and ad hoc decisions on the drafting process were perceived to have given some parties influence beyond the public (written and verbal) contribution process.

NETmundial was organised by a multistakeholder board of chairs from different regions to represent four key communities (civil society, the technical community, academia, and the private sector) and by four organisational committees, the most important of which were the High-Level Multistakeholder Committee (HLMC) and the Executive Multistakeholder Committee (EMC). In particular, the EMC had the mandate to determine the overall processes, including participation, meeting format, and the production of the first draft of the outcome document.

Given that the meeting was only two days long, preparatory work was key to its success. Meeting organisers decided that a draft outcome document should be produced to give attendees a starting point for discussion, based on input provided in a public consultation. This was followed by a week of online consultation. However, online comments on the original draft and comments made in person by NETmundial attendees were incorporated simultaneously, although a summary of the online comments was also made available prior to the meeting.

In terms of on-site participation, the EMC applied principles such as openness, equality and flexibility to guide their process, resulting in a process that was fairly free of barriers to entry. Attendees, however, were predominantly from richer Northern states, due to availability of funding.

To some extent, limitations to on-site participation were mitigated by innovations

in terms of remote participation. In particular, individuals could participate remotely via hubs available in 30 cities over 23 countries. Ten hubs were given official status, allowing video as well as text connections, and simultaneous translation of proceedings in seven languages was provided. Further, remote participants could submit comments to an online moderator to be read during the meeting.

Another innovation in terms of proceedings was a strict two-minute time limit applied to open mic sessions. Four microphones were provided, one for each stakeholder group, with a fifth reserved for remote participants, and the opportunity to speak rotated to each microphone.

Controversies arose due to the limited time given to working sessions (a total of eight hours), which was constrained by formalities such as the opening ceremony. Further, during the evenings, drafting sessions were held, open to on-site observers, but with no means of remote monitoring. The procedures for the drafting sessions explicitly only allowed the chairs and advisors to speak. However, these procedures were not strictly enforced, which led to perceptions that some observers wielded more influence over the final draft than others. Before the final plenary session, the text was presented to the HLMC. Unexpectedly, the HLMC proposed some substantive modifications to the text.

Thus, key lessons for future multistakeholder processes include the following:

- *Clarity around processes is critical.* Flexibility in procedures should not come at the expense of the integrity and legitimacy of the process. When rules are unclear, it is often the powerful players who benefit.
- *Transparency increases trust.* While all contributions were available online and draft sessions were open to observers, the process

was criticised for lacking in transparency during the initial drafting process and the selection of representatives from stakeholder groups. Transparency is critical for building trust in the process, even if not all stakeholders agree with the outcome.

- *Inclusivity requires proactivity and creativity.* Possible measures include facilitating remote participation in drafting sessions, and improving the transparency of funding arrangements to allow the participation of less well-resourced groups.
- *Multistakeholder representation needs further development.* For example, steps should be taken to ensure stakeholders can choose their representatives in a transparent and public manner, and there is a need for more clarity and experimentation on how committee members are expected to represent and liaise with their stakeholder groups.

With regard to multistakeholder document drafting:

- Guidelines for decision making and drafting should be developed with input from all stakeholder groups and clearly announced ahead of the meeting.
- Drafting teams should comprise stakeholder representatives as well as individuals with relevant expertise. There should be a balance between stakeholder groups, regions and genders, ensuring the inclusion of under-represented groups and individuals.
- A draft outcome document should be placed under consultation prior to the meeting, maximising the time for comment.
- Translation should be used when possible to facilitate more inclusive participation and input in drafting sessions.
- Time should be allotted for consultation on the final outcome.

NETmundial affirmed that internet governance processes should be open, participative, transparent, accountable, inclusive, equitable, collaborative, distributive, and conducive to meaningful participation from all stakeholders. The NETmundial statement recommended that the IGF be strengthened, and provided specific suggestions to this end. Some of these recommendations have begun to be implemented. Building on learnings from the processes and methodology employed at NETmundial that are documented and analysed in this study, we recommend the following:

1. **Multistakeholder organising committees:** Multistakeholder committees can be an important tool to strengthen the bottom-up nature of distributed governance processes. With respect to the IGF's Multistakeholder Advisory Group (MAG) the following steps should be taken to ensure that stakeholders can choose their representatives in a transparent and public manner:
 - Publish the full list of MAG nominees, including the nominating party and the process for nomination.
 - Put more effort into the orientation and integration of new MAG members.
 - Develop terms of reference and criteria for the selection of a MAG chairperson, and develop an open, participatory process of selection. Candidates' names should be made public.
 - The position of MAG chairperson should rotate among stakeholder groups and regional groupings.
2. **On-site participation:**
 - Invest efforts to facilitate the participation of less-resourced and under-represented groups, in particular from developing countries. To encourage participation of developing country governments, the

MAG should initiate discussions with these governments very early on.

- Stakeholders from developing countries should be funded and encouraged to facilitate sessions.
3. Remote participation:
 - Continue to invest in this area, such as by providing official translations and video capabilities for remote hubs.
 4. Microphones for stakeholder groups:
 - Replicate the NETmundial format of one microphone per stakeholder group and equal speaking time for each in main sessions when appropriate, such as open mic sessions.
 5. Collaborative drafting:
 - Engage diverse stakeholders in intersessional work, through providing clear information on how to get involved.
 - Guidelines for developing outputs from intersessional work should have input from all and be clearly announced.
 - Efforts should be made to solicit input from a wide range of actors, including individuals with relevant expertise, as well as diversity in views, stakeholder group, region and gender.
 - A combination of approaches for inputs – in person and online – should be considered.
 6. Peaceful protests that do not disrupt sessions should be permitted.

