

February, 28, 2006

Dear Mr. Krummer,

Please allow us to provide you with the following comments regarding the preparation of the Internet Governance Forum (IGF) on behalf of the Committee for a Democratic United Nations (CDUN) and Diplomatic Net. We are glad to see that the working groups are advancing towards defining IGF mandate and agenda. We strongly support the need for a multi-stakeholder group to assist the Secretary General in convening the IGF as the main guarantee for "an open and inclusive process".

Regarding the mandate of this multi-stakeholder group we strongly believe that it shall also include the definition and development of the IGF's information environment¹. More concretely, as we believe that IGF shall be an open and inclusive process, continuous analysis, development and promotion of an appropriate information environment is crucial to achieve this. Furthermore IGF related work should happen within a flexible light-weight institutional setting allowing for free choice of working tools, which seems crucial to ensure innovation and continuous evolution, a feature that is absolutely crucial in a fast evolving entrepreneurial environment like the Internet. To be constructive we present in Appendix 1 some concrete aspects, related to the information environment, that we consider essential in order to guarantee a open and inclusive multi-stakeholder participation.

Moreover we allow us to promote two conceptual aspects to be considered in the IGF process. In Appendix 2 you will find a concrete proposal for a recognition of Internet as global Common-Pool Resource and a proposal for a the development of a Declaration of Cyber Rights and Responsibilities. We believe that reaching these universal agreements would guarantee the coherence of further regulations and provide a common and homogeneous global space for individual empowerment.

We hope our comments will contribute to the establishment of an effective IGF, and more concretely we propose the possibility to create a discussion list for each of the two points raised here. Waiting for your comments we look forward to participate further in the process.

Best regards,

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¹As has been assessed by various experts (e.g. Lessig 2001), on the Internet, the features of the software define what uses are possible. We recognise and respect the historic diplomatic cultural traditions and practice, which reflect and embody the experience of inter-cultural political dialogue. But, even though the technology enabled features we list below require training to be effectively used, we suggest that the theme of Internet Governance is a highly suitable subject to pilot new diplomatic practices meant to stimulate political participation of citizens. Thus experimental and innovative tools and practices should be encouraged but at least be allowed within the IGF setup. We believe that stakeholders are willing to learn, if substantial benefits (e.g. regarding inclusiveness of stakeholders especially from developing countries) are to be expected.

APENDIX 1

Proposal for a task to be included in the mandate of the multi-stakeholder group:

Definition and development of the IGF information environment.

More concretely this information environment could include the following aspects:

a) Discussion's code of conduct

One key topic should be a code of conduct defining good "online discourse practice". Today's mailing list discussions are highly unstructured and great merit lies in organising and evolutionary optimising the online discourse².

b) Quality assurance through a reputation system

The high quality in scientific journals is guaranteed through peer-review. Ebay depends (among other things) heavily on the trust created through its member profiles and especially the feedback ratings. These features could be transposed in the IGF context and we believe they could be instrumental to ensure 'freedom of expression' (inclusiveness) while taming the information overload by enabling 'networks of trust' (collaborative filtering) and quality assurance³.

c) Internet Governance glossary

To 'kick start' the process of development of an information architecture, the multi-stakeholder group should allow for the collaborative development of an Internet Governance glossary as a means to discuss and establish definitions to ensure unambiguous language and thus more efficient communication and negotiation. This would create a defined vocabulary and thus a first step towards mapping the thematic territory.

d) Topic Map

In order to understand, navigate and participate in the IG policy space, it would be very useful to develop and agree on a 'topic map', which organises and visualises the discourse-space. This architecture might develop from an instrument to 'agree on the political geography of Internet Governance', to become the thematic navigational backbone of the forum and might finally serve as basis for an ontology to enable semantic web service allowing participants of the forum to exploit advanced service-based features.

²The following are some first indications derived from R. Kuhlen's (Kuhlen, 2004) discussion of online discourse from an Information Ethics perspective: establish a clear framework (including a time-line) for (1) collecting/identifying the topics to be discussed, then (2) have people post their positions ("thought through" text), (3) hold (separate) discussions on the topics, (4) prepare individual topic statements, (5) which are then unified in one document and discussed by all.

³Obviously usability and feasibility are two main points, so we suggest user accounts (with profiles) + a rating/voting possibility at the bottom of each info block. Thereby the system could be setup to allow for public and personalised collaborative peer-review. Allow us to quote E. Raymond, a distinguished open source expert, who points out: "The open source peer review is the only scalable method for achieving high reliability and quality" (Raymond 1999:170).

APENDIX 2

Proposal of issue to be included in the IGF agenda:

Internet core regulatory framework

Core regulatory framework

We believe that there is a need for universal agreements on Internet's property and on citizens rights and responsibilities in cyberspace. Reaching these universal agreements would guarantee the coherence of further legislation providing a common legislation source.

a. Recognition of Internet as global Common-Pool Resource

Recognizing the unique characteristics of the Internet, we propose to classify and treat it as a global Common-Pool Resource (CPR – a conceptualisation which has been analysed and successfully applied to fishery, firewood, grazing land, etc.). Self-governing hybrid institutions like the IGF have been organising collective action for the governance of such resources (Ostrom 1990). The experience gained and documented in the diverse contexts where Common-Pool Resources have been managed provide relevant knowledge to model the IGF.

b. Declaration of Cyber Rights and Responsibilities.

As Internet Governance is a highly diverse and trans-disciplinary field covering a host of fields and issues, we support a constitutional approach as pursued by several initiatives (see below). In our view, transposing the Declaration of Human Rights into Cyberspace is the best way to ensure that regulation and policies are coherent and based on a set of common values, rights and responsibilities defined through a bill of rights.

1. Italian campaign for an internet bill of rights presented at the WSIS II in Tunis
www.tunisonamour.org
2. Council of Europe. Pan-European Forum on "Human Rights in the Information Society: Responsible Behaviour by Key Actors", 12-13 September 2005
www.coe.int/T/E/human_rights/media/Links/Events/ForumStbgSept2005_en.asp
Section "Information documents" , there you'll find a collection of links of interest. Of particular interest are:
 - ⌘ Final Declaration and Action Plan adopted at the Third Summit of Heads of State and Government of the Council of Europe Warsaw on 16 - 17 May 2005.
 - ⌘ Declaration of the Committee of Ministers on Human Rights and the Rule of Law in the Information Society
3. International Symposium on the Information Society and Human Dignity
<http://www.pdhre.org/wsisis/>
4. International Human Rights Program, Faculty of Law, University of Toronto
<http://tinyurl.com/enutw>
(The initiative from the University of Toronto will become an ongoing "working group" , so that work and development of the document can continue over time) .

References:

Kuhlen Rainer (2004) Informationsethik in Grundlagen der praktischen Information und Dokumentation, hrsg. R. Kuhlen; T. Seeger; D. Strauch. K.G. Saur Verlag: München 5. Auflage 2004. www.nethics.net/nethics_neu/n3/quellen/publikationen.htm

Lessig Lawrence (2000) Code and Other Laws of Cyberspace, Basic Books
or www.code-is-law.org

Ostrom, Elinore (1990) 'Governing the Commons: The evolution of institutions for collective actions' Cambridge University Press

Raymond, Eric (1999) The Cathedral and the Bazaar: Musing on Linux and Open Source by an Accidental Revolutionary. Sebastopol, CA: O'Reilly