

24/2/05
P.M.

Internet Governance

South Africa's perspective of Governance

Firstly, let me thank Mr. Kummer for his presentation of the report and thank the members of the Working Group for its report. Our delegation can only underscore and reiterate our support the issues raised by the Minister of Ghana on behalf of the Africa Group.

The history and experiences of the developing world dictate a particular understanding of concepts, which needs to be incorporated in global developments. One of these is the issue of governance. Governance to us is closely linked with issues of human rights, respects and the right to determine one's own destiny through a participatory process, which respects the rights of others. It is therefore our strongly held view that governance by its very nature has to include and be actively exercised by those it seeks to govern. This is why we strongly associate ourselves with the views of Brazil, Cuba, India, Ghana, and China amongst others when they say that there is a lack of transparency by those taking decisions on our behalf and the fact that there is a lack of participation by the international community. We also emphatically agree on the need for a more democratic, transparent and multi-lateral governance of the Internet.

We are aware that the report does indicate that part of the issue of legitimacy will be addressed but would like to emphasise that when we talk about legitimacy we are not merely talking about legal contract but inclusiveness, effective and balanced participation. This understanding is very vital and should lead the deliberations of the working group.

My delegation's sense when reading the report is that this has not really filtered through and needs to be addressed.

Most aspects of the report keep emphasising the fact that current Internet governance structures are open to everyone who can participate. Our response is, it depends on one's view of what is open and inclusive.

What is important in order to take this work forward is for the group to come to a common understanding of what we mean by open, international, participatory and democratic.

Our viewpoint is, if one is to assert that a process is open for everyone's effective participation then measures that facilitate that participation have to receive focus.

Effective participation is not only centred around attending a meeting or conference but is much broader. Again the WG has to recognise this fact and take it on board. This is currently not evident.

Again when we allude to reform of structures, we speak within authority because we come from a country that has gone through this very process and would like to address the fear often expressed that reform might stall progress. This is not necessarily the case, as a country we have recently undergone a process of radical reform yet have neither regressed or destabilised. Most countries in the developing world have also undergone this process thus we would submit that reform is an essential element of any reform. We therefore underscore the importance of the principle expressed by Brazil, Cuba, China, Argentina on the importance of inclusivity, transparency and regional participation. We need to balance the participation of stakeholders in this process and again stress the need to ensure that the process of going forward brings on board the particular priorities of the developing world as indicated by the Minister of Ghana.

In some of the papers presented, a new concept is introduced that of western democracies. ***This is completely novel to us since the view of our delegation is that democracy is precisely that, democracy, and would like to ensure that the working group moves forward with this in mind.***

Most reports in their SWOT analysis assert that the nature of Internet issues is technical. Technical is subject to interpretation. Issues of root servers and DNS are not merely technical issues since their use has both policy and political implications as indicated by India. Location of some of these systems brings in the element of strategic positioning which raises questions of political and security implications as well.

These are issues, which need to be addressed, and as such a mechanism, which looks at decentralising these, should be constituted. Other technological challenges relate to Spam which constitute a serious impediment to Internet use and can present a significant road block to the development of e-commerce, e-government and online public service delivery there by potentially introducing the threat of minimising the social value of the internet.

Some further challenges that require more deliberations include

1.4 Public Policy issues relevant on Internet Governance

We would submit that issues of language (indigenous/local) must be included as one of the public policy issues on Internet content and that specific recommendations in this regard must be made in Tunis in 2005.

On access protection, we submit that the sovereignty and constitutional rights of countries/states should reign supreme. We further submit that new technologies, which provide technical solutions to mitigate illegal access, should continue to be explored and used in order to protect end-users from harmful Internet content. However, we must also be mindful of the fact that countries are at varying degrees of development and thus enabling measures should be put in place to assist.

Furthermore, access protection must be regarded as an issue of sovereignty in each country.

Local content in most of the papers is being addressed more from the content provider perspective rather than from the users side. Again a more balanced approach is essential.

A further issue relates to awareness of rights and responsibility on the consumption of content; this is another social dimension that is integral if one is to move to a common definition of internet governance.

Going on to further aspects of the report we further note the challenge of education and awareness especially with regard to e- governance and other e- related issues. Issues such as the conflict presented by issues of privacy and security require the creation of international mechanisms targeted at detecting offences committed on global networks. There are limitations presented by national and domestic laws in detecting and prosecuting offenders on offences committed on global networks thus creation of the above mechanisms would assist. This is linked to the possible threat towards the stability and secure functioning of the Internet through compromise in the authenticity, protection of confidential stored data as well as integrity of networks and systems by offering these services. This challenge means strategies aimed at capacitating these countries is required.

Question to be asked - We wish to understand the concept of self-regulation and its application in e-commerce.

We further note the challenge posed by introduction of e- commerce and the impact posed on issues related to cyber- security and thus would highlight the absence of discussion on key issues such

1.8.1 Security

1.8.2 Protection of consumer rights

1.8.3 SME Sector development

1.8.4 Costs of infrastructure

1.8.5 Language,

in the paper addressing e-commerce and the advancement of e-commerce in developing countries.

Our delegation would further like to draw attention to the resolution that has already been elaborated on by the Minister of Ghana on behalf of the Africa group and would urge the WG to give the issues indicated their serious considerations in their deliberations since these are issues critical to the whole dimension of internet governance.

With those remarks we hope to assist the group as it goes forward in its discussions.

Thank you Chairperson.