

THE WGIG PROCESS: LESSONS LEARNED AND THOUGHTS FOR THE FUTURE

Tarek Cheniti

As I reflect back on my consulting experience with the Secretariat of the Working Group on Internet Governance (WGIG), I realize how much complex a pluralistic approach to a global problem can be. I also realize how fascinating it was to take part in every stage of the lifecycle of this interdisciplinary working group, from its very inception to the presentation of its Report to the World Summit on the Information Society and its preparatory process. I had a unique opportunity to witness what the analysis of a multi-faceted and multi-stakeholder challenge entails in practice. So much that my primary interest spanned---more than the content and language of the final WGIG Report---such procedural questions as, “how will they develop a working definition that incorporates two terms which are, in essence, incompatible?”, “how can the relevance of a particular public policy issue to the Internet governance debate be identified and assessed?”, and “what steps will the group take in order to structure its work, and how will it make sure all resulting elements can be effectively connected within viable and forward-looking recommendations for action?”

The Process

The WGIG could not be more eclectic; a true melting pot of nationalities, backgrounds, professional deontology and world experiences. Even so, it has successfully fulfilled a task that did not explicitly form part of its mandate and yet was at the heart of its work: to blend all those different perspectives on Internet governance into a single coherent report. To my mind, the WGIG owes this outcome to three main imperatives of any collective exercise:

- *A clear sense of direction:* the group made every effort not to dilute its work in discussing issues that went beyond its specific mandate, and moved along the strict schedule that was defined by its timeline of activities;
- *A consensus-based approach:* since all members joined the group in their personal capacities, they were more prone to engage in an interactive debate rather than enforce their individual stakeholder perspectives.
- *An efficient working method* that was based on regular face-to-face meetings coupled with a constant online discussion process. The online tools included the use of simple and accessible technologies like email and a wiki that allowed the group members to participate on an equal basis, regardless of their geographic location.

The WGIG process benefited from the regular input provided by the different stakeholders. The group’s meetings followed a format that typically began with one or two days of open consultations. The range and profile of participants in these meetings reflected the universality

of the Internet governance debate as well as its perceived importance to diverse communities. The consultations attracted, in addition to the traditional diplomatic delegations and representatives of the Internet community, a large number of participants from entities which did not *a priori* have any obvious connection to Internet governance or play any specific role in the way the Internet is organized. These included, *inter alia*, trade facilitation experts, social science research centres, gender and cultural heritage lobbies, and humanitarian organizations.

In addition, the WGIG's website and online content-management platform provided a window to the public that helped collect their views, critiques and suggestions on a regular basis. In particular, they were instructive as regards the results of the questionnaire the WGIG used to collect inputs on the adequacy of current Internet governance arrangements and on the desirability of and options for reform. The WGIG process provided a forum to share thoughts, experiences and perspectives on Internet governance which were well reflected in the final Report, and which could certainly be used as a reference in multilateral approaches to present-day global problems. Such approaches promote international policy harmonization, create synergies and allow different actors with differing levels of experience to take part in the formulation of worldwide policy guidelines that are beneficial to all. They must, nevertheless, be integrated into and supported with ongoing processes of comprehensive dialogue and collective action.

Prospects for the Internet Governance Debate

The WGIG Report could not be exhaustive with regard to the issues covered and recommendations offered, based as it was on a fact-finding exercise conducted within a limited time frame. It nevertheless paved the way for a lively debate with longer-term implications. In particular, questions pertaining to (1) the locus and content of Internet governance and (2) the developmental aspects of Internet governance will need to be explored further.

The WGIG Report begins with a working definition that leaves us with much food for thought as regards the boundaries of Internet governance. It again demonstrates how complex a phenomenon the Internet is. It is complex not only because of the vast and intricate network of networks and humans it entails, but also because its impact on our lives is subject to increasing controversy. In many respects the Internet appears as a large and far-reaching communication channel that makes globalization a reality. Approaching Internet governance as an essentially human-centered issue with uneven socio-economic implications is key to the success of any proposed implementation model. This will indeed help establish a map of the Internet landscape which features those issues on which new or revised forms of governance are needed, bearing in mind their wider implications for governments, industries, and the ever-expanding community of users.

The development potential of the Internet is, in theory at least, huge. In recent years, increased attention has been paid to the importance of technological advances in eradicating poverty and enhancing literacy. It is no surprise then to see that the United Nations Development Programme's (UNDP) annual Human Development Reports now incorporate a Technology Achievement Index as a composite measure of human progress¹. However, much more effort needs to be paid to identifying ways in which the progress of the Internet can be channeled towards the achievement of the United Nations' Millennium Development Goals. To this end, it is essential to project oneself forward into the years 2020 and beyond, when the take-up of the Internet might surpass the "phenomenon" status to form an essential but standard part of the economic progress of today's developing nations. The scale of governance is also key to understanding the needs of developing nations. Interestingly, the WGIG process revealed that many of the most successful Internet governance arrangements at the local level are now in developing and transitional countries. The Brazilian multi-stakeholder scheme, the Kenyan Country Code Top Level Domain (ccTLD) redelegation experience, and the open UNDP Asia-Pacific Development Information Programme's regional dialogue on Internet governance² all offer good examples of sustainable national or regional Internet policy models and discussion forums which could inspire the set-up of Internet governance arrangement elsewhere, including at the global level.

Conclusion

The World Summit on the Information Society (WSIS) has gradually shifted from being an essentially technology-oriented process to a vast socio-economic development forum. The Internet governance debated has proven that issues raised by the information society go beyond technical questions to touch upon policy areas that are of interest to the world community at large. The WGIG Report rightly points out that several Internet-related public policy concerns may arise from issues pertaining to the use, in addition to the technical steering of the Internet. It also emphasizes the role of civil society and the private sector and, in doing so, recognizes the necessity for concerted action in order to ensure a truly inclusive and durable governance process.

This is certainly not the first instance in which technology-related governance reaches out to non-traditional decision-making actors, such as non-governmental organizations. Participatory governance has also been (more or less successfully) solicited in other arenas, such as

¹ See the indicators included in, United Nations Development Programme, Human Development Report 2005--International Cooperation at a Crossroads: Aid, Trade and Security in an Unequal World (New York: UNDP, 2005) <http://hdr.undp.org/reports/global/2005/pdf/HDR05_complete.pdf>.

² See, the United Nations Development Programme's Asia Pacific Development Information Programme <<http://igov.apdip.net/>>.

environment protection, energy security, and civil nuclear programmes. What renders the Internet unique, however, is the width and depth of governance issues, as well as their uncertain trajectories. Topics like spam, cyber-terrorism, coordination across different jurisdictions, and capacity-building, to mention a few, go beyond existing international cooperation mechanisms and require enhanced levels of multilateral governance to be tackled efficiently.

The post-WGIG, post-WSIS phase should therefore be dedicated to furthering our understanding of the specific format and composition of appropriate Internet governance models. There are, however, a number of substantial challenges in integrating the WSIS/WGIG results into a global system of Internet governance. First, multilateral decision-making processes do not necessarily reflect the best possible solutions but the ones that most collectively respond to stakeholders' expectations. The risk here is to end up with fragmented policy directives that may hamper the global development of the Internet. Second, it is very difficult to accommodate national Internet policy systems into a global governance system that invariably reflects the WSIS principles of openness, inclusiveness and transparency. Internet governance model initiatives will need to account for the regional differences in terms of economic, political and social development. And third, regardless of the model opted for, questions of accountability, legitimacy, and enforcement may remain largely unanswered at multiple levels of analysis. The international community will need to pay particular attention to ways in which those challenges are tackled, an exercise that will perhaps be best illustrated in the shape of an informal consultation process involving, *inter alia*, academic research centres.