

# PREFACE

*Or, more accurately, an afterword on how we got there*

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The Working Group on Internet Governance (WGIG) was an experiment that worked. That much is clear from the compliments heaped on its report by the participants in the Preparatory Committee (PrepCom) of the World Summit on the Information Society (WSIS). How did this unlikely combination of forty individuals from very diverse backgrounds, each with strong views on what needs to be done or not done, end up producing a unanimous report? Now that the exercise is over, as the Chairman of this Group I feel more able to respond, at least partially to this question.

The Group was fortunate in that the Office of the United Nations Secretary-General allowed it to work without interference. It was also very fortunate to have in Markus Kummer an Executive Coordinator who brought to bear his knowledge of the issue, his substantial skills as a diplomat, and his typically Swiss efficiency. All this helped. But I believe a large part of the answer lies in the sequencing of work and the ease with which those who were not in the group could keep track of and contribute to its deliberations.

The first challenge was to ensure a genuine dialogue in the group. When a group with very divergent views converses, the biggest hurdle is to get people to listen rather than just talk. Ideally, one wants a good faith dialogue that each person joins not to convert, but to be converted. The WGIG's discussions did not quite meet this standard. But the conversation definitely moved beyond a dogmatic statement of set views. Everyone made an effort to explain the logic behind their view and put their argument in terms that could convince others. To do that they had to listen and respond to the doubts and questions raised. Instead of talking at one another, the members started talking with one another.

The members of the group were there as individuals. But they had been chosen to reflect a balance across regions and interest groups. There was always a risk that what any person said would be dismissed on *ad hominem* grounds like, "what do you expect from someone who comes from such-and-such country," or "that person is bound to reflect the views of such-and-such vested interest." These sentiments may well have been felt but they were never expressed or allowed to distort the basic protocol of treating every argument on its merits.

The primary credit for this constructive protocol for the dialogue within the group rests with its members. I hope that as a chair I helped it along as I asked questions to educate myself about the intricacies of Internet governance. I believe that a crucial difference was made by the

substantial academic presence in the group, as these members brought to the group the ethic of treating every debater with respect. Of course, this did tend to make every conversation a little longer than it would have been in a more business-like group! But as a chair, I welcomed this because it reinforced the mutual respect between the group members.

The WGIG also decided against getting into the difficult issue of making recommendations too early. In fact members began their work with a thorough exercise in problem definition. This phase was crucial in creating a sense of joint responsibility. More than that, by deconstructing the problem, they shifted the terms of the debate away from rhetoric, slogans and simplifications to very precise organizational, institutional or policy issues. For example, the discussion of root zone file changes looked at all the steps involved and focused on the authorization function. The deconstruction exercise helped greatly in separating public policy functions from operational and technical management issues.

The analysis and deconstruction of the problem was a very collaborative exercise. Group members connected with one another through voluminous e-mail and other means and produced group drafts. The analysis was largely factual, but getting people to agree on a description of how things actually work was often enough to resolve differences about how they should work. More than that, the group members who had put in so much hard work developed a vested interest in the success of the process.

Much of the work done by the WGIG on problem definition and deconstruction is contained in the Background Report rather than in the Main Report of the Group. The Background Report is not an agreed report in the sense that every member of the group has not signed off on everything said therein. But the report is a product of a collaborative exercise, so one may think of it as a report by the group but not of the group. It has been made available so that the raw material that was used by the group in developing its Main Report is widely accessible.

The group had reached this stage of problem definition by February 2005, but it had not yet started any systematic discussion about the recommendations that it would make. This posed a minor problem as the WGIG, which was launched in November 2004, was required to submit a preliminary report to the February 2005 WSIS PrepCom. We did present our assessment of what we saw as the public policy issues, but little or nothing on matters like the definition of Internet governance, roles and responsibilities. My job as the chair was to take the heat from the PrepCom and allow the group to pace its work in a manner that would maximize the chances of a unanimous report.

Throughout the process the WGIG followed a very transparent process for connecting with the wider constituency outside. Every meeting of the group included an open consultation. The

documents that were considered within WGIG were put on-line before these meetings so that all stakeholders could send in their comments, and many did.

These open consultations were part of the original design. They were necessary to meet the concerns of those countries that did not want a small group process, but rather a full intergovernmental meeting. In practice the open consultations proved particularly valuable in affording an opportunity not just to governments but also to other stakeholders to find out where the WGIG was heading and try to push it in the directions they preferred. The scale and level of participation in these open consultations was truly extraordinary. I would particularly note the full and committed participation of the Internet Corporation for Assigned Names and Numbers (ICANN), the Internet Society (ISOC), and other entities involved in Internet management at present. Hopefully, their presence reassured both the governments and the private sector.

The openness helped to maintain the interest of the Internet community and media outside the PrepCom. It gave them material to report and comment on. I believe it also stimulated academic interest in places like the Berkman Center at Harvard University, the Oxford Internet Institute, and the Internet Governance Project at Syracuse University in New York.

The open consultations had the paradoxical effect of reinforcing the WGIG's sense of self-identity. Group members did refer to the views presented at the open consultations. They were influenced by the weight behind different positions as evidenced in these open meetings. But they became increasingly conscious that their job was to write *their* report, not a report on the views expressed in the consultations.

By April 2005 the Group had started talking about recommendations, but the real discussion was to be at the final June meeting. Usually the group met in the United Nations' premises in Geneva. This allowed a certain amount of informal interaction between group members and other stakeholders. However when it came to drafting the final report, a more secluded environment seemed necessary. The WGIG had in any case shared so much with the stakeholders that no surprises were in store. The secretariat arranged to take everyone to a conference centre on the outskirts of Geneva.

Well before the group met in Chateau de Bossey in June 2005, it had developed a camaraderie and team spirit. People knew one another and what they could expect in an argument. There was a real sense of ownership, and a commitment to get an agreed report despite the differences that remained. The atmosphere in the Chateau helped in promoting a certain *bonhomie*. The group members, thrown together not just for the meetings but also for all meals and convivial evenings in the fine garden, became friends who had differences on substantive

matters but who were prepared to find a way through out of a sense of responsibility and friendship.

The discussions at the Chateau were intense and tempers occasionally frayed. My job as the chair was to keep the process moving, cajole people toward compromise, lighten the mood when the going got rough, and once in a while simulate anger! But the Group members rose to the task and practically everyone pitched in contributing some text to the final product.

The most difficult issue was that about institutional arrangements for global public policy oversight. It soon became clear that a single view would not emerge and would in fact be misleading, as it would not reflect the diversity of opinions within the group and in the wider community outside. We correctly decided that we were not a substitute for the political process in the WSIS PrepCom and that our duty was to spell out options clearly rather than to find a compromise. Had we presented just a single option, then all those outside who disagreed with that option might have rejected the rest of the report, which contained valuable suggestions.

In the end the WGIG produced a unanimous report. There was no note of dissent. It was not a report that replaced the need for a broader political process. But it was a report that made it possible for such a process to start further down the road to the ultimate compromise.

The WGIG began with forty experts who were often suspicious of one another. It ended as a group of forty collaborators who were convinced that they had fulfilled their duty and were proud of what they had wrought. The challenge now is to reproduce in the wider community the same sense of engagement, dialogue, understanding and constructive compromise.