



General Assembly's overall review of the implementation of WSIS outcomes

Comments on the draft outcome of 4 November

A. Your Information

Title: *President*

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Name of Organization: *Association for Proper Internet Governance Stakeholder Type¹:
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B. Formal Input

Please input your comments below:

1. Introduction

We refer to the draft outcome of 4 November published at:

<http://workspace.unpan.org/sites/Internet/Documents/UNPAN95572.pdf>

We thank and commend the co-facilitators for this draft, which we find to be an honest and fair attempt to produce a text that could be approved by consensus. Nevertheless, we offer some general comments in section 2 below. And we do propose some revisions, see section 3 below.

¹ When specifying your stakeholder type, please indicate one of the following: Government, Civil Society, Private Sector, Academia, and Technical Sector.

2. General comments

Structure of the document

We support the structure of the document, which appropriately reflects the key issues of the information society: development, human rights, security, and governance. We note that the key priorities identified in 2005 by the Working Group on Internet Governance are adequately reflected in the draft outcome:

1. Unilateral control by one government of the administration of the Internet domain name root zone file and systems is addressed in the section on Internet Governance and the sub-section on Enhanced Cooperation.
2. The relatively high cost of connectivity in developing countries is addressed in the section on ICT for Development and its sub-sections.
3. The issue of lack of security, and its consequences, is addressed in the section on Security.

As stated in our previous submissions, these key priorities have not been fully addressed, and it is appropriate to focus attention on them in the outcome document. That is, we do not agree with the conclusion² that “the existing arrangements for Internet governance have worked effectively”.

Referenced documents

As stated in our previous submission³, we support the fact that the draft outcome references only documents that were approved by consensus.

We note that one submission⁴ suggested including a reference to a document that was not approved by consensus⁵ and we do not agree with that suggestion.

As shown below, we propose to add references to relevant resolutions that were agreed by consensus at the Inter-Parliamentary Union⁶, in particular:

- Democracy in the digital era and the threat to privacy and individual freedoms, available at: <http://www.ipu.org/conf-e/133/Res-1.htm>
- Cyber warfare: A serious threat to peace and global security, available at: <http://www.ipu.org/conf-e/132/Res-1.htm>
- International law as it relates to national sovereignty, non-intervention in the internal affairs of States and human rights, available at: <http://www.ipu.org/conf-e/132/Res-3.htm>

Right to development

As stated in our previous submission, we strongly support explicit mention of the right to development.

Net Neutrality

We strongly support retaining the explicit mention of Net Neutrality

² <http://workspace.unpan.org/sites/Internet/Documents/UNPAN95500.pdf>

³ <http://www.apig.ch/WSIS%20Review%20APIG%20zero%20draft.pdf>

⁴ <http://workspace.unpan.org/sites/Internet/Documents/UNPAN95498.pdf>

⁵ http://justnetcoalition.org/2015/on_UNESCO_Connecting_Dots.pdf

⁶ <http://www.ipu.org/english/home.htm>

3. Suggested revisions

Paragraph 4A, add a new paragraph reading: “We recognize relevant resolutions of the Inter-Parliamentary Union, in particular: Democracy in the digital era and the threat to privacy and individual freedoms; Cyber warfare: A serious threat to peace and global security; and International law as it relates to national sovereignty, non-intervention in the internal affairs of States and human rights. We invite all states to take due notice of those resolutions.

Paragraph 20A, add a new paragraph reading: “We also note that the benefits promised for all have not been adequately realized. On the contrary we have seen mass surveillance, abusive use of personal data and their use as a means of social and political control; the monopolization, commodification and monetisation of information and knowledge; inequitable flows of finances between poor and rich countries; and erosion of cultural diversity. Many technical, and thus purportedly ‘neutral’, decisions have in reality led to social injustice as technology architectures, often developed to promote vested interests, increasingly determine social, economic, cultural and political relationships and processes.”

Paragraph 20B, add a new paragraph reading: “We recognize that access to much of the information society is limited by illiteracy, lack of access to electricity, and excessively stringent intellectual property laws, in particular copyright. Indeed, the current copyright regime might run counter to human rights. Further, excessively strong copyright and patent protection stifles innovation and protects outdated technologies. Therefore it is urgent to reform intellectual property law at both the international and national levels to better to balance the interests of creators, implementers and users, by drastically reducing the length of copyright, by legalizing non-commercial downloads of copyright material, and by restricting what can be patented.”

Paragraph 28, add at the end: “In particular, we call for the implementation of the provisions of Recommendation ITU-T D.50 and its Supplements.”

Paragraph 42, add at the end: “Any violations of privacy and any restrictions on the protection of personal data must be held to be necessary and proportionate by an independent and impartial judge. No attempts will be made to weaken or compromise encryption standards.”

Paragraph 43, add at the end: “Any restrictions on freedom of expression must be held to be necessary and proportionate by an independent and impartial judge. No attempts will be made to weaken or compromise encryption standards.”

Paragraph 49, add at the end: “We invite all states to accede to the 2014 International Telecommunication Regulations.”

Paragraph 51A, add a new paragraph reading: “We recognize that the management and administration of Internet domain names and addresses must be truly international, not subject to the laws of any single country, and not dominated by any single country. In particular, the operation of the root zone file must not be subject to the jurisdiction of any single country.”
