NETmundial Draft Outcome Document
Public Consultation: final report on comments

This document has been prepared by the Executive Secretariat with inputs from the Public Consultation at the NETmundial's website commenting system on the Draft Outcome Document

Last Updated: April 22nd, 2014

Foreword

This report is the final effort by the Executive Secretariat to consolidate NETmundial's Public Consultation. NETmundial received 1370 comments on the Draft Outcome Document, through its website during the course of seven days, between April 15th and April 21th. Commenters were invited to provide their name, their preferred email address and the sector to which they thought they belonged to in the capacity of commenting. NETmundial used no validation system to verify the identity of the commenter. This report and, most importantly, the comments themselves, should be read in light of this information.

The comment system was locked down on 12:00pm UTC. After that, NETmundial's Data Team took the final snapshot of the database with all the comments and their relevant information and produced the spreadsheet attached to this document. We present some illustrative data about the whole process.

	N/A	Academia	Technical Community	Government	Private Sector	Civil Society	Grand Total
Introduction	1	3	1	10	2	23	40
Principles	59	55	78	62	221	357	832
Roadmap	20	39	41	75	119	204	498
Grand Total	80	97	120	147	342	584	1370

Note: All commenters' sectors are self-declared, there was no validation system to verify the authenticity of the information provided in the commenting system.
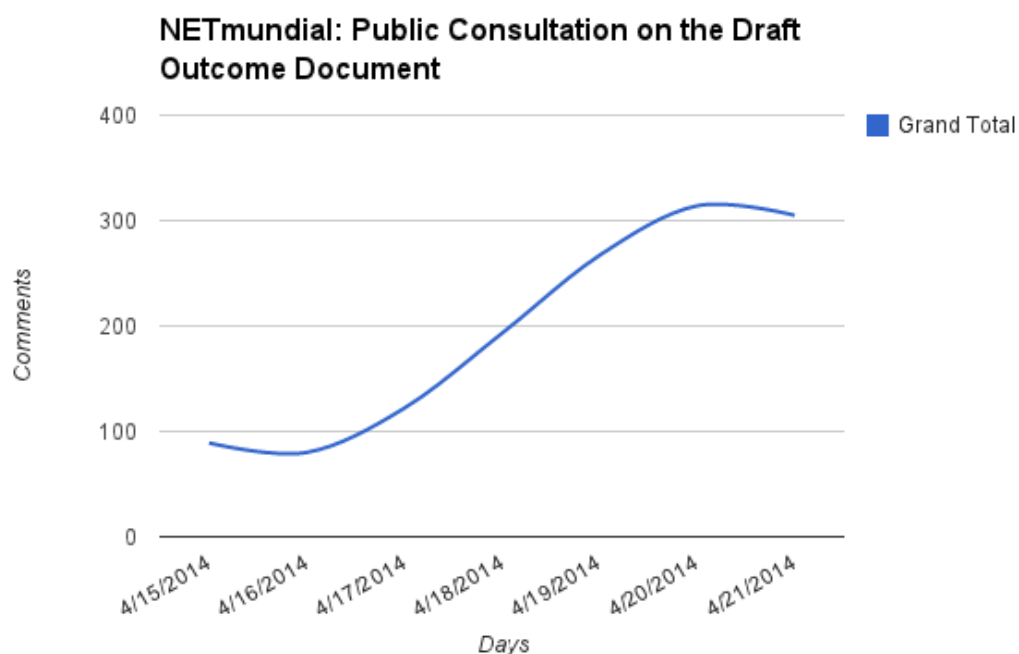

Figure 1

Figure 1 shows the volume of comments through the week of Public Consultation. Roughly, the line is described by the amount of comments from the previous day being surpassed by 70 comments on each day. This rate slowed down towards the end of the consultation. In total, as mentioned, there were 1370 comments.

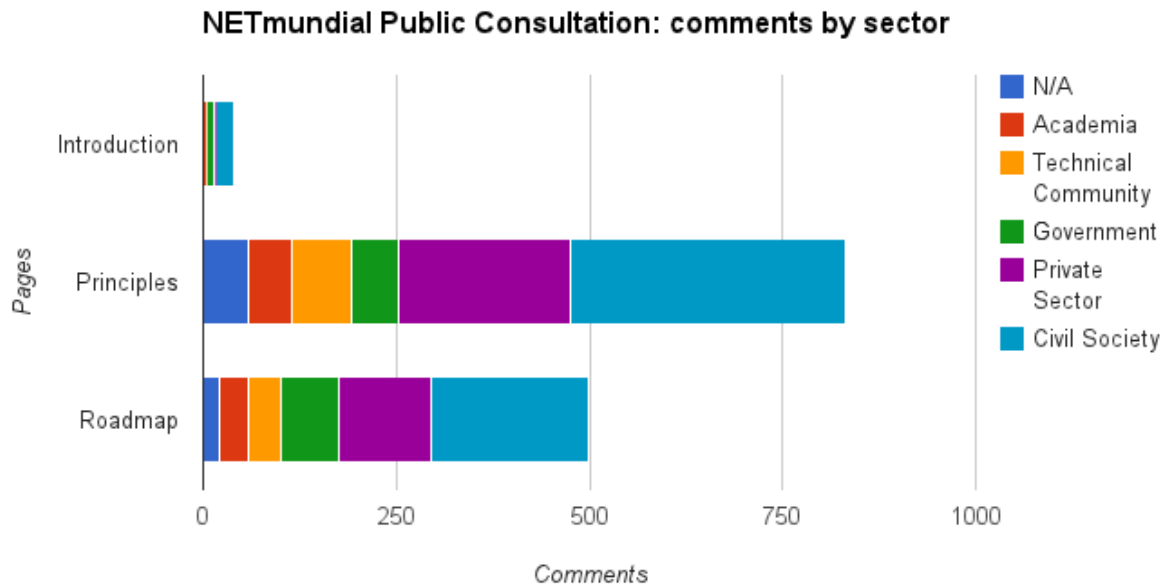**NETmundial Public Consultation: comments by sector**

Figure 2

More than 60% of the comments were dedicated to Principles (*Figure 2*). In total, the page received 832 comments and most came from commenters that self-proclaimed to be from CIVIL SOCIETY (357). In second, those who self-proclaimed PRIVATE SECTOR contributed with 221 comments. The same trend was observed on the Roadmap page. It received 498 comments, most of which came from CIVIL SOCIETY (204), followed by the PRIVATE SECTOR with 119 comments.
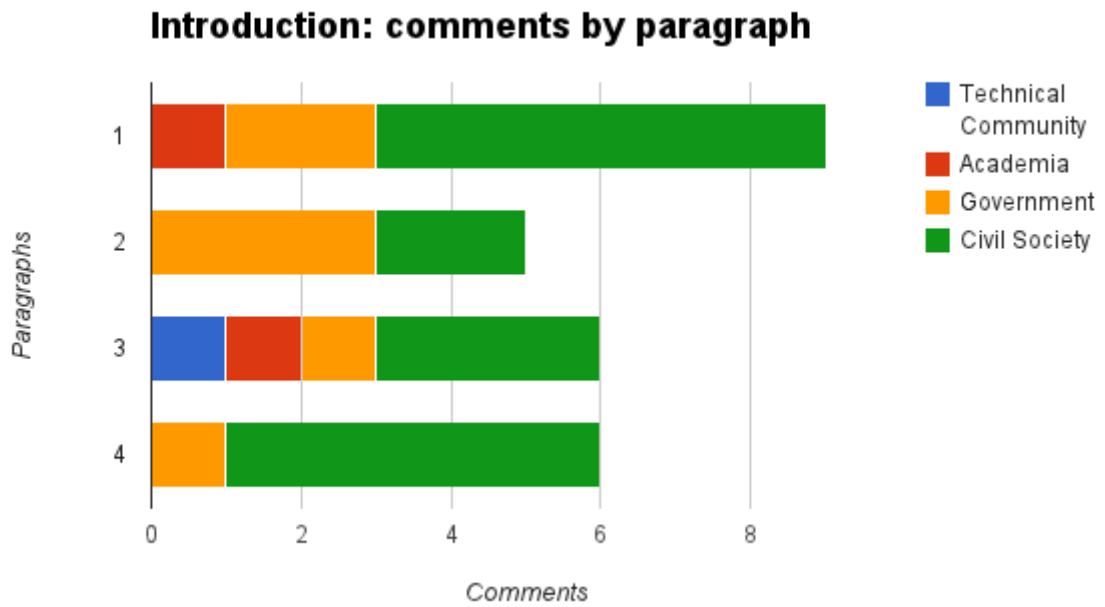
Introduction: comments by paragraph

Figure 3

The introduction page of the Draft Outcome Document was the least commented, with 40 comments in total. As seen in other pages, the group that most engaged with comments was CIVIL SOCIETY, with 23 comments, more than half of the total (40).
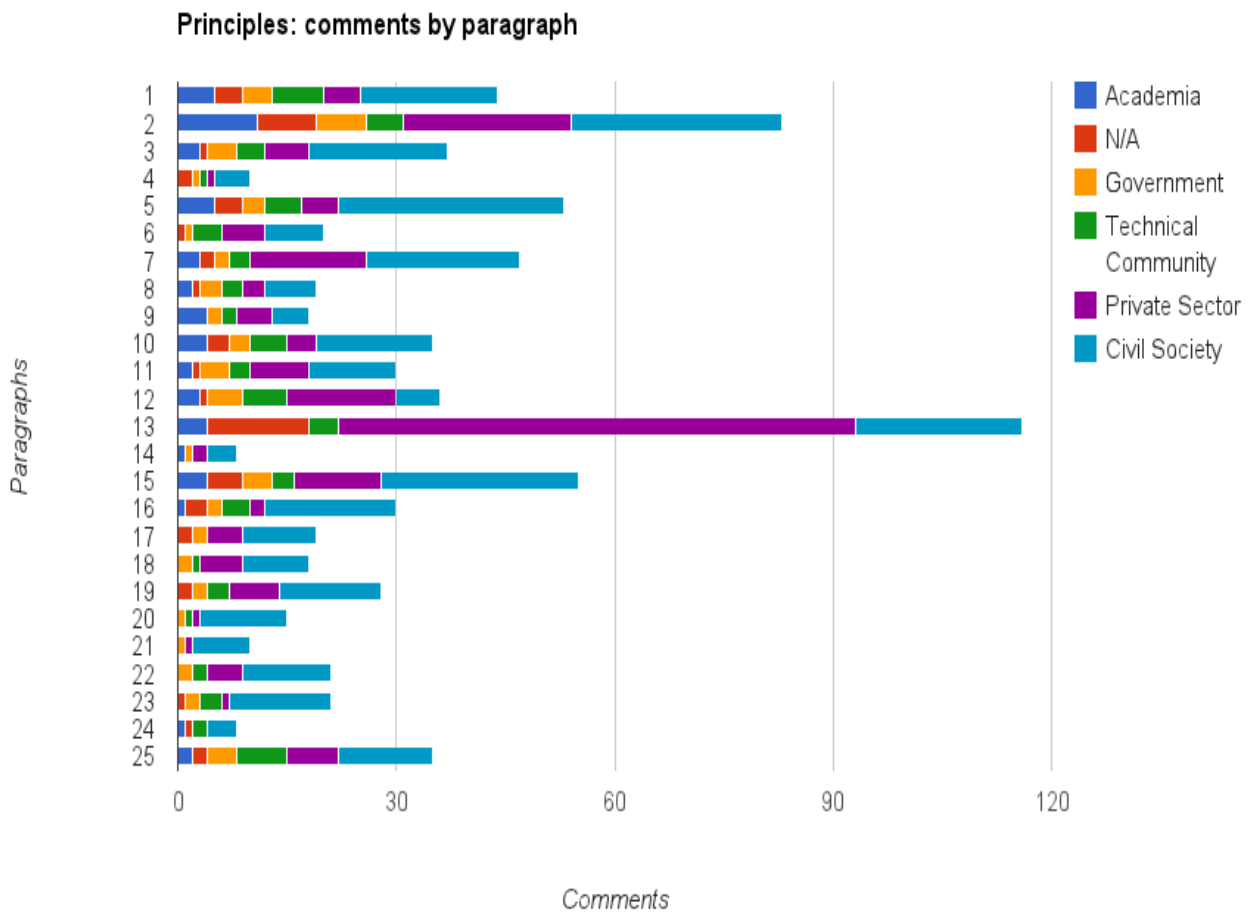
Principles: comments by paragraph

Figure 4

In total, the Principles page was the most commented. Two paragraphs stand out: 02 and 13. The first is centered around the issue of Human Rights. The second uses language that some found confusing and could, they argue, lead to violation of copyrights on the internet. Commenters that self-proclaimed from the PRIVATE SECTOR most engaged in paragraph 13 while paragraph 02 followed the trend of the rest of the document, with CIVIL SOCIETY taking the lead of the comments.

Roadmap: comments by paragraph

Figure 5

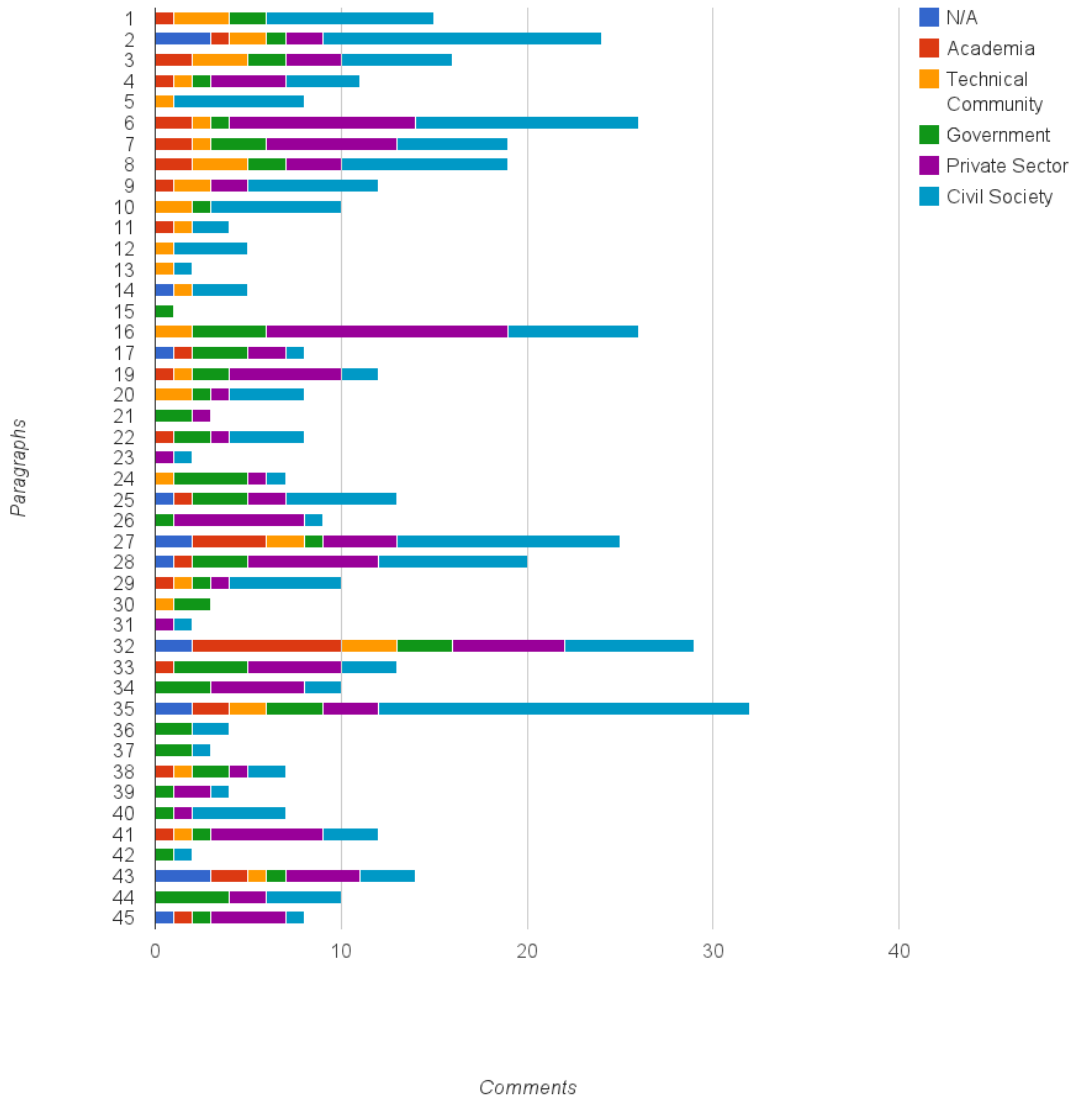Internet Surveillance and Roles and Responsibilities of stakeholders were the two most commented topics in the Roadmap page. Other topics were also under intense debate, such as the necessity to create other mechanisms to discuss the multistakeholder model of Internet Governance, or whether the language "international agreements" or "international cooperation" should stay in the final document.

To focus on the content of the comment and its merit, rather than the individual behind the actual contribution, this report highlights only the self-claimed sector from which the comment came from. The original comments can be accessed either in the attached table or in the website http://document.netmundial.br/.

In an effort to capture a small glimpse of the spirit of this Public Consultation, the Secretariat read all the comments and extracted those that made specific suggestions to alter the Draft Outcome Document. Comments that develop topics or discussions around the paragraphs were not included in this analysis. They can be accessed in the attached spreadsheet or in the website http://document.netmundial.br/.

The Executive Secretariat of NETmundial knows this is an imperfect attempt to consolidate the Public Consultation to the Draft Outcome Document. The best and most transparent way is going through all the comments, all 1370 of them, one by one. This report should not be considered the final word on the subject. It was produced in 14 hours of intense work by the Secretariat team and it aspires only to be part of the larger debate, as an early small contribution to many reports and analysis to come.

NETmundial's Executive Secretariat Data Team
April 21st, São Paulo

How to read this document & Approach

This analysis has used some standardized formatting, as follows:

¶ NUMBER

Lorem ipsum idem est, de communibus; et tanti, ut ad eam rem aliquem inclusive, multistakeholder causa, legitime, nec ligula et lorem regimen compage.

Comments on this paragraph: NUMBER

Edit proposals with rationale

SECTOR: "Lorem ipsum analia"
> **Rationale**: *causa, legitime, nec ligula et lorem regimen compage.*
> **(+1) SECTOR**
> **(-1) SECTOR**

SECTOR: "Lorem ipsum analia"
> **Rationale**: *causa, legitime, nec ligula et lorem regimen compage.*

Edit proposals without rationale

SECTOR: et tanti, "ut ad eam rem aliquem inclusive"

SECTOR: ipsum idem est, de communibus; et tanti, ut ad eam

SECTOR: "Lorem ipsum analia"

The paragraph number is shown in big bold letters for quick scanning of the pages. After the paragraph number, the original text of the draft document is shown in italic, as it was published online for public consultation. After that, there is a line in grey text informing the number of comments on that paragraph. Then we divided the comments into two: those who propose edits and provide rationale for doing so; and those which propose edits, but did not provide any rationale.

The first part is dedicate for those who provided rationale. We present the self-proclaimed sector which the comment came from and the alteration it suggests to the text. Next, in a smaller font, we pasted the rationale. If another comment supports or is against this suggestion, we put them right after the suggestions, with a "plus one" sign for support, and a "minus one" sign for non-support.

The second part is dedicated to the comments which presented no rationale whatsoever to support their suggestions. It is worth emphasizing that we considered "rationale" even the most primary forms of supporting arguments. Some rationale are elaborated and go deep into the subject. Some are one-liners which will not develop the subject as much as other arguments. Nevertheless, despite the stark difference between those simpler rationale and deep arguments that elevate the level of the debate, they are *something* to start with and that is why they are included in the report.

Paragraphs that received no comments suggesting alteration on the text of the draft document are presented with the following text:

> **No comments in this section offered any direct alteration of the text. The original comments and the exchange of arguments that followed can be accessed in the attached spreadsheet containing the full set of comments.**

Some comments were made on the whole page. There are three pages in the online version of the document, in short: **Introduction**, **Principles** and **Roadmap**. Comments that were made in the whole page were added before the beginning of each section and instead of displaying the number of the paragraph on top, they show the name of the page.

Exceptions:

Paragraph 13 did not get a rundown of the comments like the other paragraphs. Instead, there's a text describing the context of the conversation that happened at NETmundial's website.

Paragraph 18, in Roadmap, is the only one which did not receive any comment.

INDEX OF PARAGRAPHS

INTRODUCTION

Comments on the whole page: 17

No comments in this section offered any direct alteration of the text. The original comments and the exchange of arguments that followed can be accessed in the attached spreadsheet containing the full set of comments.

¶ 1

The Global Multistakeholder Meeting on the Future of Internet Governance, also known as NETmundial, is convened to discuss two important issues relevant for the future evolution of the Internet, in an open and multistakeholder fashion

Comments on this paragraph: 9

No comments in this section offered any direct alteration of the text. The original comments and the exchange of arguments that followed can be accessed in the attached spreadsheet containing the full set of comments.

¶ 2

1. *Internet Governance Principles, and*
2. *Roadmap for the future evolution of the Internet Governance Ecosystem*

The recommendations in this document have been prepared with the view to guiding NETmundial to consensus. This has been a collaborative effort among representatives of all stakeholder groups.

Comments on this paragraph: 5

Edit proposals with rationale

CIVIL SOCIETY: replace "all" with "many" or "very many".

Rationale: *With respect, it is misleading to claim that this document or any of the NetMundial process has been a collaborative effort among representatives of *all* stakeholder groups. Indeed such a statement is seen by many as being demonstrative of exactly the issues underlying Internet governance.*

¶ 3

More than 180 contributions have been received from all stakeholders around the globe. Those contributions have been taken as the basis for the elaboration of the recommendations submitted here to the participants of NETmundial towards the development of broad consensus.

Comments on this paragraph: 6

Edit proposals with rationale

>**GOVERNMENT:** insert after the introduction a part named "Terms and Definitions"
>**Rationale:** *There, we could define the terms used throughout this document, in order to clarify them and standardize all references. An example, the precise meaning of "stakeholders".*

>**CIVIL SOCIETY:** strike the word "all".
>**Rationale**: It is misleading to suggest that contributions have been received from *all* stakeholders around the globe. I suggest to strike the word "all".

Edit proposals without rationale

>**ACADEMIA:** explicitly list down and define the stakeholders.

>**CIVIL SOCIETY:** adapt "more than 180 contributions have been received from all stakeholders", to specify the exact number of contributions received

¶ 4

The recommendations of NETmundial are also intended to constitute a potentially valuable contribution for use in other Internet governance related fora and entities.

Comments on this paragraph: 3

Edit proposals with rationale

>**GOVERNMENT:** remove "potentially valuable"
>**Rationale:** *I agree with you, but I am not sure if a stronger statement, like "a reference for use..." would be a solution. Is the NetMundial the "topmost" of all fora dedicated to Internet Governance?*

>**CIVIL SOCIETY:** strike the word "all".
>**Rationale**: It is misleading to suggest that contributions have been received from *all* stakeholders around the globe. I suggest to strike the word "all".

Edit proposals without rationale

>**CIVIL SOCIETY:** Replace "potentially valuable contribution" with "valuable contribution for use in other Internet Governance related fora and entities".

CIVIL SOCIETY: suggests new text: "The recommendations of NETmundial are also intended to constitute a potentially valuable contribution for use in work of other Internet governance related fora and international entities"

CIVIL SOCIETY: suggests new text: "The recommendations of NETmundial are intended to constitute a concrete contribution and provide tangible improvements for use in other Internet governance related fora, processes and entities."

1. INTERNET GOVERNANCE PRINCIPLES

Comments on this paragraph: 16

¶ 1

NETmundial identified a set of common principles and important values that may contribute for an inclusive, multistakeholder, effective, legitimate, and evolving Internet governance framework.

Comments on this paragraph: 44

Edit proposals with rationale

> **N/A:** remove "may".
> > **Rationale:** *It is clear that these principles do contribute. They may not be a complete set, but they are an applicable set.*
> > **(+2) CIVIL SOCIETY**
> > **(+1) N/A**

> **ACADEMIA:** remove "inclusive".
> > **Rationale:** *"I feel the terms inclusive and multistakeholder are synonyms."*
> > **(-1) CIVIL SOCIETY** *"Inclusiveness is about diversity, whereas multi-stakeholderism is about recognising that different interest groups can usefully be grouped together as stakeholders, and attempting to neutralise power imbalances between those groups that could otherwise lead to the corruption of the political process."*

> **N/A:** determine whether "legitimate" refers to the legal, political or institutional legitimacy.

> **GOVERNMENT:** replace "legitimate" with "globally supported"
> > **Rationale:** "The word 'legitimate' suggests a legal process which does not apply here"
> > **(+1) ACADEMIA**
> > **(-1) CIVIL SOCIETY:** "The legitimacy of transnational governance process cannot be reduced to the political legitimacy of Westphalian legal systems. Multi-stakeholder participation is part and parcel of what constitutes legitimacy of global Internet governance processes"

> **N/A:** add "rule of law"
> > **Rationale:** *we should remember that human rights are more than values, human rights are rules of law that respond to obligations undertaken by States in various international treaties and conventions on human rights signed.*
> > **(+4) PRIVATE SECTOR**
> > **(-2) N/A** *"The problem with rule of law is that some law runs counter to the human rights that the nations have signed onto. Any use of Rule of Law*

should be constrained as follows: by rule of law that falls within the constraints of the universal declaration of human rights.."
N/A *"The statement cannot give blanket approval to rule of law when there are countries that persecute and imprison people for their sexual preference , political viewpoints, or persecutes them based on country of origin."*

CIVIL SOCIETY: proposes to add the following paras at the end of Principles section. "We recognize the need to keep the uniqueness of the critical Internet identifiers such as Domain Name and IP Addresses requires some kind of monopolistic management at the top level. However, healthy competition that provides the choices for end users should also be promoted as they form essential part of modern society and economy. Measures safeguarding public interest and fair competition and prevent discriminatory behaviors of the monopolies must be implemented at all levels: local, national, regional and global. Independent and transparent oversight mechanisms should be placed over these monopolistic operations."

> **Rationale:** *"The White Paper and subsequent activities in the early process of ICANN had the principle of promoting competition. Internet operation often involves some kind of "natural monopoly" at global level, as well as regional and national levels, especially in the operation of Domain Name and IP address distributions. There are not sufficient measures of accountability and competition in these areas in my opinion."*

Edit proposals without a rationale:

CIVIL SOCIETY: add 'universal'

CIVIL SOCIETY: grammatically it should be "contribute to" instead of "contribute for"

CIVIL SOCIETY: add a definition of Internet Governance

PRIVATE SECTOR: clarify the meaning of "inclusive," "effective" and "legitimate" in this context.

CIVIL SOCIETY: add: **"**The Internet Governance Framework itself should be clear, understandable, comprehensive and explicable"

CIVIL SOCIETY: replace "identified" with "discussed"

N/A: replace "common principles" with "possible principles" and replace "contribute for an inclusive, multistakeholder, effective, legitimate, and evolving Internet governance framework" with "contribute for further discussions on a new, effective, legitimate and evolving Internet governance framework".

¶ 2

HUMAN RIGHTS

*Human rights are central values and universal as reflected in the Universal Declaration of Human Rights and that should underpin Internet governance principles. Rights that people have **offline** must also be protected **online**, in accordance with international human rights legal obligations, including the International Covenants on Civil and Political Rights and Economic, Social and Cultural Rights. Those rights include, but are not limited to:*

Comments on this paragraph: 83

Edit proposals without a rationale:

CIVIL SOCIETY: suggests a different writing "Acknowledgement, respect and promotion of universal human rights ought underpin Internet governance principles and rules. Internet governance bodies acts in in accordance with international human rights obligations, including the International Covenants on Civil and Political Rights and Economic, Social and Cultural Rights."

CIVIL SOCIETY: affirms that "Rule of the law" should be quoted

N/A: suggests a different writing "I propose "Rights of people, regardless of media and technology, must be protected, in accordance…"

ACADEMIA: proposes the inclusion of two topics "Scope of Rights" - There shall be no interference by stakeholders at any layer of the Internet with the exercise of people's rights and freedoms or the principles defined in this Charter except as is in accordance with the law and is necessary to genuinely meet objectives of general interest recognized in international human rights covenants. "Accountability" - "Mechanisms for checks and balances as well as for review should exist which enable stakeholders at every layer of the Internet to be held accountable for the violation of people's rights and freedoms or the principles defined in this Charter.

N/A: suggests a new writing: "we propose: "Human Rights are legally binding norms, online as well as offline, and universal as reflected in …" "

PRIVATE SECTOR: suggests the expansion of the Paragraph in order to accommodate protection "from liability for Internet intermediaries"

PRIVATE SECTOR: suggests the inclusion of "Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or

artistic production of which he is the author.", part of the UDHR, Article 27(2)
(+2) CIVIL SOCIETY
(+1) ACADEMIA

GOVERNMENT: addition of the following item "Intellectual property rights : everyone should enjoy the full protection of its intellectual property online as it is offline, and the sincere cooperation of all stakeholders against online content piracy ." and the addition of the following item after Development "The enforcement of these rights should be ensured through a complete and sincere cooperation between all stakeholders".

GOVERNMENT: affirms that the title should be changed to "Protection of Human Rights"

ACADEMIA: suggests a mention to the Universal Declaration of Human Rights

CIVIL SOCIETY: suggests to add reference to "Article 27 clause 2 of the Universal Declaration of Human Rights"

PRIVATE SECTOR: demands the inclusion of a Paragraph about Intellectual property, including reference to the article 27 of the UDHR

PRIVATE SECTOR: suggests the alternate writing "Support human rights, especially those relating to freedom of expression and the free flow of information on the Internet."

PRIVATE SECTOR: suggests the alternate writing: "Human rights are central values and universal as reflected in the Universal Declaration of Human Rights and that should underpin Internet governance principles, with other shared values. Rights that people have offline must also be protected online, in accordance with international human rights legal obligations, including the International Covenants on Civil and Political Rights and Economic, Social and Cultural Rights. Those rights and values include, but are not limited to:"

CIVIL SOCIETY: suggests the addition of the following item: "Asylum: Everyone has the right to seek and to enjoy in other countries asylum from persecution especially when this persecution is related to exercising the above mentioned human rights via on- or offline activities."

TECHNICAL COMMUNITY: suggests using **off-internet** and **on the internet** in the text.

Twelve commenters (ten identified as from the Private Sector, and two from Academia) referred to the lack of mention to creator's rights in the text. Reference to the article 27(2) of the UDHR, which refers to the theme, were presented, including with the full text.

¶ 3

- ***Freedom of expression:*** *everyone has the right to hold and express opinions, and to seek, receive, and impart information on the Internet without arbitrary interference.*

Comments on this paragraph: 37

Edit proposals with rationale:

ACADEMIA: suggests to add mention to future technologies.
> **Rationale:** *being more expansive – mentioning the internet, but also including future technologies would be beneficial*
> **(+1) CIVIL SOCIETY**
> **(-1) N/A** "The problem is that for now it's not clear which tecnologies would replace the Internet as a knowledge sharing medium. Such technolgies would bring different problems IMHO."
> **(-1) TECHNICAL COMMUNITY** "I think its safer to have a clear point of contact being the Internet. I believe the statement will apply to whatever future technology that emerges so long as its using the Internet network as a medium."

TECHNICAL COMMUNITY: suggests removal of "arbitrary"
> **Rationale:** *Inserting "arbitrary" without definition is an open door to eliminate free speech in all but the most trivial of cases*
> **(+2) ACADEMIA**
> *(+6)* **CIVIL SOCIETY**
> **(+1) GOVERNMENT**
> **(+1) PRIVATE SECTOR**

PRIVATE SECTOR: suggests to add a definition of information.
> **Rationale:** *It would be helpful if "information" could be defined. Too often "information" is assumed to include entire copyrighted works. Copyright owners must be protected.*
> **(+1) PRIVATE SECTOR "***The internet should be used in such a way to enhance lives while protecting the intellectual property rights of those creating the content.*"
> **(-1) CIVIL SOCIETY** *"I'm against including copyright or intellectual property, which is just artificial monopoly and not related human rights."*

CIVIL SOCIETY: Split the human rights section in two parts
> **Rationale:** *(1) fundamental human rights that need to be promoted and protected, and (2) specific principles needed in internet governance to secure these rights.* Suggests also using Malcom Hutty's text.
> **(+2) CIVIL SOCIETY** "excellent suggestion!"

CIVIL SOCIETY: suggests adding the right of whistle-blowing.
> **Rationale:** *It should be made clear that hindering people to speek truth to power and to blow the whistle as well as prosecution and retaliation against whistleblowers do constitute arbitrary interferences with the human right of freedom of expression.*

TECHNICAL COMMUNITY sugests adding that "freedom of expression does not permit the unlawful appropriation, distribution, and sale of the creative works of others to which the purveyor does not hold a valid distribution license."

> **Rationale:** *The off-line right to patent and copyright protection included in the Universal Declaration of Human Rights must apply on-line as well.*

Edit proposals without a rationale:

CIVIL SOCIETY: suggests that "the right to anonymous speech should also be protected"
(+1) CIVIL SOCIETY

¶ 4

- ***Freedom of association:*** *peaceful assembly online, including through social networks and platforms.*

Comments on this paragraph: 10

Edit proposals with rationale

TECHNICAL COMMUNITY: Replace "online" by "on the Internet"

> **Rationale:** *The document should stick to a particular scope (term); if it implies internet by saying online then the document should explicitly say that. This comment applies to every other occurence of online vis offline.*

CIVIL SOCIETY: Add "everyone has the right to"

> **Rationale:** *Unlike the other highlighted rights, this one misses an operative clause, such as 'everyone has the right to'.*

CIVIL SOCIETY: Suggest to exclude 'peaceful'.

> **Rationale:** *Suggest to exclude 'peaceful'. It is not clear to me what constitutes non-peaceful protest online. This could potentially harm the right to protest.*

CIVIL SOCIETY: Recommend remove the distinction between online and offline freedoms.

> **Rationale:** *Offline freedom of association often intersects with online actions — for example, a journalist may contact a source for a meeting online, but meet up offline. I recommend removing the distinction.*

GOVERNMENT: Start with the sentence: "everyone has the right to association and".

> **Rationale:** *In order to model the form of the free expression bullet, we recommend: "Freedom of association: everyone has the right to association and peaceful assembly online, including through social networks and platforms.*

Edit proposals without rationale

CIVIL SOCIETY: Freedom should include creation and formation as well.

CIVIL SOCIETY: add "but not limited to" after the word "including" in this sentence.

¶ 5

- ***Privacy:** the same rights that people have off-line must also be protected online, including the right to privacy, avoiding arbitrary or unlawful collection of personal data and surveillance and the right to the protection of the law against such interference.*

Comments on this paragraph: 53

Edit proposals with rationale:

ACADEMIA: suggests including "Data Protection (or better yet, the right of informational self-determination) in the final text of this declaration."
> **Rationale:** *We should remember that in spite of the many similarities between Privacy and Data Protection, they protect different things (Privacy: private space; Data Protection: personal data, whether or not it can be considered as private) and in order to ensure a holistic protection, there should be an clear reference to Data Protection in this Internet Governance Principle. I would suggest that this principle should read as follows: "Privacy and Data Protection: regardless of technological advances, all peoples have the right of informational self-determination. By virtue of the international human rights framework, every individual must be protected from arbitrary or unlawful surveillance and from the collection, treatment, and dissemination of his personal data (and metadata) on the Internet.*
> **(+1) TECHNICAL COMMUNITY** *"Strongly agree with this comment."*
> **(+1) CIVIL SOCIETY**
> **(+1) ACADEMIA**

CIVIL SOCIETY: sugests removing "arbitrary"
> **Rationale:** *This paragraph on privacy provides far too weak protection for privacy – which is more vulnerable online than offline. Removing the word 'arbitrary' from the clause would be a good start, given the ease with which surveyors claim they have a reason to spy, and thus their spying isn't 'arbitrary'.*

CIVIL SOCIETY: sugests to add a sentence that *"confirms those institutions who set Internet governance policies, such as ICANN, have an obligation to align their policies with legal privacy protections."*
> **Rationale:** *If these institutions want to govern, they have to take on a responsibility to align their policies with human rights protections or they lack legitimacy to govern*

CIVIL SOCIETY: proposes language to convy stronger opposition to surveillance.
> **Rationale:** *The mere mention of the word "surveillance" in this clause is insufficient to give it the attention it deserves. These principles should clearly eschew surveillance given its growing practice and unacceptability in a world that values human rights.*
> **(+1) CIVIL SOCIETY**

CIVIL SOCIETY: proposes replacing "online" by "digital"
>**Rationale:** *only online… digital has more scope*
>**(+1) PRIVATE SECTOR**

GOVERNMENT: proposes new text "Privacy: the same rights that people have offline must also be protected online. Everyone has the right to protection from arbitrary, unlawful interference with their privacy and correspondence."
>**Rationale:** *in order to make clearer that the text on the right to privacy is about the avoidance of unlawful or arbitrary interference with privacy, not about mass data collection which is addressed elsewhere in the text*
>**(+1) CIVIL SOCIETY**
>**(-5) CIVIL SOCIETY** I think it is important to maintain the reference to personal data and surveillance here as an example of the sorts of privacy issues which need to be addressed. They should not be removed

CIVIL SOCIETY: proposes addition of language to convey the idea of "equal privacy rights, irrespective of nationality, under all laws including national security"
>**Rationale:** *The problem with the formulation generally 'same rights online as offline' is under which nation's law? [...] There is no offline equivalent of being subject to another nations surveillance power, but unprotected by any human right to privacy in that country's law.*

CIVIL SOCIETY: proposes new text: "Privacy: the same rights that people have off-line must also be protected online, including the right to privacy, the right not to be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence and the right to the protection of the law against such interference."
>**Rationale:** *should be rephrased [...] in accordance with Article 17 of the ICCPR.*

ACADEMIA proposes the addition of a reference to "third parties," e.g., "…unlawful collection of personal data and surveillance by third parties."
>**Rationale:** *This approach would have the virtue of firmly rejecting mass surveillance while leaving open the question of privacy laws and norms with respect to services that users may choose to participate in.*
>**(-1) CIVIL SOCIETY** the collection still needs to be lawful; if it is not then it shouldn't been done regardless of whether it is by a direct party (for a service the user consents to) or a third party.

CIVIL SOCIETY: proposes adding text conveying the idea that personal data "*collected by legal means should be securely preserved.*"
>**Rationale:** *Responsibility of appropriate bodies for its preservation should be well-defined.*

CIVIL SOCIETY: proposes removing "people"
>**Rationale:** *When we are talking about Internet Governance and Rights of Privacy, it implies that we are talking about Rights that "People" have. Hence it is not necessary to mention People*

CIVIL SOCIETY: proposes wording towards "an international policy based on the UK's Data Protection Act".
>**Rationale:** *the UK have a Data Protection law which applies to all UK residents, however, because this does not apply internationally personal data that is published on any International website is not protected and open to abuse.*

CIVIL SOCIETY: proposes new wording: "The same rights that people have off-line must also be protected online, including the right to privacy. Unlawful or arbitrary surveillance and/or interception of communications, as well as unlawful or arbitrary collection of personal data, violate the rights to privacy and freedom of expression and everyone has the right to the protection of the law against such interference."

> **Rationale:** *based in part on the UN Resolution on The Right to Privacy in the Digital Age*
>
> **(+4) CIVIL SOCIETY** 'would add "disproportionate" after "arbitrary" 'Suggests adding "and threatens the foundations of a democratic society" after "freedom of expression" drawing on the report of Frank La Rue.

TECHNICAL COMMUNITY: proposes encouraging technological innovation towards technological privacy protecions.

> **Rationale:** *as there's no forceful protection for the principle, we should encourage technological innovation and protect user privacy through technological methods*

CIVIL SOCIETY: proposes that the document should more explicitly recognize more qualified right to engage in anonymous speech and assembly on matters of public concern.

> **Rationale:** *"government surveillance that maps entire social networks, the criminalization of pseudonymous (but otherwise lawful) speech, or the banning of circumvention tools all have implications for both privacy and the free flow of news and other information."*
>
> **(+1) CIVIL SOCIETY**

GOVERNMENT: proposes new wording: "Privacy: the same rights that people have off-line must also be protected online, including the right to privacy, which means not being subject to arbitrary or unlawful collection of personal data and surveillance and the right to the protection of the law against such interference."

> **Rationale:** *"In order to clarify that privacy rights are not distinct from the protections of law against interference of the kinds listed here [among public consultation comments]"*

CIVIL SOCIETY: proposes new wording: "Privacy is a fundamental human right, and is central to the maintenance of democratic societies. It is essential to human dignity and it reinforces other rights, such as freedom of expression and information, and freedom of association, and is recognised under international human rights law." (source: Necessary&Proportionate)

> **Rationale:** *It is of crucial importance in rebuilding trust amongst stakeholders that mass and arbitrary surveillance programs are brought into alignment with human rights jurisprudence and principles, and that transparency and oversight are strengthened.*
>
> **(+1) CIVIL SOCIETY**

Edit proposals without rationale:

N/A: proposes new text: *"The rights of people must be protected, regardless of media or technologies, including the right to privacy…"*

TECHNICAL COMMUNITY: suggests clarification whether "data here mean metadata?"

TECHNICAL COMMUNITY: sugests incorporating a deeper characterization of privacy rights based on the Swedish Foreign Minister Carl Bildt text consisting of seven principles that should be observed in surveillance: (1) legality (2) legitimate

aim (3) necessity and adequacy (4) proportionality (5) judicial authority (6) transparency (7) public oversight of parliamentary or other credible institutions.
(+1) N/A
(+1) CIVIL SOCIETY

CIVIL SOCIETY: proposes new wording: "Privacy: all people have an equal right to privacy and protection of their personal data online, irrespective of nationality or discrimination on other unlawful grounds. Nations which engage in indiscirminate data collection for mass-surveillance or otherwise disrepect privacy rights cannot expect to participate in the free flow of data in an open Internet."

N/A proposes adding a line at the end of the paragraph stating that "Wherever the protection is higher in the law of the country of the user, this latter applies".

¶ 6

● ***Accessibility:*** *persons with disabilities should enjoy full access to online resources on an equal basis with others.*

Comments on this paragraph: 20

Edit proposals with rationale:

PRIVATE SECTOR: Subsitute it by the following: "persons with disabilities should be able to avail themeselves of as many online resources as possible and practicable."
> **Rationale:** *The Software & Information Industry Association (SIIA) supports strongly the idea of accessibility but believes it would be more realistic to say that "persons with disabilities should be able to avail themeselves of as many online resources as possible and practicable.*

PRIVATE SECTOR: Propose to add a definition of person of disabilities.
> **Rationale:** *The Chafee Amendment in US Copyright Law was intended to ensure that persons with serious, documented PRINT disabilities could have access to copyrighted works in a form that they could enjoy. I do not believe it was intended to permanently strip copyright protections from creators so that anyone who claimed any type of disabilty (even back pain) should be entitled to free entertainment.*

PRIVATE SECTOR: Substitute "*enjoy full access to online resources on an equal basis with others*" to " *be able to access online resources to the fullest extent practicable.*"
> **Rationale:** *Our members suggested several deletions and additions, so that the revised accessibility sentence would read: "persons with disabilities should be able to access online resources to the fullest extent practicable."*
> **(+1) PRIVATE SECTOR**
> **(-1) TECHNICAL COMMUNITY** "People with disabilities *should* enjoy full access on an equal basis. "The fullest extent practicable´ is a meaningless sentence in a positivist statement of principles, and doesn't usefully contribute to a statement of goals."

TECHNICAL COMMUNITY: Substitute "persons" to "everyone" or "anyone"
> **Rationale:** *The plural of person is People. It may also make stylistic sense to say Everyone, or Anyone (with a disability…)*

CIVIL SOCIETY: Add "Therefore, interfaces, content and applications must be accessible to people with physical or sensory disabilities. The principle of inclusive design and the use of assistive technologies must be applied consistently."

CIVIL SOCIETY: Add "...achieved by mandating adherence to principles of Universal Design to make Internet products/services/content inherently accessible or through reasonable accommodation to ensure that no extra effort by the disabled."

N/A: Propose to add at the end of the paragraph: Digital literacy and any other action useful to reduce or eliminate digital divide need to be promoted and sustained.

TECHNICAL COMMUNITY: suggests to add a note "accessibility of online resources can provide people with disabilities access to services whose offline equivalents are far more difficult or impossible for them to use."

¶ 7

- *Freedom of information and access to information: Everyone should have the right to access, share, create and distribute information on the Internet.*

Comments on this paragraph: 47

Edit proposals with rationale

TECHNICAL COMMUNITY: "… society must provide different access ways so a free, no cost, internet connection is available to every person…"
   Rationale: *not everyone has the resources to pay for the services.*
   (+2) CIVIL SOCIETY

GOVERNMENT: "Everyone should have the right to seek, receive and impart information through any media regardless of frontiers."
   Rationale: ponders that the right of access may be legitimately taken with a proper judicial order.
   (+1) CIVIL SOCIETY

PRIVATE SECTOR: "Everyone should have equal right to access, share, create, and distribute information on the Internet."
   Rationale: *The current wording unintentionally infers unlimited rights on everyone.*

CIVIL SOCIETY: "Everyone has the right to create and distribute information on the Internet as well as to seek, receive and share (through the Internet) publicly available information or any information subject to applicable freedom of information legislation." OR "On the Internet, everyone has the right to create and distribute information as well as to seek, receive and share publicly available information or any information subject to applicable freedom of information legislation."

> **Rationale:** *the right of sharing goes beyond the point of imparting.*

PRIVATE SECTOR: suggests the replacement of "share" with another word and a proper definition of "information".
> **Rationale:** *copyrights worries*

CIVIL SOCIETY: suggests reference to the "Tshwane Principles on National Security and the Right to Information"
> **Rationale:** *example for a multi-stakeholder approach detailling which limitations to this right might be tolerable and which would not*

Edit proposals without rationale

PRIVATE SECTOR: suggests phrasing that include "Free sharing of copyrighted products infringes on my right to make a living".
(+5) PRIVATE SECTOR
(+1) CIVIL SOCIETY

CIVIL SOCIETY: "No person should be punished for these acts, except as narrowly prescribed to effect a compelling government interest."

CIVIL SOCIETY: demands the mentioning of the right to transform.

PRIVATE SECTOR: "Everyone should have equal right to seek, receive, and impart information through any media regardless of frontiers."

PRIVATE SECTOR: suggests specification that those rights refer to "publicly available information"

CIVIL SOCIETY: "everyone should respect human rights of others enabling the balance between rights and corresponding special duties and responsibilities, which may therefore be subject to certain restrictions provided by law (International Covenant on Civil and Political Rights, Article 19)."

CIVIL SOCIETY: suggests the addition of "on the basis of respect for authenticity and reliability of content and also for the rights of other people".

CIVIL SOCIETY: that all governments should be obligated to provide access to theirs citizens.

GOVERNMENT: "Non-discriminatory access to the Internet: Everyone should access to the Internet, to share, create and distribute information."

N/A: suggests addition to the end of the paragraph: "Media and new Media professionals, even in the new internet environment, will have special duties to fill and deserve special protection".
PRIVATE SECTOR: suggests the replacement of "create" with "express"

Seven commenters (four from PRIVATE SECTOR, one from CIVIL SOCIETY, one ACADEMIA and one from TECHNICAL COMMUNITY) demanded reference to creators' rights.

¶ 8

- ***Development:*** *all people have a right to development and the Internet has a vital role to play in helping to achieve the full realization of internationally agreed sustainable development goals. It is a vital tool for giving people living in poverty the means to participate in development processes.*

Comments on this paragraph: 19

Edit proposals with rationale:

> **GOVERNMENT:** Suggests to move this paragraph to another section
> > **Rationale:** *This should not be listed under human rights since these are individual rights, whereas a commitment to development should be listed as a separate principle or, preferably, in relation to capacity building efforts.*
>
> **PRIVATE SECTOR:** Replace "right to development" to "should benefit from development".
> > **Rationale:** *The Software & Information Industry Association believes strongly that all people should benefit from development but that there is no "right to development." We would redraft to say "all people should benefit from development…*
>
> **N/A:** Suggests an alternative text: "All people have a right to development, and the Internet has a vital role to play in helping to achieve very substantial gains in economic, social, political and cultural development for everyone in the world. It is a vital tool for giving people living in poverty the means to participate in and benefit from development processes."
> > **Rationale:** *The current wording is too restrictive.*
>
> **GOVERNMENT:** Suggest to change the beginning of the sentence: "development: all people should be able to enjoy the benefits of development without discrimination and the Internet has a vital role to play in helping to achieve the full realization of internationally agreed sustainable development goals"...
> > **Rationale:** *There is no consensus understanding of the term "right to development". These changes are intended to underscore the shared commitment to development broadly and the importance that non-discriminatory access to the Internet can have on achieving that goal.*

Edit proposals without rationale:

> **CIVIL SOCIETY:** Suggest the addition of a new principle, wiht the following text: "Democracy: everyone shall have the right and opportunity to take part in the conduct of public affairs and public policy decisions, directly or through freely chosen representatives."
> **(+1) CIVIL SOCIETY**

(+2) TECHNICAL COMMUNITY
(+2) ACADEMIA

CIVIL SOCIETY: Suggests to specify " …internationally agreed sustainable development goals" – Millennium Development Goals.

CIVIL SOCIETY: Suggest to add "...for giving all people without exception the means to participate in development processes through forming knowledge, practices and aims which enable them to exercise this right in full measure and provide secure and responsible, based on critical thinking of nets usage for free access, creation and exchange of information and knowledge in all linguistic, cultural and social groups."

CIVIL SOCIETY: Replace the whole paragraph to: " Economic, social, cultural and political development: Internet governance should support the vital role of the internet as an enabler of development which is a comprehensive economic, social, cultural and political process aimed at the constant improvement of the well-being of all individuals on the basis of their active, free and meaningful participation in development and in the fair distribution of benefits resulting therefrom."

CIVIL SOCIETY: Suggest to replace the last occurrence of 'development' in the text by 'all aspects of said process', which would read as follows: "…their active, free and meaningful participation in all aspects of said process and in the fair distribution of benefits resulting therefrom."

PRIVATE SECTOR: Suggest to change the beginning of the sentence: "all people should benefit from development and the Internet has a…"

¶ 9

CULTURE AND LINGUISTIC DIVERSITY

Internet governance must respect and promote cultural and linguistic diversity in all its forms.

Comments on this paragraph: 18

Edit proposals with rationale:

N/A: Suggest to rewrite this paragraph in order to make clear that this is intended as protective of individual rights, not government rights.
> **Rationale:** *While this is a desirable objective, there is a risk that this paragraph will be used as an excuse to undermine the universality of certain fundamental rights. Governments should not be encouraged to restrict freedom of expression because "our culture does not permit criticism of the national leader (e.g. King, President" or "it is against our culture to slander our religion". The right to cultural diversity should be understood as a right for people, to be protected against any attempts by governments or other powerful interests to exclude certain cultures. It should not be a right for governments and the powerful, to disapply the rights of the people in the name of culture. We should consider rewriting this paragraph to make clear that this is intended as protective of individual rights, not government rights.*

(+2) ACADEMIA: Also suggests adding "Internet governance should respect cultural and linguistic diversity insofar as this does not conflict with the other principles."

PRIVATE SECTOR: Sugest to include "should" before must respect
Rationale: An absolute mandate to "promote" linguistic diversity in all its forms may not be possible and could lead to restrictions on content (for instance in the case where translation is not possible). Therefore Intel proposes a slight modification: 9.   Internet governance must respect and should promote cultural and linguistic diversity in all its forms.
(+1) PRIVATE SECTOR

TECHNICAL COMMUNITY: Suggest to include in the beginning of the sentence: **"**Development and use of the Internet should respect and promote"
Rationale: *Laying this charge on "Internet governance" as a whole is so imprecise as to lose meaning — and note tha this is the first time the phrase is used in this long list of principles. I suggest rather: Development and use of the Internet should respect and promote ….*

TECHNICAL COMMUNITY: Recommend a combination of "language and cultural diversity" with " Internet governance outcomes" and " job-creation".
Rationale: *Given the global nature of the Internet, it is beneficial for relevant Internet governance institutions to present their achievement in a multi-linguistic way, such as conference and document translation, etc. For one thing, it will expand the outcome of the meeting to ensure the off-line participation and followership. For another, it will create employment opportunities to boost the development of industry.*

PRIVATE SECTOR: Recommends adding to the end of the sentence: "including the promotion of Internationalized Domain Names (IDNs) and new gTLDs".
Rationale: *The Domain Name Association believes that the document should explicitly recognize that Internationalised Domain Names or IDNs (both from ccTLDs and gTLDs), and new gTLDs are coming online and will play an important role in supporting this principle. The DNA recommends adding "including the promotion of Internationalized Domain Names (IDNs) and new gTLDs" to the end of the sentence.*

Edit proposals without rationale:

PRIVATE SECTOR: Suggest the wording expanded to "Internet governance must respect, protect, and promote cultural and linguistic diversity in all its forms."

CIVIL SOCIETY: Suggest include "Internet governance must respect and promote cultural diversity and identity, linguistic diversity and local content in all its forms
(+1) ACADEMIA

CIVIL SOCIETY: Suggest to include in the end of paragraph: "and for these purposes to strengthen all languages in the Internet, to promote creation of comprehensive and sustained indicators complex for dimension of linguistic diversity in the Internet."

CIVIL SOCIETY: Suggest to include a new edition: "International Internet Governance organizations must respect and promote cultural and linguistic diversity in all its forms".

Government: Suggest rephrase "Cultural and linguistic diversity should be respected and promoted in the Internet governance"

¶ 10

UNIFIED AND UNFRAGMENTED SPACE

Internet should continue to be a globally coherent, interconnected, stable, unfragmented, scalable and accessible network-of-networks, based on a common set of unique identifiers and that allows the free flow of data packets/information.

Comments on this paragraph: 35

Edit proposals with rationale:

N/A sugests dropping "continue to"
> **Rationale:** *One could question the degree to which this is true today.*
> **(+2) ACADEMIA**
> **(+7) CIVIL SOCIETY**
> **(+1) TECHNICAL COMMUNITY**
> **(-1) PRIVATE SECTOR** While we recognise that there are alternative roots, these operate more like intranets, rather than the Internet. This section refers to the system of identifiers on the Internet and this is in place. Hence we would prefer to maintain the wording "should continue," which implies a clear starting point for future development.

ACADEMIA sugests adding an explicit reference to the Net Neutrality concept.
> **Rationale:** *The free flow of data packets/information do not have the same meaning in my understanding. We can not admit different prices depending on the service that it will be used on the network.*
> **(+1) CIVIL SOCIETY** " 'free flow of data packets/information' is insufficient to protect the principle of network neutrality – a principle that must be protected in the strongest and most unambiguous terms."
> **(+1) TECHNICAL COMMUNITY** "We need to protect net neutrality in the strongest way possible. This paragraph does nothing of the sort."
> **(+1) TECHNICAL COMMUNITY** If this paragraph is intended to mean "access to information", "ability to share information", and generally "net neutrality and unrestricted end-to-end flows of data/information" then perhaps it should say so more specifically.
> **(+1) CIVIL SOCIETY** The application of all these principles is essential to ensure universal and affordable, high-quality broadband access.
> **(-1) PRIVATE SECTOR "**Net neutrality is dealt with elsewhere in the document and should not be introduced here with the risk of obscuring a very important principle."

N/A sugests adding a precise definition of "common set of unique identifiers".
> **Rationale:** *Internet unity is assured by 'standards' which work regardless of country, equipment maker, eg TCP/IP.*
> **(+1) ACADEMIA**

N/A sugests saying 'interoperable' instead of 'unfragmented'.
> **Rationale:** Some people have argued that alternate roots will be developed in the near future
> **(+1) ACADEMIA**
> **(+2) CIVIL SOCIETY**
> **(+1) GOVERNMENT**

CIVIL SOCIETY *suggests deletion of the words "unfragmented" and "based on a common set of unique identifiers".*
> **Rationale:** *As these terms are phrased as absolutes, there is no room to reform technical architecture so as to account for issues such as cultural hegemony, digital colonialism and so on.*
> **(+2) CIVIL SOCIETY**
> **(+1) TECHNICAL COMMUNITY** [these terms] are all absolutes that are not necessarily the best way forward.

ACADEMIA *suggests adding "denationalized" to the list of descriptors*
> **Rationale:** *... to underscore that networks should not be forced to arbitrarily recognize national borders.*

GOVERNMENT proposes to delete "information"
> **Rationale:** "data packets" is sufficient and content-neutral.
> **(+1) CIVIL SOCIETY**

PRIVATE SECTOR proposes to add a definition of "*data packets".*
> **Rationale:** *How will this comply with WIPO, the Berne Convention, and other treaties?*

CIVIL SOCIETY *suggests adding the wording "Packets shall not be treated differently according to whether or how they are encrypted."*
> **Rationale:** *This helps with privacy, net neutrality and censorship resistance*

PRIVATE SECTOR *sugests deleting "data packets"*
> **Rationale:** *Data packets" as a term seems to be a very specific suggestion in what is a very general statement. "Data Packets" would be included in the term "Information.*

Edit proposals without a rationale:

N/A sugests adding the word "Single" to the title and before "globally coherent".

PRIVATE SECTOR urges the deletion of "the free flow of data packets/information" and insertion of "that allows for cross-border data flows."

TECHNICAL COMMUNITY sugests changing the ending slightly to: " … that allows the free flow of information between any two points on the Internet."

CIVIL SOCIETY sugests adding: "Any domaine take-downs must be subject to immediate review and expedient restitution provided to any violations of the principles herewith. The implementation of reasonable processes for review of complaints of takedowns should be required in the ICANN contract with registrants."

CIVIL SOCIETY sugests adding: "or charging differentially by user, content, site, platform, application, type of attached equipment, and modes of communication."

¶ 11

SECURITY, STABILITY AND RESILIENCE OF THE INTERNET

Security, stability and resilience of the Internet should be a key objective of all stakeholders in Internet governance. As a universal global resource, the Internet should remain a secure, stable, resilient, and trustworthy network. Effectiveness in addressing risks and threats to security and stability of the Internet depends on strong cooperation among different stakeholders.

Comments on this paragraph: 30

Edit proposals with rationale:

N/A: Replace 'should remain a' with 'should be a' in the third line.
> **Rationale:** *One could question the degree to which the Internet is secure. Perhaps we could replace 'should remain a' with 'should be a' in the third line.*
> **(+3) CIVIL SOCIETY**

GOVERNMENT: Suggests replacing the word "trustworthy" with "reliable".
> **Rationale:** *The word "trustworthy" is more usually a human trait.*

CIVIL SOCIETY: Suggests that the internet must be recognized as more than a 'universal global resource' is must be recognized as a global commons.
> **Rationale:** *The usage of these terms means there is little room for reform of technical architecture so as to account for issues such as cultural hegemony, digital colonialism and so on.*
> **(+1) CIVIL SOCIETY**
> **(+1) ACADEMIA**

CIVIL SOCIETY: Replace the whole paragraph " The Internet must be recognized as a global commons. Its technical architecture must be reformed to account for issues such as cultural hegemony and digital colonialism. Its security, stability and resilience of should be a key objective of all stakeholders in Internet governance.. Effectiveness in addressing risks and threats to security and stability of the Internet depends on strong cooperation among different stakeholders."

> **Rationale:** *The usage of these terms means there is little room for reform of technical architecture so as to account for issues such as cultural hegemony, digital colonialism and so on· The Internet must be recognized as more than a 'universal global resource' is must be recognized as a global commons.*

N/A: Recommends explicit recognition that security does not trump other values.
> **Rationale:** *We should recognize that perfect security will never be achieved, and that sometimes security conflicts with other values. For example, an Internet that requires all users to register their identities might be more secure, but the loss of anonymity online would be an unacceptable cost. We should explicitly recognize that security does not trump other values.*

CIVIL SOCIETY suggests replacing "among different stakeholders" with "among all stakeholders"
> **Rationale:** *The security and stability of the Internet is our collective responsibility.*

PRIVATE SECTOR suggests a slightly revised text "As a universal global resource, security, stability and resilience of the Internet should be a key objective and responsibility of all stakeholders in Internet governance. Effectiveness…"

>   **Rationale:** *We believe that, while the Internet has a good track record in of security, stability and resilience, it is not possible to guarantee this and unrealistic to set this as a requirement. It would also be appropriate to identify security, stability and resilience as a responsibility for all stakeholders. We would suggest a slightly revised text: "As a universal global resource, security, stability and resilience of the Internet should be a key objective and responsibility of all stakeholders in Internet governance. Effectiveness…*

Edit proposals without rationale:

PRIVATE SECTOR: Suggests adding the inclusion of language on the importance of a secure, resilient, interoperable, unitary and open network.

PRIVATE SECTOR: Recommends adding .. "Effectiveness in addressing risks and threats to security, stability and resiliency of the Internet depends on strong cooperation among different stakeholders."

CIVIL SOCIETY: Suggests adding in line with human rights "Security, stability and resilience of the Internet, in line with human rights, should be a key objective of all stakeholders in Internet governance."

(+1) CIVIL SOCIETY

N/A: Suggest include "a key objective and a firm commitment of all stakeholders."

PRIVATE SECTOR: Suggest to add "resiliency" to the last line.

N/A: Suggest a new wording of the last sentence as follows: "Effectiveness in addressing risks and threats to security and stability of the Internet depends on timely preparation and comprehensive implementation of universally accepted binding norms and standards, as well as on constructive dialogue and cooperation among interested parties".

CIVIL SOCIEY: Recommends a new edition "Security, stability and resilience of the Internet should be a key objective of all stakeholders in Internet governance. As a universal global resource, the Internet should remain a secure, stable, resilient, and trustworthy network. Effectiveness in addressing risks and threats to security and stability of the Internet depends on strong cooperation among different stakeholders and it must fixed in international law."

¶ 12

OPEN AND DISTRIBUTED ARCHITECTURE

The Internet should be preserved as a fertile and innovative environment based on an open system architecture, with voluntary collaboration, collective stewardship and

participation, recognizing technical management principles for efficient and improved network operation and preserving the end-to-end nature of the network, equal technical treatment of all protocols and data, delivered by the underlying communications and seeking to resolve technical issues at a level closest to their origin.

Comments on this paragraph: 36

Edit proposals with rationale:

TECHNICAL COMMUNITY: suggests explicitly mentioning the Net Neutrality concept

Rationale: "equal technical treatment of all protocols and data" is a poor way to phrase network neutrality. Equal treatment is against the user's best interests, because some traffic (such as audio/video) requires timely delivery, and other traffic (such as browsing or email) may sometimes be slightly delayed. A more subtle word such as "fair" or "equitable" should be used. A slightly more technical term would be "fair differentiated services".

(+1) TECHNICAL COMMUNITY

(+1) CIVIL SOCIETY "there must be stronger language ensuring the principle of protocol and traffic equality."

(+1) CIVIL SOCIETY replace "equal technical treatment of all protocols and data" with "protocol equality, network neutrality"

(+1) N/A "If this is net neutrality why are we not using the wording "Net Neutrality", currently used by OECD, European Union, United Nations, and so on and so forth?"

(+1) CIVIL SOCIETY

(+1) TECHNICAL COMMUNITY "Why does this para studiously avoid specifically stating the actual phrase "Network Neutrality" Is this the concept what the authors are attempting to be conveyed here? Is there a reason for avoiding including this term in the document? This gives short shrift to the work in this important and increasingly critical area by Wu, Weitzner, Cerf, Berners-Lee and other major thinkers. I respectfully recommend that "Network Neutrality" be specifically included in relation to speaking to the issues being addressed in Para 12."

(+2) ACADEMIA "'Net neutrality', as a term, should be mentioned as a Principle."

(+1) TECHNICAL COMMUNITY I would really like this to be stronger in calling out the need for net neutrality. As currently written it is vague and ambigous.

(+1) PRIVATE SECTOR "Net neutrality is certainly a high level issue, and there is an ever growing consensus on it. The NetMundial is an opportunity to sweep away doubt about the utility and necessity for the principle of net neutrality, protected by law in Chile, the 28 countries of the EU, Israel and soon in Brazil."

(-1) PRIVATE SECTOR "we believe that formulations that suggest a net neutrality principle should be avoided in this context as there is no consensus on this topic. It is certainly a legitimate subject for discussion, but we believe Netmundial should focus on higher-level governance questions."

(-1) ACADEMIA The phrase "equal technical treatment of all protocols and data" and the replacement phrase "net neutrality" that some others are suggesting are controversial.

(-4) PRIVATE SECTOR suggests removing "equal technical treatment of all protocols and data, delivered by the underlying communications"

(-1) PRIVATE SECTOR "ISPs should have the flexibility to engage in a range of activities, including prioritizing certain applications that have specific delivery requirements, providing managed/specialized services that require enhanced levels of quality (such as telemedicine and eEducation) and managing their networks to block certain traffic in order to prevent DDOS attacks."

(-1) PRIVATE SECTOR Internet traffic does have different technical requirements. For example, voice/video traffic requires lower levels of latency (delay) in order for the user experience to be acceptable. In addition, "net neutrality" is not a common principle in the context of the discussions at NETmundial.

(-1) PRIVATE SECTOR "[we are] concerned that, the text on 'equal treatment of protocols and data' is not factually correct and creates confusion. [...] The Internet as used today treats different protocols (for example, TCP packets and UDP packets) and data (email, VoIP, streaming video) differently.

PRIVATE SECTOR suggests replacing "equal" with "fair".
Rationale: *'Equal' technical treatment of all protocols may not be technically possible.*
(+1) GOVERNMENT
(+1) PRIVATE SECTOR
(+1) PRIVATE SECTOR "Equal treatment of data" as a goal is vague and to the extent the Domain Name Association understands it, unrealistic. For example, in the case of DDOS attacks, DNS providers need flexibility to be able to differentiate between certain types of harmful data and safe data.

GOVERNMENT suggests that "Internet governance principles should not address technical characteristics of the architecture of the Internet."
Rationale: *We must not limit our scope on how to enhance the existing Internet. Instead, we should be innovative and supportive of future internet initiatives and projects that will provide better stability and security.*

Edit proposals without a rationale:

GOVERNMENT suggests the inclusion of "with transparent and non discriminatory access to the network" after "protocols and data"

CIVIL SOCIETY suggests to add "decentralized" to the "open system architecture"
(+1) CIVIL SOCIETY

PRIVATE SECTOR recommends that this document should explicitly recognize that: "significant change is expected in technology and tools; the Internet in a few years time will differ markedly from what it is now; its users have demonstrated remarkable resiliency in adapting to and fostering change; and finally that the Internet, left to the private sector with appropriate governmental incentives, has demonstrated the ability to accommodate rapid change and growth."

PRIVATE SECTOR recommends adding a definition of 'collective stewardship' to the document

¶ 13

ENABLING ENVIRONMENT FOR INNOVATION AND CREATIVITY

The ability to innovate and create has been at the heart of the remarkable growth of the Internet and it has brought great value to the global society. For the preservation of its dynamism, Internet governance must continue to allow permissionless innovation through an enabling Internet environment.

Comments on this paragraph: 116

Executive Secretariat comment on paragraph 13

By far the most commented paragraph in the Public Consultation. Many commenters on paragraph 13 showed concern over the term "permissionless innovation", arguing that it could lead to legitimation of copyright infringement. That lead to an intense debate whether NETmundial's document should have text to address Intellectual Property Rights directly. While some of the commenters explained that "permissionless innovation" had nothing to do with copyright infringement, a consensus seemed to emerge from the conversation: the concept of "permissionless innovation" should be further explained through clearer language in the document.

¶ 14

INTERNET GOVERNANCE PROCESS PRINCIPLES

Comments on this paragraph: 8

Edit proposals with rationale.

> **CIVIL SOCIETY:** new paragraph about the Internet governance duty to "Outreach, Awareness and Capacity Building to all Internet users", based on the following rationale,should be added - The rapid evolution of the Internet, explosive growth in the Internet of Things, and the multitude of ways that people are becoming connected inside the Internet ecosystem are turning every person into an Internet stakeholder, with personal, professional and community concern about how the Internet is run, and is used.
>
> > **Rationale:** *Internet governance today resembles to a country where 0.1% are in charge of 99.9% of the population. 99.9% of Information Technologies users are uninformed consumers. In the case of Internet governance, the vast majority of IT users are completely ignorant even of its existence. This is not just a problem for the 99.9% that are dis-empowered and voiceless. It is an even bigger problem for the 0.1% concerned with Internet governance as their legitimacy and effectiveness is in direct proportion to the ability to create general awareness and engagement of IT users. Without Outreach, Awareness and Capacity Building to all Internet users, no legitimate Internet Governance can exist. Internet governance has to learn to go to the people and not wait for the people to come to it!*

CIVIL SOCIETY: "Bottom-up decision-making" should be a key principle included on its own right

> **Rationale:** *[i]t is the democratic principle required for any decision to have any legitimacy. Governance is illegitimate without the consent of the governed. ICANN and other IG institutions boast about being "bottom-up" as a laudable principle of good governance, so "bottom-up decision-making" should be included as a key principle of good Internet governance also.*

PRIVATE SECTOR: heading could be supported by "Given the importance of the Internet for global economies and societies, the global governance model should be: resilient to capture, able to cope with rapid technological change and innovation, and be based on agreed high-level principles that ensure predictability and proportionality of decisions, without discrimination."

> **Rationale:** *text clarifying the purpose of this particular section, highlighting the characteristics that we are looking for from a governance framework*

Edit proposals without rationale

> **GOVERNMENT:** This may be better as a separate main heading rather than as part of internet governance principles.

¶ 15

- ***Multistakeholder**: with the full participation of governments, the private sector, civil society, the technical community, academia and the users in their respective roles and responsibilities.*

Comments on this paragraph: 55

Edit proposals with rationale

CIVIL SOCIETY: move this item (15) somewhere else, or drop it.

> **Rationale:** *I do not like the 'multistakeholder' lingo, which i think does not help to state issues clearly. Mostly because it does not help to sort out what needs to be considered under the pubblic powers (national and international), from what should ruled by the(private) Internet community at large. To write " full participation" of governments and users, as they were at the same levels, is really confusing. Even to speak of "goverments", instead of pubblic powers, or States, or even Nations seems to me ill grounded.*

CIVIL SOCIETY: I completely reject the phrase "in their respective roles and responsibilities"

> **Rationale:** *because it refers to the Tunis Agenda which elevates governmental policy making above all other stakeholders. This statement does not have consensus support and in fact does not even reflect how policy is currently made in Internet governance institutions.*
> **(+4) CIVIL SOCIETY**
> **(+1) TECHNICAL COMMUNITY**

(+1) ACADEMIA

PRIVATE SECTOR: ". . . meaningful and appropriate participation of all stakeholders, including governments, the private sector, civil society, the technical community, academia and users."

> **Rationale:** *we feel that the participation should be appropriate to the particular Internet-related forum based on that stakeholder's skills and expertise. A stakeholder with policy expertise, for example, may have little to contribute to a highly technical discussion. Thus, we feel that the concept of multistakeholder participation would be greatly improved by language clarifying that stakeholder participation is most meaningful and impactful when groups are participating according to their competencies and expertise.*

PRIVATE SECTOR: "Multistakeholder: with the meaningful and accountable participation of all stakeholders, including governments, the private sector, civil society, the technical community, academia and the users, taking into account a stakeholder's expertise and experience."

> **Rationale:** *We agree that the multistakeholder approach to Internet governance is a core principle. We have provided suggested edits to emphasize the broad spectrum of stakeholders, while also accounting for a stakeholder's relevant experience and knowledge with respect to their participation in various fora.*

PRIVATE SECTOR: replacing "roles and responsibilities" with " competencies and expertise."

> **Rationale:** *This reflects the need for participation to be appropriate to the forum based on needed skills and capacities.*

PRIVATE SECTOR: delete word "full"

> **Rationale:** *The word "full" creates confusion. There are many examples where participation from governments is encouraged and facilitated by funding and other resources (e.g., ICANN, the GAC), but ultimately, in any public-participation model, it is up to each and every government and other party to determine their own level of participation.*

GOVERNMENT: Include intergovernmental and international organizations and eliminate the technical community, academia. In addition, eliminate the users as they will be represented by these stakeholder groups.

> **Rationale:** *they are included in stated stakeholders as per paragraph 36 of Tunis Agenda. All stakeholder groups should be fully enabled to perform their roles as per the Tunis Agenda.*

N/A: add "MEDIA" as one of the multistakeholder categories

> **Rationale:** *it doesn't fit in anyone of the other mentioned categories and cannot be reduced to any of them. MEDIA as the word says is transversal and with different duties and prerogatives.*

Edit proposals without rationale

CIVIL SOCIETY: concerned about using the phrase "full participation of governments…" instead of saying that participation must be balanced and equitable with no predominance by any other stakeholder.
(-1) N/A - The expression "full participation of" refers to all stakeholders listed, i.e. "governments, the private sector, …".
If there are any doubts, I suggest to write "with full participation of all stakeholders, including governments, …"
(+1) CIVIL SOCIETY - At this case could be a good thing make a clarification about what is the meaning of "full participation". Just because Leon identified an other meaning of this expression.
(+1) N/A I agree that the sentence structure starting with "full participation of governments … " may be unnecessarily provocative.

PRIVATE SECTOR: "with the meaningful and accountable participation of all stakeholders, including governments, the private sector, civil society, the technical community, academic community, and users, taking into account each group's expertise and competencies."

ACADEMIA: The language "respective roles" might be quite limiting. It doesn't seem to incorporate evolution since WSIS…

N/A: Multistakeholder: with the full participation of governments, international organizations, the private sector, civil society, the technical community, academia and the users in their respective roles and responsibilities. Multistakeholder also means facilitating inclusive participation of developing countries including Africa and Small Island Developing States, actors representing the full range of social and economic status, as well as women and girls.

PRIVATE SECTOR: make it ".. In their complementing roles and responsibilities."

CIVIL SOCIETY: I support the inclusion of specific language referring to the inclusive and equitable participation of stakeholders from developing countries (i.e. not simply referring to the term "countries" which can easily be taken to mean "governments").

CIVIL SOCIETY: Multistakeholder: with the full participation of governments, the private sector, civil society, the technical community, academia and the users in their respective distinctly defined roles, duties and sphere of responsibility

N/A: "full participation" may never be achieved on the voluntary basis that is the hallmark of all international cooperation. "Broad" participation" would be more suitable.
(+1) ACADEMIA

CIVIL SOCIETY: new text "Multi-stakeholder: Internet governance processes, policies and decisions should respect and support the full participation of all affected stakeholders, including governments, civil society, the private sector, the technical community, academia, current and potential users."

(+3) CIVIL SOCIETY

CIVIL SOCIETY: Multistakeholder: Internet governance mechanisms should be implemented with the full participation of governments, the private sector, civil society, the technical community, academia and the users on equal footing with their respective roles and responsibilities.

CIVIL SOCIETY: Multistakeholder approach: Internet governance processes, policy and decisions should respect and support full participation of all affected internet users and stakeholders, including governments, civil society, technical community, private sector and academia. Any multistakeholder approach should particularly enable meaningful participation from developing countries and underrepresented groups. When stakeholder representatives need to be appointed, they should be selected through open, participatory and transparent processes, in which different stakeholder groups should self-manage their processes based on inclusive, publicly known, well defined, well-documented and accountable mechanisms.

CIVIL SOCIETY: Multistakeholder should include the non-users of the Internet as well.

¶ 16

- ***Open, participative, consensus driven governance****: The development of international Internet-related public policies and Internet governance arrangements should enable the full and balanced participation of all stakeholders from around the globe, and made by consensus.*

Comments on this paragraph: 30

Edit proposals with rationale

CIVIL SOCIETY: add "wherever possible" after consensus
Rationale: allow for movement when it is urgently needed and consensus is difficult to achieve.
(+3) CIVIL SOCIETY

CIVIL SOCIETY: it is essential that the words "in their respective roles and responsibilities" be added after the words "all stakeholders".
> **Rationale:** *The sentence as currently drafted enables the participation of all stakeholders on the same footing – this only further strengthens the role of corporations in online governance procedures and fails to recognize existing notions of representative democracy. Given the uncertainty over the meaning of 'equal footing' as recognized in Block 39, the inclusion of such a principle is unwarranted.*
> **(+2) CIVIL SOCIETY**
> **(-1) N/A** - the Tunis Agenda is an inter-governmental document that was never approved by non-governmental actors. While it was a good start for governments 10 years ago, it is not appropriate that everything should be consistent with it We need to make progress in the implementation of the

multistakeholder model, not be held back by a narrow view from a decade ago. It is a good reference work. And it was a milestone for its time.

TECHNICAL COMMUNITY: remove "international"
>**Rationale:** Is the purpose of this section only to deal with international governance. I don't think so; these principles should be applicable within nations also.
>(+1) CIVIL SOCIETY
>(-1) CIVIL SOCIETY I disagree with the suggested removal of "international". NETmundial's focus is on global Internet governance and on the principles that are applicable at that level. These differ from those applicable at the domestic level where there are not the same democratic deficits nor the same transnational impacts.

GOVERNMENT: Delete the reference to consensus.
>**Rationale:** Each body should establish its own procedures regarding how to establish agreement.

Edit proposals without rationale

CIVIL SOCIETY: paragraph should explicitly state that decisions should be made in a bottom-up fashion by the people who have a stake in the issue and are doing the work to achieve consensus.
(+1) CIVIL SOCIETY
(-1) CIVIL SOCIETY I think those policy processes may be initiated from the "bottom" as well as from the "top" so long as all stakeholders are equally included in the process. So we should be very clear about using the "bottom-up" notion so as not to suggest that some stakeholders (at the "bottom") have exclusive privilege, which goes against the whole notion of co-equals.

TECHNICAL COMMUNITY: it should state… "… and made by consensus when possible, and after a bottom-up process…"

CIVIL SOCIETY: "The development of Internet-related public policies and Internet government arrangements should be undertaken by States and, where applicable, with participation of other interested parties ".

CIVIL SOCIETY: "Open, participative, consensus driven governance: The development of international Internet-related public policies and Internet governance arrangements should enable the participation of all stakeholders from around the globe, and made by international law."

PRIVATE SECTOR: "The development of international Internet-related public policies and Internet governance arrangements should enable appropriate, full and balanced participation of all relevant stakeholders from around the globe, and be made by consensus."

N/A: add at the end of the paragraph the following: "THE FIRST GOAL TO BE PURSUED BY THE INTERNET GOVERNANCE IS THE LONG TERM PUBLIC INTEREST"

¶ 17

- ***Transparent**: Decisions made must be easy to understand, processes must be clearly documented and follow agreed procedures, and procedures must be developed and agreed upon through multistakeholder processes.*

Comments on this paragraph: 19

Edit proposals with rationale

CIVIL SOCIETY: Delete the part ", and procedures must be developed and agreed upon through multistakeholder processes".
> **Rationale:** *Through what kind of processes the procedures are developed and agreed upon has nothing to do with transparency, provided those processes are transparent.*

(-1) N/A To eliminate the multistakeholder process is to go back to a world where a single stakeholder makes decisions this uni-stakeholder model should be avoided at all costs.

CIVIL SOCIETY: We should know more than just the process followed, the reasons decisions were taken should be documented and published as well.
> **Rationale:** *The arguments provided for and against decisions should be documented and published. Who voted and how s/he voted should be documented and published. These points need to be added to this clause before it can be labeled as something that addresses transparency.*

(+2) CIVIL SOCIETY

PRIVATE SECTOR: paragraph end with "acknowledging substantive and operational needs."
> **Rationale:** *we believe that some recognition of the need to prioritize participation of individuals with appropriate expertise is needed. This by no means implies agreement, only that some level of substantive knowledge is needed for constructive participation.*

PRIVATE SECTOR: addition of language clarifying that the development of procedures through multistakeholder processes should allow for "meaningful and appropriate participation of all stakeholders."
> **Rationale:** *it is important to bear in mind that different stakeholders bring different skills sets and expertise to the "multistakeholder table.*

(+1) N/A

CIVIL SOCIETY: include language that makes it explicit that both "proactive disclosure" and "reactive disclosure" of all information that does not fall into a narrow list of exceptions [IPR, personal information, etc.] will be mandatory for all entities involved in Internet Governance.
> **Rationale:** *This is already the national standard for governments where there is a "Freedom of Information / Access to Information / Right to Information" Act. Proactive disclosure only as is predominantly the case with Open Government Data Policies are insufficient to establish accountability for multistakeholder organisations. Additionally there must be proactive disclosure requirements for all participants in the multistakeholder process. This helps prevent gaming of the process.*

Edit proposals without rationale

    CIVIL SOCIETY: new text "Transparent: Decisions made must be easy to understand, processes must be clearly documented and follow agreed procedures, and procedures must be developed and agreed upon through creating norms of international law."

    CIVIL SOCIETY: split the paragraph into to sentences the second to read… Procedures and processes used to develop international Internet-related public policies and Internet governance arrangements should, themselves, be developed using the principles outlined in this section.

    CIVIL SOCIETY: new text "Procedures for decision-making must be developed and agreed upon through open and public multistakeholder processes and be fully transparent, thereby making the decisions they produce, and how those decisions were made, accessible to all."

    PRIVATE SECTOR: new text "Decisions made must be easy to understand, processes must be clearly documented and follow agreed procedures, and procedures must be developed and agreed upon through multistakeholder processes[, recognizing technical and operational requirements and skills]."

    CIVIL SOCIETY: "..through open multistakeholder processes."

    GOVERNMENT: "…through multistakeholder processes as appropriate, each stakeholder in its respective roles."

¶ 18

- *Accountable: Mechanisms for checks and balances as well as for review should exist.*

Comments on this paragraph: 18

Edit proposals with rationale

    PRIVATE SECTOR: "Mechanisms for checks and balances, review and an appeals process should exist."
        Rationale: *some appeals mechanism should exist.*

    PRIVATE SECTOR: "checks and balances" should include cost / benefit analyses.
        Rationale: *What benefits are expected to result from initiatives funded by Internet participants; were the benefits realized; at what cost?*

    CIVIL SOCIETY: It should be made clear that accountability is not only an external issue of formal procedures.
        Rationale*: Everybody should be ready to accept to be held to account for his words and deeds. Everybody signing this paper should be ready to have his actions measured against the yardstick of the principles, be it through formal*

procedures or by engaging into a fair and non-discriminatory dialogue with those who – like whistleblowers – raise the question of compliance.

Edit proposals without rationale

N/A: inclusion of the expression "based on the principle of separation of powers." after "Mechanisms for checks and balances as well as for review should exist,"

CIVIL SOCIETY: new text" Accountable: Necessary to create an international organization which will create obligatory reporting"

CIVIL SOCIETY: add "Meaningful mechanisms for checks and balances and procedures for redress of grievances."
(+1) CIVIL SOCIETY "Meaningful mechanisms for checks and balances and procedures for review, complaint and redress of grievances"

CIVIL SOCIETY: new text "Accountable: Internal and external mechanisms for checks and balances as well as for public review should exist in all internet governance processes to ensure they are accountable to the public interest."

PRIVATE SECTOR: new text "Mechanisms for checks and balances as well as for review [and redress of decisions]should exist"

PRIVATE SECTOR: "redress" is a critical component of accountability and should be incorporated into this concept.

CIVIL SOCIETY: add the following: "Full disclosure of the institutional activities including the financial and other important records of the governing institutions must be maintained."

¶ 19

- ***Inclusive and equitable****: Internet governance institutions and processes should be inclusive and open to all interested stakeholders. Processes should be bottom-up, enabling the full involvement of all stakeholders, in a way that does not disadvantage any category of stakeholder.*

Comments on this paragraph: 28

Edit proposals with rationale

CIVIL SOCIETY: be more explicit and state that DECISIONS should be bottom-up – not just the "process".
> **Rationale:** *Emailing a comment to ICANN to be ignored is a bottom-up process, but it isn't bottom-up decision making. That's an important difference! Stakeholders don't just want opportunities to participate in meaningless busy work while the decisions are taken by a few insiders behind closed doors.*

CIVIL SOCIETY: it is essential that the words "in their respective roles and responsibilities" be added after the words "all stakeholders"

> **Rationale:** *The sentence as currently drafted enables the participation of all stakeholders on an equitable' footing – this only further strengthens the role of corporations in online governance procedures and fails to recognize internationally recognized and existing notions of representative democracy. By placing all stakeholders – including corporations – on the same footing in all decision making processes, the document turns the concept of democracy on its head by permitting those with narrow, parochial interests to frustrate the will of legitimate and representative institutions. Given the uncertainty over the meaning of 'equal footing' as recognized in Block 39, the inclusion of such a principle is unwarranted.*
> **(+1) CIVIL SOCIETY**

PRIVATE SECTOR: addition of language clarifying that the development of procedures through multistakeholder processes should allow for "meaningful and appropriate participation of all stakeholders."

> **Rationale:** *it is important to bear in mind that different stakeholders bring different skills sets and expertise to multistakeholder discussions*

CIVIL SOCIETY: new text "Inclusive and equitable: Internet governance institutions and processes should be inclusive and open to all interested stakeholders and build in mechanisms to manage conflict of interest and to redress imbalances in power and influence resulting from differential access to resources."

> **Rationale:** *this paragraph does not acknowledge issues of power and influence which is present in the interrelationship between stakeholder groups.*
> **(+1) N/A**

GOVERNMENT: new text "Internet governance frameworks and processes should be inclusive and enable all stakeholders to carry out their respective roles and responsibilities in a way that does not disadvantage any stakeholder group."

> **Rationale:** *Bottom-up is only one of many viable and effective mechanisms and should not be considered the only ac ceptable one. There is no need to reference it.*

Edit proposals without rationale

CIVIL SOCIETY: add that it "does not privilege any category of stakeholder"
(+1) PRIVATE SECTOR
(+1) CIVIL SOCIETY
(+1) TECHNICAL COMMUNITY
(-1) CIVIL SOCIETY - I can't agree with this. The interrelationship between stakeholder groups will vary based on the issue under consideration. In some cases, there will be justification for equality in the roles of the stakeholder groups, in other cases there will not.

N/A: suggest "in a way that assures equal treatment for all categories of stakeholders."

CIVIL SOCIETY: add that the Government and the private sector have duty to support civil society organizations that are working in this field and take them in

charge for conferences where key issues are discussed (wisis) and or important decisions are taken (Netmundial)

CIVIL SOCIETY: The importance to consider the international character of decision-making processes regarding core functions of Internet should be addressed.

CIVIL SOCIETY: Inclusive and equitable: Internet governance institutions and processes should be inclusive and open, based on the law and has the control one or some states or holders

PRIVATE SECTOR: new text "Internet governance institutions and processes should be inclusive and open to all interested stakeholders. Processes should be bottom-up, enabling the meaningful involvement of all stakeholders, in a way that does not disadvantage any category of stakeholder, while taking into account the necessary skills and experiences related to the topics and fora."

CIVIL SOCIETY: new text "Anyone affected by an Internet governance process should be able to participate in that process. Particularly, Internet governance institutions and processes should provide financial means for physical participation of non-commercial stakeholders from developing countries and underrepresented groups and support capacity building for newcomers,especially stakeholders from developing countries and underrepresented groups."

¶ 20

- ***Distributed****: Governance characterized by distributed and multistakeholder mechanisms and organizations.*

Comments on this paragraph: 15

Edit proposals with rationale

> **CIVIL SOCIETY:** attribute "multistakeholder" should not be repeated here
> > **Rationale:** *"multistakeholder" is not an identifying characteristic of distributed governance.*
> > **(+3) CIVIL SOCIETY -** "Internet governance should depend upon a distribution of responsibility to appropriate organizations, and an active web of cooperation and coordination among them."

> **CIVIL SOCIETY:** needs to be clarified what precisely is meant by "distributed mechanisms and organizations"
> > **Rationale:** *It is important to distribute governance functions among different institutions in order to avoid unhealthy and dangerous concentrations of power. However, it is also important to avoid unreanably great numbers of governance institutions and fora, as that results in only the most well-resourced organizations being able to engage effectively*
> > **(+1) CIVIL SOCIETY**

> **CIVIL SOCIETY:** "Distributed but well-coordinated" instead of "Distributed".
> > **Rationale:** *We are concerned about insufficient level of coordination of international, regional and national efforts in the field of Internet governance. Activities on harmonization of national legislation, the intensification and expansion*

of international agreements, treaties and conventions in the field of Internet governance are not properly defined and are not focused in a single stream. Some issues of such activity are divided among various organizations and there is little coordination in addressing these questions

CIVIL SOCIETY: Suggest replacing "distributed" with "decentralized or decentralized"
> **Rationale:** *more people are familiar with decentralization theory and practices in governance.*

GOVERNMENT: remove paragraph
> **Rationale:** This is not a process principle

Edit proposals without rationale

CIVIL SOCIETY: new text "Governance characterized by distributed mechanisms and organizations and covering a range of governance processes including policy, law, regulation and standard setting."

CIVIL SOCIETY: new text "Distributed: Governance characterised by equal distribution of roles and responsibilities among all stakeholders and the propagation of the Internet Governance Principles through the Multistakeholder mechanisms and organisations"

¶ 21

- ***Collaborative****: Internet governance should be based on and encourage collaborative and cooperative approaches that reflect the inputs and interests of stakeholders.*

Comments on this paragraph: 10

Edit proposals with rationale

GOVERNMENT: Paragraph should not be included in the document
> **Rationale:** Para 21 is not a process principle.

Edit proposals without rationale

CIVIL SOCIETY: Add "whenever possible"

CIVIL SOCIETY: (a) … approaches that reflect the *informed* inputs and interests of stakeholders. or (b) … approaches that reflect the inputs and inputs of *knowledgeable* stakeholders.
(+2) CIVIL SOCIETY

CIVIL SOCIETY: new text "Collaborative: Internet governance should be based on cooperation of the states, international law and encourage collaborative and cooperative approaches that reflect the inputs and interests of stakeholders."

CIVIL SOCIETY: Change 'interests' to 'perspectives'.

¶ 22

- ***Enabling meaningful participation:** Anyone affected by an Internet governance process should be able to participate in that process. Particularly, Internet governance institutions and processes should support capacity building for newcomers, especially stakeholders from developing countries and underrepresented groups.*

Comments on this paragraph: 21

Edit proposals with rationale

CIVIL SOCIETY: include a call for governments to conduct public policy affecting the internet in a transparent and inclusive and not only those issues perceived as Internet Governance related.
> **Rationale:** *For example, trade agreements more often are including measures that can directly impact internet governance, stability and resiliency and there is no easy way to participate or comment on such negotiations.*

PRIVATE SECTOR: addition of language clarifying that the development of procedures through multistakeholder processes should allow for "meaningful and appropriate participation of all stakeholders."
> **Rationale:** *[we] support the aim of this principle, to promote capacity building and better enable the participation of stakeholders new to the Internet governance space, including those who may be from developing countries. As we noted in earlier comments, [we] feel it is important to recognize that some operational or policy aspects of Internet governance discussions may require certain skill sets and expertise.*

CIVIL SOCIETY: Suggest adding ", and should aim to resource the participation of disadvantaged stakeholder groups to enable them to participate meaningfully".
> **Rationale:** *The thorny issue of resourcing the participation of stakeholders should not be overlooked.*

Edit proposals without rationale

N/A: Add after the word "newcomers" a phrase "if requested by them".

CIVIL SOCIETY: to delete "Anyone affected by an Internet governance process should be able to participate in that process"
(+1) TECHNICAL COMMUNITY I agree with this comment, and would like to add to to. The title of this point is not clear. I suggest: "Enlarging meaningful participation: Internet governance institutions should support capacity building for newcomers, especially individuals from developing regions and otherwise underrepresented segments of society." The first sentence, which I propose you delete, seems to conflate or blur the point that i think you want to make.

CIVIL SOCIETY: new text "Enabling meaningful participation: Anyone affected by an Internet governance process should be able to participate in that process. Particularly, must be create the International Internet governance institutions and

mechanisms support capacity building for newcomers, especially stakeholders from developing countries and underrepresented groups."

CIVIL SOCIETY: first sentence should be amended to: "Anyone affected by an Internet governance process should be able to participate in that process including its decision-making."
(+1) CIVIL SOCIETY

CIVIL SOCIETY: new text "Anyone affected by an Internet governance process should be able to participate in that process. Particularly, Internet governance institutions and processes should provide financial means for physical participation of non-commercial stakeholders from developing countries and underrepresented groups and support capacity building for newcomers,especially stakeholders from developing countries and underrepresented groups."

CIVIL SOCIETY: new text "Internet governance institutions and processes should be open to all that are affected by the decisions they make and have mechanisms that prevent undue influence of powerful interests groups and that supports the participation of those that lack resources and capacity, especially stakeholders from developing countries and from underrepresented and marginalised groups."

PRIVATE SECTOR: new text "Anyone affected by an Internet governance process should be able to participate in that process, taking into account the skills and experiences that may be required for some functions. Particularly, Internet governance institutions and processes should support capacity building for stakeholders new to the process, including those who may be from developing countries and underrepresented groups."

GOVERNMENT: "Anyone affected by an Internet governance process should be able to participate in that process via the appropriate stakeholder group to which he belongs. Particularly, the Internet governance framework and processes should support capacity building for newcomers, especially stakeholders from developing countries and underrepresented groups"

CIVIL SOCIETY: propose to add "Practical measures to address the needs of non-English speakers and those who do not speak the six UN languages should be implemented by the Internet Governance institutions."

¶ 23

- ***Accessibility and low barriers:*** *Internet governance should promote universal, equal opportunity, affordable and high quality Internet access so it can be an effective tool for enabling human development and social inclusion. There should be no unreasonable barriers to entry for new users.*

Comments on this paragraph: 21

Edit proposals with rationale

TECHNICAL COMMUNITY: (1) replace "unreasonable" with "discriminatory". (2) suggests the addition of "cost-based."

> **Rationale:** (1) What is reasonable for one person may not be for the next.", (2) two reasons: **"**First, it eliminates any pushback from ISPs who may complain that your idea of affordable is one they can't meet. Second it says to ISPs that the user's price has to be reasonably related to cost, i.e. the ISP should not be able to take advantage of monopoly situations to exact monopoly profits. Telecommunications tariff policy has been used in the past to approximate this result.

CIVIL SOCIETY: suggests either a) adding 'public' after affordable or b) adding', including public access,'

> **Rationale:** We must be aware that tens of millions of people go online everyday through public access points such as libraries as they are unable to afford the hardware or connections to go online at home or via mobile. Without such access they will be unable to participate in the information society.

CIVIL SOCIETY: suggests the deletion of this paragraph;

> **Rationale:** this does not seem a process principle and lacks clarity about what it is about.

Edit proposals without rationale

CIVIL SOCIETY: demands the inclusion of net neutrality
(+2) Civil Society
(+1) Technical Community

GOVERNMENT: suggests the addition of "transparent, non discriminatory " between "affordable" and "high quality".

CIVIL SOCIETY: Internet governance should promote universal, equal opportunity, affordable and high quality Internet access so it can be an effective tool for enabling human, social and economic development.

CIVIL SOCIETY: suggests the addition of "affordable and high quality, provided without penalty for specific access, neutrally available to receive and/or post content."

CIVIL SOCIETY: suggestion to add: open and neutral; Suggestion to remove: new

CIVIL SOCIETY: suggests the addition of "unrestricted"

CIVIL SOCIETY: demands reference to "better quality and speed of consumer internet service" and "right to access for network and information".

¶ 24

- ***Agility****: Policies for access to Internet services should be future oriented and technology neutral, so that they are able to accommodate rapidly developing technologies and different types of use.*

Comments on this paragraph: 8

Edit proposals with rationale

TECHNICAL COMMUNITY: demands a substitute for "technology neutral"
>   **Rationale:** a technology usually gives advantage to one group; it would be better to have a free licensed technology.

CIVIL SOCIETY: suggests the deletion of the principle;
>   **Rationale:** This does not seem a process principle.

Edit proposals without rationale

N/A: "These policies, as well as those dealing with future use of spectrum, need to target only public long-term interest"

¶ 25

OPEN STANDARDS

Internet governance should promote open standards, informed by individual and collective expertise and practical experience and decisions made by open consensus, that allow for a unique, interoperable, resilient, stable, decentralized, secure, and interconnected network, available to all. Standards must be consistent with human rights and allow development and innovation.

Comments on this paragraph: 35

Edit proposals with rationale

> **CIVIL SOCIETY:** demands reference to FOSS
> > **Rationale:** "can ensure inalienable freedoms to/on the Internet that will enable free and unrestricted use of the Internet for all users."
> > **(+1) Civil Society**

> **CIVIL SOCIETY:** suggests reference to Open-Stand principles
> > **Rationale:** http://open-stand.org/principles/
> > **(+2) Technical Community**

> **ACADEMIA:** "broad consensus" rather than "open consensus" (1), remove the phrase "and practical experience" (2), "transparency" and "accessibility" (3), replace "development" with "access to knowledge" (4), inserting "ensuring fair and balanced participation" (5)
> > **Rationale:** *(1) NO RATIONALE, (2) that phrase is already subsumed in "individual and collective expertise", (3) NO RATIONALE, (4) "development" is a concept that can be subsumed within the concept of innovation, (5) NO RATIONALE*

> **TECHNICAL COMMUNITY:** "Internet governance should promote open standards, informed by individual and collective expertise and practical experience and decisions made by open consensus processes, that allow for a unique, interoperable, resilient, stable, decentralized, secure, and interconnected network, available to all. Standards must be consistent with human rights, be implementable, interoperable and allow continued development and innovation. Both regarding future versions of the standard itself and solutions using the standard."
> > **Rationale:** *Whether standards are open depends on many factors. At least process for creation, access to it and licensing (implementability).*
> > **(+1) Technical Community**

> **GOVERNMENT:** "…that allow for interoperable, resilient, stable, decentralized, secure, and interconnected network/s, available to all …"
> > **Rationale:** *it is not clear what is "open consensus".*

> **CIVIL SOCIETY:** the mention to "open public standards".
> > **Rationale:** *This ensures that the basic protocols and technical standards of the Internet are those that are publicly created and vetted, thereby weeding out backdoors and other problems and further enhancing the creation of an innovative and technically neutral online environment.*
> > **(+2) Civil Society**
> > **(+1) Technical Community**

Edit proposals without a rationale

CIVIL SOCIETY: suggests replacing "open consensus" with "rough consensus"; "Available to all" with "implementable by all"; "access to knowledge as a precondition to "right to freedom of speech and expression" and "right to privacy".

CIVIL SOCIETY: if a specification cannot be freely implemented in any type of software, including Free and Open Source Software (FOSS), it is not an open standard.
(+1) Technical Community
(+1) Academia

GOVERNMENT: "Internet governance should promote open standards as well as standards of open access to knowledge and information, informed by individual and collective expertise and practical experience and decisions made by open consensus, that allow for a unique, interoperable, resilient, stable, decentralized, secure, and interconnected network, available to all. Standards must be consistent with human rights and allow development and innovation. Openness should also signal the importance of ease of entry of actors and the absence of closure that might otherwise be imposed through monopolies."

TECHNICAL COMMUNITY: "Open standards are functionally disjoint from so-called free and open software. Those who argue that FOSS is morally superior or should be required to implement open standards do not understand the contribution that the business community has made to the development of the Internet. The FOSS production process, as we have recently observed, is not free of its own problems."

GOVERNMENT: "It is important to ensure that these norms and standards will guarantee secure Internet and respect of human rights, especially the right to private life".

CIVIL SOCIETY: "Standards should prevent the violation of human rights."

PRIVATE SECTOR: suggests mentioning the concept of transparency.

CIVIL SOCIETY: "Standards must be consistent with international law, human rights and allow development and innovation."

PRIVATE SECTOR: "Internet governance should promote open, voluntary standards, informed by individual and collective expertise and practical experience and decisions representing broad consensus,"

RATIONALE: "to emphasize the voluntary nature of the technical standards"

CIVIL SOCIETY: "…consistent with human rights and promote innovative economic, cultural and technical development."

PRIVATE SECTOR: add the word voluntary and replace "decisions made by open consensus" with "decisions representing broad consensus"

PRIVATE SECTOR: "Internet governance should promote open standards, informed by individual and collective expertise and practical experience and decisions made by consensus-based and transparent processes, that allow for a unique,

interoperable, resilient, stable, decentralized, secure, and interconnected network, available to all. Standards must be consistent with human rights and allow development and innovation."

GOVERNMENT: replace "must" with "should".

CIVIL SOCIETY: Suggestion to add: 'use and production of free and open source software' Suggestion to remove: 'unique'

PRIVATE SECTOR: demands a definition to "consensus".

N/A: suggests to add "net neutrality is one of those standards"

PRIVATE SECTOR: suggests to prevent infiltration of standards making bodies by national surveillance agencies

2. ROADMAP FOR THE FUTURE EVOLUTION OF THE INTERNET GOVERNANCE

Comments on the whole page: 10

Synthesis of the comments

One comment on the whole page emphasizes that NETmundial's public consultation is a good opportunity to ensure participation in better conditions. The other comment argues that the Roadmap laid out in NETmundial's draft is not really a roadmap, but a compilation of issues that deserve attention but are neither a roadmap nor a way forward.

Edit proposals with rationale

> **CIVIL SOCIETY:** "While aiming for a wide international co-operation in the implementation of the Internet Governance Principles they also should be seen as a challange for each and everyone to follow these principles and to do whatever is already now possible on individual, national and international level."
>> **Rationale:** It would be good to mention a plan B as long as the multi-stakeholder ideal world is not yet a reality. E.g. by inserting a paragraph before the first subheader

> **GOVERNMENT:** "Considerations" rather than "Roadmap".
>> **Rationale:** It is not all-inclusive and is not specific.

¶ 1

The objective of this proposed roadmap for the future evolution of Internet governance is to outline possible steps forward in the process of continuously improving the existing Internet governance framework ensuring the full involvement of all stakeholders.

Comments on this paragraph: 15

Edit proposals with rationale

> **CIVIL SOCIETY:** "all stakeholders in their respective roles and responsibilities"
>> **Rationale:** *keeping with the internationally accepted language of the Tunis Agenda, and as recognized in Block 15*

> **CIVIL SOCIETY:** "full involvement and active participation of all stakeholders"
>> **Rationale:** *Involvement of all stakeholders is not sufficient; there is need for active participation*

Edit proposals without rationale

> **CIVIL SOCIETY:** "stakeholders, based on their competencies and responsibilities"

> **GOVERNMENT:** "all stakeholders in their respective roles, and of addressing the many cross-cutting international public policy issues that require attention and are not addressed by the current mechanisms.""

GOVERNMENT: "involvement of States and, where applicable, other interested parties".

¶ 2

The Internet governance framework is a distributed and coordinated ecosystem involving various organizations and fora. It must be inclusive, transparent and accountable, and its structures and operations must follow an approach that enables the participation of all stakeholders in order to address the interests of all those who benefit from the Internet.

Comments on this paragraph: 24

Edit proposals with rationale

CIVIL SOCIETY: "following a model of participatory plurality"
Rationale: *This language seems preferable as being more inclusive than a participation limited to (undefined) stakeholders.*

CIVIL SOCIETY: "all stakeholders in their respective roles and responsibilities"
Rationale: *This would ensure the language is in consonance with the Tunis Agenda.*

Edit proposals without rationale

ACADEMIA: "the interests of all those who _use_ the internet."

CIVIL SOCIETY: "to address the interests of all those who benefit from the Internet not violating human rights."

CIVIL SOCIETY: add "bottom-up decision-making".

PRIVATE SECTOR: "…participation of all relevant stakeholders…"

PRIVATE SECTOR: "… enables participation across all stakeholder groups in order to consider the interests of all those who benefit from the Internet."

CIVIL SOCIETY: add at the end 'as well as those who are not yet online.'

CIVIL SOCIETY: Insert "safeguard" instead of "address" in "of all stakeholders in order to address the interests"

GOVERNMENT: "…ecosystem involving various stakeholders. It must be inclusive…of all stakeholders, in their respective roles, in order to address…"

¶ 3

The implementation of the Tunis Agenda has demonstrated the value of the multistakeholder model in Internet governance. The valuable contribution of all stakeholders to Internet governance should be recognized. Due to the successful experiences this model should be further strengthened, improved and evolved

Comments on this paragraph: 16

Edit proposals with rationale

CIVIL SOCIETY: "The valuable contribution of all stakeholders to Internet governance, **in their respective roles and responsibilities**, should be recognized. This model should be further strengthened, improved and evolved."

> **Rationale**: *This paragraph assumes that 'enhanced cooperation' has been implemented and that existing mechanisms are sufficient to satisfy the requirements of the Tunis Agenda (for instance the role of the GAC in ICANN is clearly not in consonance with the Tunis Agenda). Further, there is no agreement that "enhanced cooperation" has been implemented. As such we believe this paragraph is inappropriately worded*

CIVIL SOCIETY: Propose a new paragraph "The valuable contribution of all stakeholders to Internet governance should be recognized. Due to the successful experiences, this model of involvement of all stakeholders in governance should be further strengthened, improved and evolved"

> **Rationale**: *there is no single model of multistakeholder Internet governance*

PRIVATE SECTOR: value of multi-stakeholder engagement in Internet governance" and the last sentence be edited to read, "Different multi-stakeholder models are used in different circumstances: this is appropriate. In all cases, models for stakeholder engagement should evolve so that they remain fit for purpose."

> **Rationale:** *there is not one single model to enable the participation of all stakeholders: one size does not fit all. We would agree that, whatever model, it needs to develop and respond to changing needs, but that needs to be done within the different organisations by keeping their model under review against the organisation's remit.*

Edit proposals without rationale

GOVERNMENT: Change all the paragraph to "The multistakeholder approach in the Tunis Agenda has not been implemented in many areas. In particular, there is currently no mechanism for governments, on an equal footing, to carry out their roles and responsibilities regarding policy authority for international public policy issues pertaining to the Internet."

¶ 4

Internet governance should serve as a catalyst for sustainable and inclusive development and for the promotion of human rights. Participation should reflect geographic diversity and include stakeholders from developing and least developed countries.

Comments on this paragraph: 11

Edit proposals with rationale

TECHNICAL COMMUNITY: delete Catalyst, will be read: "Internet governance should promote sustainable …"

> **Rationale**: *A catalyst is something that just causes something to happen by its presence, but does not get involved. This is not the case here*

GOVERNMENT: delete all the paragraph
Rationale: *This is a duplication from the principles*

Edit proposals without rationale

ACADEMIA: Delete least developed in "… developing and least developed countries."

CIVIL SOCIETY: Amend by changing promotion to protection "Internet governance should serve as a catalyst for sustainable and inclusive development and protection of human rights"

PRIVATE SECTOR: Two additions "Internet governance should serve as a catalyst for sustainable and inclusive growth and development and for the promotion of human rights. Participation should reflect geographic diversity and include stakeholders from developed, developing and least developed countries."

PRIVATE SECTOR: last sentence amended to state, "Participation should reflect geographic diversity and include stakeholders from across the globe, including stakeholders from developing and least developed countries"

¶ 5

Issues that deserve attention of all stakeholders in the Internet governance future evolution.

Comments on this paragraph: 8

Edit proposals with rationale

TECHNICAL COMMUNITY: remove stakeholders: "Issues that deserve attention in the future evolution of Internet governance."
Rationale: *The phrase "of all stakeholders" is very overused in this entire document*

CIVIL SOCIETY: delete all the Section
Rationale: *Paragraph 6, 8, 10, 11, 12, 13, 14 should move to the Principles section (with some changes). Paragraph 7 and 9 can move down to institutional reform.*

Edit proposals without rationale

CIVIL SOCIETY: change to "Issues that deserve attention of all stakeholders in the future evolution of Internet Governance procedures"

¶ 6

Internet governance decisions are sometimes taken without the meaningful participation of all stakeholders. It is important that multistakeholder decision-making and policy formulation are improved in order to ensure the full participation of all interested parties, recognizing the different roles played by different stakeholders in different issues.

Comments on this paragraph: 26

Edit proposals with rationale

CIVIL SOCIETY: delete "recognizing the different roles played by different stakeholders in different issues"
> **Rationale**: *The Document should not use same vocabulary than the Tunis agenda.*

TECHNICAL COMMUNITY: delete all theParagraph
> **Rationale**: *The first sentence is obfuscatory and leaves a wide range of interpretations to the reader. The rest of the paragraph has been said in slightly different forms several times elsewhere.*

PRIVATE SECTOR: in order to ensure the meaningful and accountable participation of all interested parties, taking into account the expertise and competencies of stakeholders in addressing various issues
> **Rationale:** to clarify what is meant by "full participation" and the importance of relevant expertise and experience of all stakeholders as they engage in various fora

PRIVATE SECTOR: remove first sentence
> **Rationale:** The focus should be on improving transparency and collaboration between organizations instead of promoting the idea that decisions currently being made are not multistakeholder.

Edit proposals without rationale

ACADEMIA: Change "interested parties" to "… stakeholders"

PRIVATE SECTOR: Addition to "recognizing the different roles played by different stakeholders in different issues at different times".

CIVIL SOCIETY: addition of the words "and their different responsibilities" at the end of the last sentence.

ACADEMIA: Delete the reference to roles

CIVIL SOCIETY: addition at last paragraph "and their responsibility under international law"

PRIVATE SECTOR: "…policy formulation processes enable appropriate participation of all interested parties…"

CIVIL SOCIETY: rephrase First sentence to : "Internet governance decisions should be taken with the meaningful participation of all stakeholders"

PRIVATE SECTOR: several deletions and additions to this paragraph, would read as follows: "Internet governance decisions are sometimes taken without the meaningful participation of all stakeholders. It is important that multistakeholder decision-making and policy formulation are improved in order to ensure the meaningful and accountable participation of all interested parties, taking into account each group's expertise and competencies in addressing various issues."

CIVIL SOCIETY: Add to "policy formulation are improved in order to "encourage" and enhance the full participation of all interested parties"

GOVERNMENT: "It is important that decision-making and international public policy formulation be established, such as via a new international enhanced cooperation body created to address all public policy issues, in such a way as to ensure the full participation of all interested stakeholders in their respective roles."

¶ 7

Enhanced cooperation to address international public policy issues pertaining to the Internet must be implemented on a priority and consensual basis. It is important that all stakeholders commit to advancing this discussion in a multistakeholder fashion.

Comments on this paragraph: 19

Edit proposals with rationale

GOVERNMENT: Amend "*public policy issues pertaining to the Internet must continue to be implemented on a priority and consensual basis.*
> **Rationale:** *enhanced co-operation is already taking place*

GOVERNMENT: Amend "*International cooperation on public policy issues pertaining to the Internet must be implemented on a priority and consensual basis. It is crucial that all stakeholders commit to advancing this discussion in a multistakeholder fashion on both international and national levels.*"
> **Rationale**: *"enhanced cooperation" has nebular meaning, various interpretations and contentious nature of this phrase it would be beneficial to scrape it. By referring to international public policy issues, the text may suggest that the enhanced cooperation should involve mainly governments, diminishing participation and role of other stakeholders. This may lead to a concept of Internet governance of two speeds: one "standard", involving all stakeholders, and second one "enhanced" (improved) with leading role of governments. This is highly controversial. Thus we submit for consideration changing the text to highlight that international cooperation, if necessary, is open for equal participation of all stakeholders.*

PRIVATE SECTOR: New edition "All stakeholders should commit to full cooperation with each other, in a multistakeholder fashion, to address international public policy issues pertaining to the Internet."
> **Rationale:** *it strengthens what the authors of this paragraph seek to say*

ACADEMIA: delete the Paragraph
> **Rationale:** The term "enhanced cooperation" has caused a lot of conflict.

TECHNICAL COMMUNITY: Delete "enhanced cooperation"
> **Rationale:** The term "enhanced cooperation" has no definition

PRIVATE SECTOR: Amend "All stakeholders should commit to full and mutual cooperation, consistent with a multistakeholder approach, to address international public "
> **Rationale:** *provide a more acceptable terminology that reinforces full participation and the multistakeholder approach*

Edit proposals without rationale

CIVIL SOCIETY: amend *"…international public policy issues pertaining to the Internet must be implemented on basis of international law in the framework of existing international institutions, with the participation of all stakeholders. It is important that all…"*

PRIVATE SECTOR: amend final sentence:"*..all stakeholders should commit to full cooperation with each other, in a multistakeholder fashion, to address international public policy issues pertaining to the Internet.*"

Government: new edition "Enhanced cooperation, to enable governments to carry out their role in addressing international public policy issues pertaining to the Internet, must be established and operationalized on a priority basis"

¶ 8

Stakeholder representatives appointed to multistakeholder Internet governance processes should be selected through open and transparent processes. Different stakeholder groups should self-manage their processes based on inclusive, publicly known, well defined and accountable mechanisms.

Comments on this paragraph: 19

Edit proposals with rationale

PRIVATE SECTOR: rephrase "When stakeholder representatives are appointed to multistakeholder Internet governance processes, they should be selected through open and transparent processes"
>   **Rationale:** *This paragraph assumes that "stakeholder representatives" are appointed, and that there are formal "stakeholder groups" as organisational entities that have processes and mechanisms. This is true within certain Internet Governance-related bodies (e.g. ICANN), but not really so within others (e.g. IGF, ISOC, IETF). This paragraph should not prompt bodies that use an open, inclusive and participatory model to move towards a closed, representative model.*

GOVERNMENT: Delete the Paragraph
>   **Rationale:** *by referring to "selection", this text conflicts with the earlier comment that the processes should be open to all stakeholders.*

ACADEMIA: Delete the Paragraph
>   **Rationale:** *This paragraph assumes that multistakeholderism is necessarily representative and constituency-based, which is not the case.*

PRIVATE SECTOR: Delete the Paragraph
>   **Rationale:** *We believe that this runs contrary to the spirit of openness and the reason for its introduction here is not explained at all. There might be very specific circumstances where representation is deemed to be necessary, but these should be the exception and need to be justified. When this approach is used, safeguards are needed to ensure that the process is properly transparent.*

CIVIL SOCIETY: amend " Stakeholder representatives appointed to multistakeholder Internet governance processes should be selected through open and transparent processes by each concerned entity in accordance with its own internal procedures."
>   **Rationale:** *While the requirement for selection of representatives through open, transparent, inclusive, well defined, accountable and publicly known decision making processes is welcome, Each organization must be able to appoint representatives in accordance with its own internal procedures. It would not be appropriate to envisage some overall set of rules that would constrain internal procedures (e.g. that would prevent the management of private companies from appointing representatives).*

Edit proposals without rationale

CIVIL SOCIETY: add 'Participatory' and 'well-documented' so that the text reads: "When stakeholder representatives are appointed to multistakeholder Internet governance processes, they should be selected through open, participatory and transparent processes. Different stakeholder groups should self-manage their

processes based on inclusive, publicly known, well defined, well-documented and accountable mechanisms."

CIVIL SOCIETY: New edition "Internet governance processes should be carried out by an international organization under the auspices of the UN. Stakeholder representatives appointed of such organization should be selected through open and transparent processes. Different stakeholder groups should self-manage their processes based on inclusive, publicly known, well defined and accountable rules."

CIVIL SOCIETY: Amend the first sentence "Stakeholder representatives appointed or elected to multistakeholder Internet governance processes should be selected through open, democratic, and transparent processes."

ACADEMIA: add to the paragraph the following sentence 'Hosts/organizers of meetings, and conveyors of IG policy processes should support open and inclusive selection processes for all positions involving stakeholder representation.'

¶ 9

There is a need to develop multistakeholder mechanisms at the national level owing to the fact that a good portion of Internet governance issues should be tackled at this level. National multistakeholder mechanisms should serve as a link between local discussions and regional and global instances. Therefore a fluent coordination and dialogue across those different dimensions is essential.

Comments on this paragraph: 12

Edit proposals without rationale

TECHNICAL COMMUNITY: amend second sentence as following; "National multistakeholder mechanisms are in a position to address national problems directly, in a forum that may well have the capability to create and implement solutions directly. In addition, they can serve as a link … "

CIVIL SOCIETY: New edition "There is a need to develop multistakeholder mechanisms and harmonized legal platforms at the national level at the national level owing to the fact that a good portion of Internet governance issues should be tackled at this level. National multistakeholder mechanisms and national legal platforms should serve as a link between local discussions and regional and global instances. Therefore a fluent coordination and dialogue across those different dimensions is essential."

PRIVATE SECTOR: several deletion and addition "There is a need to further develop multistakeholder mechanisms at the national level because many Internet governance issues should be tackled at this level. National multistakeholder mechanisms should serve as a link between local discussions and regional and global instances. Therefore coordination and dialogue across those different dimensions is essential."

CIVIL SOCIETY: Delete: 'owing to the fact that a good portion of Internet governance issues should be tackled at this level'

¶ 10

There should be meaningful participation by all interested parties in Internet governance discussions and decision-making, with attention to geographic, stakeholder and gender balance in order to avoid asymmetries.

Comments on this paragraph: 10

Edit proposals with rationale

CIVIL SOCIETY: Suggest addition of the words "having regard to their respective roles and responsibilities" after the words "…all interested parties".
> **Rationale:** *At present, the paragraph implies that all stakeholders / interested parties are to participate on equal footing, which demonstrates an incorrect understanding of representative democracy.*

CIVIL SOCIETY: New edition "There should be meaningful participation by all interested parties, having regard to their respective roles and responsibilities, in Internet governance discussions and decision-making, with attention to geographic, stakeholder and gender balance in order to avoid asymmetries."
> **Rationale:** *At present, the paragraph implies that all stakeholders / interested parties are to participate on equal footing, which demonstrates an incorrect understanding of representative democracy.*

TECHNICAL COMMUNITY: Delete the Paragraph
> **Rationale:** *This is essentially a repeat of nearly the same thing in several previous sections of the text. Such repletion only makes the document sound more doctrinaire.*

Edit proposals without rationale

CIVIL SOCIETY: add "Invites all governments in particular those of developing countries to play more effective role in international Internet governance".

CIVIL SOCIETY: New edition: There should be meaningful participation by all interested parties in Internet governance discussions and decision-making, with attention to geographic, in order to avoid asymmetries.

CIVIL SOCIETY: amend "in accordance with democratic values, decision-making should be bottom-up."

¶ 11

Enabling capacity building and empowerment through such measures such as remote participation and adequate funding, and access to meaningful and timely information are essential for promoting inclusive and effective Internet governance.

Comments on this paragraph: 4

Edit proposals with rationale

ACADEMIA: 'capacity development' instead of 'capacity building'
Rationale: *the term 'capacity development' which replaced 'capacity building' long time ago in international development language.*

Edit proposals without rationale

CIVIL SOCIETY: New edition: "*Enabling capacity building and empowerment through such measures such as remote participation and adequate funding, and access to meaningful and timely information which are not contrary to the national interest, are essential for promoting inclusive and effective Internet governance.*

TECHNICAL COMMUNITY: rephrase last phrase "*In order to promote more including inclusive and effective governance, there should be remote participation …*"

¶ 12

All stakeholders must renew their commitment to build a people centered, inclusive and development oriented Information Society. Therefore in pursuing the improvements of the Internet governance ecosystem, the focus on the digital development agenda should be retained.

Comments on this paragraph: 5

Edit proposals with rationale

TECHNICAL COMMUNITY: Change "must" to "Should" and define/delete the term 'digital development agenda'
Rationale: *If it's a Net Mundial term, hit hasn't been defined, nor have its implications been understood. If it's a UN term, the same is correct, but it's considerably more worrisome, since therein is then a lot of background that is not likely to be known by the average reader of this document. If it refers to the ill-fated initiative of the UN in 2001 by Jean-Jacques Schreiber to raise money from an informal tax on ICT suppliers, then it should be strongly rejected*

Edit proposals without rationale

CIVIL SOCIETY: "…WSIS outcomes and Millennium Development Goals "instead of "…the digital development agenda".

CIVIL SOCIETY: New edition: Enabling capacity building and empowerment through such measures such as remote participation and adequate funding, and access to meaningful and timely information which are not contrary to the national interest, are essential for promoting inclusive and effective Internet governance.

CIVIL SOCIETY: Addition: All stakeholders must renew their commitment to build a people centered, inclusive and development oriented Information and Legal Society.

CIVIL SOCIETY: Addition: "their commitment to build a people centered, inclusive, sustainable and development oriented Information"

¶ 13

Internet governance discussions would benefit from improved communication and coordination between technical and non-technical communities, providing a better understanding about the policy implications in technical decisions and technical implications in policy decision making.

Comments on this paragraph: 2

Edit proposals without rationale

> **CIVIL SOCIETY:** new edition "Internet governance should be strengthened by appropriate international mechanisms of technical regulation and efficient political response to Internet-related challenges and threats, providing a better correlation between the policy implications in technical decisions and technical implications in policy decision-making"

¶ 14

All of the organizations with responsibilities in the Internet governance ecosystem should develop and implement principles for transparency, accountability and inclusiveness. All such organizations should prepare periodical reports on their progress and status on these issues. Those reports should be made publicly available.

Comments on this paragraph: 5

Edit proposals without rationale

> **CIVIL SOCIETY:** new edition "All of the organizations with responsibilities in the Internet governance ecosystem should participate in the development and follow the correct procedures, appropriate for transparency, accountability and inclusiveness. All such organizations should prepare regular reports on their progress and status on these issues. Those reports should be made publicly available"

¶ 15

II. Issues dealing with institutional improvements.

Comments on this paragraph: 1

No comments in this section offered any direct alteration of the text. The original comments and the exchange of arguments that followed can be accessed in the attached spreadsheet containing the full set of comments.

¶ 16

1.   Consideration should be given to the possible need for mechanisms to consider emerging topics and issues that are not currently being adequately addressed by existing Internet governance arrangements.

Comments on this paragraph: 26

Edit proposals with rationale

> **GOVERNMENT:** "When there are emerging topics or orphan issues, consideration should be given to the appropriate mechanisms to address these."
> > **Rationale:** *This issues should be considered case by case.*

> **CIVIL SOCIETY:** suppression of "Consideration should be given to the possible" and replace with "There is a".
> > **Rationale:** *The language is extremely weak and should be strengthened.*

> **PRIVATE SECTOR:** suggests the following editing "Consideration should be given to addressing the possible need for improving mechanisms to regarding emerging topics and issues that that require coordination in order to be adequately addressed by existing Internet governance arrangements."
> > **Rationale:** *emphasizes that there is already competent fora and suggests improving cooperation.*

Edit proposals without rationale

> **CIVIL SOCIETY:** inclusion of "improving" prior to "mechanisms".

> **CIVIL SOCIETY:** demands mention to the gaps between Internet technological, operation and policy making instances

> **PRIVATE SECTOR:** demands revisions to the language and clarification of what "mechanisms" means.

> **PRIVATE SECTOR:** suggests the following writing "Improved outcomes: Improvements can be implemented including creative ways of providing outcomes/recommendations and the analysis of policy options, while maintaining the essential character of the IGF as a discussion and knowledge sharing forum rather than a negotiating or decision-making forum;"

TECHNICAL COMMUNITY: demands the deletion of it, supporting the commenters who referred to the problems in the text.

PRIVATE SECTOR: "Consideration should be given to how best to address the possible need for improving mechanisms regarding emerging topics and issues that require coordination in order to be adequately addressed by the existing Internet governance organizations and arrangements."

GOVERNMENT: "There is a need for mechanisms to consider topics and issues that are not currently being adequately addressed by existing Internet governance arrangements."

PRIVATE SECTOR: "Consideration should be given to the possible need for increased coordination and collaboration between existing organizations to adequately address emerging topics and issues currently being addressed by existing Internet governance arrangements."

Government: demands examples and suggests alteration of the paragraph including examples of those issues, or deletion of the paragraph

CIVIL SOCIETY: affirms that there are already mapping efforts in the "CSTD Working Group on Enhanced Cooperation" and that NETmundial doesn't need address it

¶ 17

2.   There is a need for a strengthened Internet Governance Forum (IGF). Important recommendations to that end were made by the UN CSTD working group on IGF improvements.

Comments on this paragraph: 8

No comments in this section offered any direct alteration of the text. The original comments and the exchange of arguments that followed can be accessed in the attached spreadsheet containing the full set of comments.

¶ 18

Improvements should include inter-alia:

Comments on this paragraph: 0

¶ 19

a.   Improved outcomes: Improvements can be implemented including creative ways of providing outcomes/recommendations and the analysis of policy options;

Comments on this paragraph: 12

Edit proposals with rationale

> **GOVERNMENT:** suppression "recommentations".
> > **Rationale:** *affirms that it is not in the IGF scope to propose recommendations.*
> > **(-1) CIVIL SOCIETY** there is specific reference to recommendations in "paragragh 72(g)"

Edit proposals without rationale

> **ACADEMIA:** addition "1. publish a series of recommendations, similar to IETF RFC, in particular on its "Informational documents". Examples may include "Multistakeholder Model".

> **PRIVATE SECTOR:** addition: "while maintaining the essential character of the IGF as a discussion and knowledge sharing rather than a negotiation / decision-making forum;"

¶ 20

b.   Extending the IGF mandate beyond five-year terms;

Comments on this paragraph: 8

Edit proposals with rationale

> **GOVERNMENT:** suggests the removal of this paragraph
> > **Rationale:** *it is inappropriate.*

Edit proposals without rationale

> **CIVIL SOCIETY:** deletion.

> **CIVIL SOCIETY:** addition: **"**on condition of formation of clear representation, structure and decision-making."

> **TECHNICAL COMMUNITY:** deletion.

¶ 21

c.   Ensuring guaranteed stable and predictable funding for the IGF is essential;

Comments on this paragraph: 3

Edit proposals with rationale

> **GOVERNMENT:** suggests the removal of this paragraph
> **Rationale:** *it is inappropriate.*

Edit proposals without rationale

> **Government:** suggests a different writing: "While ensuring guaranteed stable and predictable funding is essential, a balanced source of funding, accountability and transparency are necessary in order to avoid specific stakeholders having excessive influence on IGF."

¶ 22

d.   The IGF should adopt mechanisms to promote worldwide discussions between meetings through intersessional dialogues.

Comments on this paragraph: 8

Edit proposals with rationale

> **GOVERNMENT:** suggests the removal of this paragraph
> **Rationale:** *it is inappropriate.*

Edit proposals without rationale

> **ACADEMIA:** demands mention to strengthened secretariat.

> **GOVERNMENT:** alteration of "adopt" for "consider".

> **CIVIL SOCIETY:** alteration of "dialogues" with "working groups".

¶ 23

A strengthened IGF could better serve as a platform for discussing both long standing and emerging issues with a view to contributing to the identification of possible ways to address them.

Comments on this paragraph: 2

No comments in this section offered any direct alteration of the text. The original comments and the exchange of arguments that followed can be accessed in the attached spreadsheet containing the full set of comments.

¶ 24

3.   There should be adequate communication and coordination among existing forums, task forces and organizations of the Internet governance ecosystem. Periodical reports, formal liaisons and timely feedbacks are examples of mechanisms that could be implemented to that end. It would be recommendable to analyze the option of creating Internet governance coordination tools to perform on-going monitoring, analysis, and information-sharing functions.

Comments on this paragraph: 7

Edit proposals with rationale

> **GOVERNMENT:** suggests the removal of this paragraph
> > **Rationale:** *it is inappropriate.*

Edit proposals without rationale

> **GOVERNMENT:** alteration of "coordination" for "information sharing".

> **PRIVATE SECTOR:** "… Periodic reports, formal liaisons and timely feedbacks are examples of mechanisms that could be implemented to that end. It would be beneficial to analyze the option of adopting or creating coordination tools to perform on-going monitoring, analysis, and information-sharing functions."

> **GOVERNMENT:** demands attention to the part "on-going monitoring, analysis, and information-sharing functions".

¶ 25

4.   In the follow up to the recent and welcomed announcement of US Government with regard to its intent to transition the stewardship of IANA functions, the discussion about mechanisms for guaranteeing the transparency and accountability of those functions after the US Government role ends, has to take place through an open process with the participation of all stakeholders extending beyond the ICANN community.

Comments on this paragraph: 13

Edit proposals with rationale

> **ACADEMIA:** replacement of "all stakeholders" with "all stakeholders and countries"
> **Rationale:** *the need of as many countries as possible in the process.*

> **GOVERNMENT:** suggests the removal of this paragraph
> **Rationale:** *it is inappropriate.*

Edit proposals without rationale

> **N/A:** demands that the discussion has to extend beyond the I* as well as beyond ICANN.

> **CIVIL SOCIETY:** different writing; "In the follow up to the recent and welcomed announcement of US Government with regard to its intent to transition the stewardship of IANA functions, the discussion about mechanisms for guaranteeing the transparency and accountability of those functions after the US Government role ends, has to take place through an open process with the participation of all stakeholders extending beyond the ICANN community. Suitable platform for this could be IGF."

¶ 26

The IANA functions are currently performed under policies developed in processes hosted by several organizations and forums. Any adopted mechanism should protect the bottom up, open and participatory nature of those policy development processes and ensure the stability and resilience of the Internet.

Comments on this paragraph: 9

Edit proposals with rationale

> **PRIVATE SECTOR:** deletion of the paragraph.
> **Rationale:** *those issues are addressed in other fora.*

> **GOVERNMENT:** deletion of the paragraph.
> **Rationale:** *it is not relevant to the core discussion.*

Edit proposals without rationale

> **CIVIL SOCIETY:** alteration "The IANA functions are currently performed under policies developed in processes hosted by several organizations and forums. Any adopted mechanism should protect open and participatory nature of those policy development processes and ensure the stability and resilience of the Internet."

> **PRIVATE SECTOR:** alteration "The IANA functions are currently performed under policies developed in processes hosted by several organizations and forums. Any adopted mechanism should protect the bottom up, open and participatory nature of those policy development processes and ensure the stability, resilience and operational functionality of the Internet and its multistakeholder governance mechanisms."

¶ 27

This transition should be conducted thoughtfully with a focus on maintaining the security and stability of the Internet, empowering the principle of equal participation among all stakeholder groups and striving towards a completed transition by September 2015.

Comments on this paragraph: 25

Edit proposals with rationale

> **CIVIL SOCIETY:** "This transition should be conducted in accordance with the sprit of of the Tunis Agenda, which calls for the participation of all governments on an equal footing. In this context, we note that, at present, one government has unilaterally decided on the process and has set conditions on the outcome, and that one organizations has unilaterally set the scope of discussions in a top-down manner that is being challenged even within that organization itsself. This must be revisited and the transition must be agreed by all stakeholders, in accordance with their respective roles and responsibilities. It is important to strive towards a completed transition by September 2015."
>> **Rationale:** *The conditions set at present on the transition are unwarranted. There is clearly a need to ensure different structures are put in place that can ensure public policy is framed in a legitimate, representative fashion and at the same time ensure that operational aspects are not retarded by the vagaries of international diplomacy or political processes. * There cannot be "equal" participation of all stakeholders in all processes due to the differing nature of their roles and responsibilities. For instance, corporations serve a narrow interest – that of their shareholders. Putting them on par with governments – which represent citizens makes a mockery of all understood norms of representative, legitimate and participatory democracy. *There must be clarity that ICANN is only to provide oversight to IANA operations. * Why utilize both the words 'global' and 'international'? This creates ambiguity in the document.*

> **GOVERNMENT:** deletion of the paragraph.
>> **Rationale:** *it is not appropriate.*

Edit proposals without rationale

CIVIL SOCIETY: alteration "This transition should be planned based on understanding and in the spirit of principles agreed by the WSIS in 2003 and 2005, meaning inclusive of all nations and stakeholders, from developing and developed countries alike, and conducted in a transparent, open, constructive manner with a view to ensuring a more equitable and accessible Internet for all."

CIVIL SOCIETY and PRIVATE SECTOR: "This transition should be conducted thoughtfully with a focus on maintaining the security and stability of the Internet, empowering the principle of equal participation among all stakeholder groups in accordance with international law, and striving towards a completed transition by September 2015." (SAME TEXT)

CIVIL SOCIETY: addition "To this end, we recommend that a full session be devoted to discussing progress on this issue at the Internet Governance Forum meeting in Istanbul in September 2014"

ACADEMIA: addition "It is desirable to keep an adequate separation between the policy process and its operational aspects. The IANA transition must decide whether structural or functional sepration is the best way to do this."

CIVIL SOCIETY: addition "It is desirable to keep an adequate separation between the policy process and its operational aspects as well as strong independent oversight. All stakeholders must be able to meaningfully contribute to the deliberative IANA transition process in which will be decided whether structural or functional separation is the best way to do this."

¶ 28

5.   It is expected that the process of globalization of ICANN speeds up leading to a truly international and global organization serving the public interest with an independent status and clear accountability mechanisms that satisfy requirements from both internal stakeholders and the global community.

Comments on this paragraph: 20

Edit proposals with rationale

CIVIL SOCIETY: "The IANA transition should lead to truly globalized stewardship of the DNS root, and an independent ICANN with clear accountability mechanisms that serve the interests of both internal stakeholders and the global public."
> **Rationale:** *the language is awkward.*
> **(+1) CIVIL SOCIETY**

CIVIL SOCIETY: addition of "external and meaningful" before the phrase "accountability mechanisms…"
> **Rationale:** *describe the intentions of create checks and balance.*

CIVIL SOCIETY: deletion of the paragraph.
> **Rationale:** *the ICANN is a representative and legitimate body.*

PRIVATE SECTOR: addition of "while respecting national cultural and legal frameworks".
> **Rationale:** *The ICANN is not an international treaty body and does not overrule national laws or impose cultural harmonisation.*

GOVERNMENT: suppression of "an independent status and".
   Rationale: *ICANN is an independent body.*

Edit proposals without rationale

GOVERNMENT: addition. the concept of "internationalization" should be after "the process of globalization".

PRIVATE SECTOR: addition of "non-governmental" prior to organization.

CIVIL SOCIETY: alteration of the text. "It is expected that the process of globalization of ICANN speeds up leading to a truly international and global organization under the auspices of the UN in international law serving the public interest with an independent status and clear accountability mechanisms that satisfy from international society requirements from both internal stakeholders and the global community."

PRIVATE SECTOR: alteration. "It is expected that the process of globalization of ICANN speeds up leading to a truly international and global non-governmental organization serving the public interest with an independent status and clear accountability mechanisms that satisfy operational technical requirements and policy requirements of all relevant stakeholders."

¶ 29

The active representation from all stakeholders in the ICANN structure from all regions is a key issue in the process of a successful globalization.

Comments on this paragraph: 10

Edit proposals with rationale

ACADEMIA: replace "as many countries as possible" with "all regions".
   Rationale: *the need to engage as many countries as possible.*

GOVERNMENT: suggests the inclusion of "internationalization" after "globalization".
   Rationale: *affirms that the legitimacy of the ICANN demands its internationalization.*

Edit proposals with rationale

CIVIL SOCIETY: replace "Stakeholder" with "countries"; and "from all regions" with "including all stakeholders, in their respective roles and responsibilities"
(-1) CIVIL SOCIETY

CIVIL SOCIETY: "The operational aspects of the IANA function and the root zone management function must not be subject to the law of any one country, that is, they must benefit from immunity of jurisdiction"

CIVIL SOCIETY: the following suggestions "The active representation from all stakeholders in the ICANN structure from all countries, including all stakeholders in their respective roles and responsibilities issue in the process of a successful globalization." and "The operational aspects of the IANA function and the root zone

management function must not be subject to the law of any one country, that is, they must benefit from immunity of jurisdiction"

PRIVATE SECTOR: alteration "The effective representation from all stakeholder groups in the ICANN structures from all regions, as well as other stakeholders, is a key issue in the process of a successful and accountable globalization for ICANN."

TECHNICAL COMMUNITY: addition of a new sentence which ensures that the IANA function and the root zone is not subject to the law of any particular state.

¶ 30

III. Issues dealing with specific Internet Governance topics

Comments on this paragraph: 3

Edit proposals with rationale

Government: deletion of the document.
> **Rationale:** *the themes referred here are controversial. The comment affirms that alternatively this section could be rewritten, but offer no specific text suggestion.*

Government: deletion of the document.
> **Rationale:** *the points have been addressed earlier in this document.*

¶ 31

1.   Security and Stability

Comments on this paragraph: 2

No comments in this section offered any direct alteration of the text. The original comments and the exchange of arguments that followed can be accessed in the attached spreadsheet containing the full set of comments.

¶ 32

a. It is necessary to continue work pursuing international agreements on topics such as jurisdiction and law enforcement assistance to promote cybersecurity and prevent cybercrime. Discussions on those issues should be held in a multistakeholder manner.

Comments on this paragraph: 29

Edit proposals with rationale

> **ACADEMIA:** mention real-world cases of cyber attacks from one state nation to another.
>> **Rationale:** *Cyber Defense has, at least, the same importance level as Cyber Crime. Cyber Attacks include, as an example and within a Cyber Defense context, attacks oriented to damage critical infrastructure systems in the attacked state. May a Cyber Defense mention be incorporated?*
>> **(+1) GOVERNMENT**

> **CIVIL SOCIETY:** suggests the following text: "It is necessary to continue work pursuing international global multilateral agreements on topics such as jurisdiction and law enforcement assistance to prevent cyberwarefare, to promote cybersecurity and prevent cybercrime. Discussions on those issues should be held in a multistakeholder manner, in accordance with the respective roles and responsibilities of the stakeholders."
>> **Rationale**: *I object strongly to the deletion of references to a multilateral treaty to protect against cyber warfare. As more and more critical infrastructure resources around the world are maintained and operated through digital mechanisms, ensuring the security of these installations from targeted attacks is critical. While discussions can certainly be multistakeholder in process, framing a global agreement is the core business of governments and this must be explicitly recognised. A multilateral agreement ensuring cyber peace and de-militarising the Internet is essential if we are not to see the Balkanisation of the Internet – which given the Snowden revelations is a very real possibility as more and more governments look to set up independent mechanisms to ensure their safety against unwarranted attack.*
>> **(+1) CIVIL SOCIETY**
>> **(+1) ACADEMIA**
>> **(+1) TECHNICAL SECTOR**

> **PRIVATE SECTOR:** suggests the following wording: "It is necessary to continue work pursuing international cooperation on topics such as jurisdiction and law enforcement assistance to promote cybersecurity and prevent cybercrime. Discussions on those issues should be held in a multistakeholder manner."
>> **Rationale:** *Recognizing the difficulty and restrictiveness of formal agreements, and the need for flexible, rapid responses to cyber threats, Intel proposes [the above]*

> **PRIVATE SECTOR:** suggests reinserting language that was in a previous version "International agreements should include measures of restraining cyber weapons development and deployment."
>> **Rationale:** *Right now the militarisation of the internet is occurring – over 100 governments have dedicated resources to fighting battles online. The "cybersecurity" business is growing rapidly; Peter Singer and Allan Friedman's book, "Cyber Security*

and Cyber War" estimate that in 2013 the US market alone was worth $65 billion. As more and more critical infrastructure resources around the world are maintained and operated through digital mechanisms, ensuring the security of these installations from targeted attacks is critical. International agreements are needed on how to prevent conflict in other traditional security domains from spreading to the cybersphere, and also to to avoid cyber activities being a trigger for wider conflict. Cyber is different to other threats to peace and security that relevant actors are accustomed to addressing through diplomacy and arms control. Mutual understanding and definitions of attack in the cyber domain will certainly require more research as is suggested in comments above, but in order to reach international agreement on methods for cyber strategic messaging and filling the many gaps that need to be filled to build an enduring cyber stability regime.

GOVERNMENT: suggest replacing "agreements" with "cooperation."
Rationale: *There is broad consensus for the need to continue international cooperation on these issues. There is not international consensus on the need for additional treaties or agreements on these issues, however.*

Edit proposals without rationale

N/A: suggests the following text: "It is necessary to continue work pursuing international agreements on topics such as jurisdiction and law enforcement assistance and capacity building on literate use of the Internet and its resources as well as understanding of key principles to promote cybersecurity and prevent cybercrime. Discussions on those issues should be held in a multistakeholder manner."
(+1) ACADEMIA

GOVERNMENT: add "…pursuing international agreements and cooperation on topics…"

CIVIL SOCIETY: suggests the following wording "It is necessary to continue work pursuing international agreements on topics such as jurisdiction and law enforcement assistance to promote cybersecurity and prevent cybercrime and ensure the stability of all processes on the Internet. Discussions on those issues should be held in a multistakeholder manner.

ACADEMIA: suggests new text "It is necessary to continue work, with high priority, pursuing international agreements on topics such as cyber warfare, cyber espionage and cybercrime, especially organized transnational cybercrime. Additionally, jurisdiction and law enforcement assistance issues, to promote cybersecurity and prevent unlawful o military uses of the Internet, should be internationally analyzed. It is also necessary to ensure the stability of all processes on the Internet. Discussions on those issues should be held in a multistakeholder manner and in a context of international cooperation."

CIVIL SOCIETY: replace the word "agreements" with "cooperation"

PRIVATE SECTOR: recommends deletion of the paragraph

GOVERNMENT: "…to promote cybersecurity, prevent and prosecute cybercrime, and combat spam. Discussions on these issues should include all stakeholders, in their respective roles, with particular expertise and responsibility for these issues."

¶ 33

b.   Initiatives to improve cybersecurity and address digital security threats should involve appropriate collaboration among private sector, researchers, technical experts, governments and NGOs. There are stakeholders that still need to become more involved with cybersecurity, for example, network operators and software developers.

Comments on this paragraph: 13

Edit proposals with rationale

> **ACADEMIA:** replace "researchers, technical experts, governments" and NGOs" with the stakeholder terms this documents defines.
>> **Rationale:** *this paragraph may be confusing as new stakeholders such as researchers, software developers,..are introduced. it may be better to stick to stakeholders this document defined; government, civil society, private sector, technical community, academic community, and users. "researchers" or "technical experts" may be confusing wrt to academic community and technical community.*

> **GOVERNMENT:** adds the following sentence "It is therefore important to develop education on cyber issues at all levels as well as leading-edge academic research and development."
>> **Rationale:** *The UK Government believes it would be useful to expand this paragraph to include relevant skills development and proposes therefore the [above] additional sentence*

> **GOVERNMENT:** additional explanation why network operators and software developers involvement is at the moment not sufficient. Alternatively the text may be redrafted to clarify that: all stakeholders need to become more involved with cybersecurity.
>> **Rationale:** *Cyber security is indeed one of the topics requiring deeper involvement of all stakeholders. Nonetheless text in present form may suggest, that the involvement of net operators and software developers is, unlike involvement of other stakeholders, not sufficient. Such motion may not be fully justified. Network infrastructure and programs running on top of it are constantly under threat of attacks, security breaches or system failures. Most of the network operators and software developers are involved in cyber security on a daily basis*

> **PRIVATE SECTOR:** new text "International agreements should include measures of restraining cyber weapons development and deployment."
>> **Rationale:** *Right now the militarisation of the internet is occurring - over 100 governments have dedicated resources to fighting battles online. The "cybersecurity" business is growing rapidly; Peter Singer and Allan Friedman's book, "Cyber Security and Cyber War" estimate that in 2013 the US market alone was worth $65 billion. As more and more critical infrastructure resources around the world are maintained and operated through digital mechanisms, ensuring the security of these installations from targeted attacks is critical. International agreements are needed on how to prevent conflict in other traditional security domains from spreading to the cybersphere, and also to to avoid cyber activities being a trigger for wider conflict. Cyber is different to other threats to peace and security that relevant actors are accustomed to addressing through diplomacy and arms control. Mutual understanding and definitions of attack in the cyber domain will certainly require more research as is suggested in comments above, but in order to reach international agreement on methods for cyber strategic messaging and filling the many gaps that need to be filled to build an enduring cyber stability regime.*

Edit proposals without rationale

GOVERNMENT: suggests the following text "Initiatives to improve cybersecurity and address digital security threats should involve appropriate collaboration among private sector, researchers, technical experts, media and information providers, governments, international organizations, civil society and and NGOs. There are stakeholders that still need to become more involved with cybersecurity, for example, network operators and software developers, as well as organizations directly involved in capacity building on literate use of the Internet and its resources. Cybersecurity initiatives should include a capacity building component that provides basis for literate use of the Internet and its resources. Such use of the Internet is one of the key means and measures to ensure security, stability, inclusion and participation of all stakeholders."

CIVIL SOCIETY: new text "Initiatives to improve cybersecurity and address digital security threats should involve appropriate collaboration among governments as well as private sector, researchers, technical experts, governments and NGOs. There are stakeholders that still need to become more involved with cybersecurity, for example, network operators and software developers."

PRIVATE SECTOR: last sentence should read "There are stakeholders that still need to become more involved with cybersecurity, for example, network operators and software developers [from developing countries]."

¶ 34

c.   There is room for new forums and initiatives, they should not duplicate, but to add to current structures. All stakeholders should aim to leverage from and improve these already existing cybersecurity organizations. The experience accumulated by several of them demonstrates that, in order to be effective, any cybersecurity initiative depends on cooperation among different stakeholders, and it cannot be achieved via a single organization or structure.

Comments on this paragraph: 10

Edit proposals with rationale

GOVERNMENT: change first sentence to "There may be a need for new forums and initiatives. However, they should not duplicate but to add to current structures."
   Rationale: *...make clear that it is not yet agreed that there should be new forums and initiatives.*

PRIVATE SECTOR: new text "There is room for new initiatives, they should not duplicate, but to add to current structures. If no relevant forum exists that can address such new initiatives, new initiatives could be considered to address specific issues in a focused and collaborative manner. All stakeholders should aim to leverage from and improve these already existing cybersecurity organizations, recognizing that many are private sector supported and initiated. The experience accumulated by several of them demonstrates that, in order to be effective, any

cybersecurity initiative depends on cooperation among different stakeholders, and it cannot be achieved via a single organization or structure."

> **Rationale:** *While there may be new and emerging issues related to Internet governance that will need to be addressed, there is no need to establish new fora. Rather than new fora, a better approach would be to consider how best to address new issues through existing fora and mechanisms.*

Edit proposals without rationale

CIVIL SOCIETY: add item (d) "To solve the problem of provision of integrity, sustainability and security of national Internet segments functioning, states must have equal rights to govern Internet (including allocation, assignment and withdrawing numbering recourses, names, addressing and identification of the Internet, operation support and development of primary Internet infrastructure), which should be guaranteed by the competent international organization".

CIVIL SOCIETY: "There is room for new forums and initiatives, they should not duplicate, but to add to current structures. All stakeholders should aim to respect human rights, to leverage from and improve these already existing cybersecurity organizations. The experience accumulated by several of them demonstrates that, in order to be effective, any cybersecurity initiative depends on cooperation among different stakeholders, and it cannot be achieved via a single organization or structure."

PRIVATE SECTOR: "There is room for new initiatives that do not duplicate but add to current structures. If no fora exist that can take on such new initiatives, new non-duplicative initiatives could be considered to address those specific issues in a narrowly tailored and collaborative manner.   All stakeholders should aim to leverage from and improve these already existing cybersecurity organizations, recognizing that many are private sector supported and initiated. The experience accumulated by several of them demonstrates that, in order to be effective, any cybersecurity initiative depends on cooperation among different stakeholders, and it cannot be achieved via a single organization or structure."

¶ 35

2. Internet surveillance – Mass and arbitrary surveillance undermines trust in the Internet and trust in the Internet governance ecosystem. Surveillance of communications, their interception, and the collection of personal data, including mass surveillance, interception and collection should be conducted in accordance with states' obligations under international human rights law. More dialogue is needed on this topic at the international level using forums like IGF and the Human Rights Council aiming to develop a common understanding on all the related aspects.

Comments on this paragraph: 32

Edit proposals with rationale

> **GOVERNMENT:** recommends deleting "including mass surveillance" in the second sentence
> > **Rationale:** *As there is no reference to "mass surveillance" in international human rights laws, the UK government recommends deleting "including mass surveillance" in the second sentence (fourth line). We believe that the sense of the text would not be impaired by this deletion.*
> > **(-5) CIVIL SOCIETY** Mass surveillance is, by definition, disproportionate, as it knowingly targets innocent people. Mass surveillance is a clear violation of human rights and this clause should clearly state that it will not be tolerated.

> **CIVIL SOCIETY:** replace with "Internet surveillance – Mass and arbitrary surveillance undermines trust in the Internet and trust in the Internet governance ecosystem. Surveillance of communications, their interception, and the collection of personal data, including mass surveillance, interception and collection must be limited to what is necessary and proportional and must be subject to judicial review and transparent public oversight. If necessary, existing international instruments should be adapted to ensure this."
> > **Rationale:** *This paragraph fails to adequately respond to and prohibit mass surveillance – which was one of the issues that prompted the call for this meeting in the first place. The text is completely anodyne and permits the continuance of practices of which Snowden has made us all aware – the targeting of innocent civilians around the world without just cause. By removing references to 'necessity' and 'proportionality' the document fails to ensure that limitations on personal freedoms (such as freedom of speech and association) are not exercised in a disproportionate manner and permits the implementation of inequitable and unjust legislation by nation states – which may well lead to increased instances of censorship and invasions of privacy, or at any rate is unlikely to check existing problems. It is not acceptable to say that is "should" be in accordance with human rights. It must be in accordance with such rights and there is no need to state that here – it is an understood and accepted legal principle, enshrined in UN instruments. There may be a need to adapt the existing instruments to reinforce existing rights. It is also recommended that language be inserted that condemns, in the strongest possible terms the active weakening of important infrastructure and technical standards – which we know enables mass surveillance.*

(+2) TECHNICAL COMMUNITY
(+1) CIVIL SOCIETY

CIVIL SOCIETY: direct reference to the International Principles on the Application of Human Rights to Communications Surveillance
https://en.necessaryandproportionate.org – should be included in this paragraph
> **Rationale:** *...they constitute comprehensive principles to ensure communication surveillance policies and practices are proportionate, necessary and in accordance with human right obligations*

CIVIL SOCIETY: make reference to the need for principles of non-discrimination and extraterritoriality
> **Rationale:** *to ensure that non-citizens are able to enjoy protections as their data/communications flow through several countries depending on the route it takes or the services they use*

GOVERNMENT: delete "including mass surveillance, interception and collection"; supplementing the text with explanation, that any surveillance mechanism, to be perceived as consistent with the human rights, must respect [below] mentioned values and rules
> **Rationale:** *It is unclear whether it is intentional, but the text in current form may suggest that there might be "mass surveillance, interception and collection" programs which are consistent with human rights and democratic values. It is very controversial thesis which cannot be accepted in democratic countries following the rule of law. By definition "mass surveillance" is not consistent with human rights and democratic values. It is obvious, that in democratic countries mechanisms allowing empowered state organs to intercept private communication, also on the Internet, must exist. But the rule of law and democratic values states, that such interception or surveillance must respect specific and strict rules: - there must be specific legislation setting limits of powers of surveillance authorities and providing necessary protection for citizens' rights; - use of surveillance mechanisms must be under supervision of court; - such mechanism may be used only in case of reasonable suspicion of committing a crime and only against specific (named) person or persons; - mechanism used must be proportional and may be used only for specific time period (not indefinitely). Thus "mass" surveillance may never be acknowledged as consistent with human rights and the rule of law, since "mass" means that it may be used against any individual, even if there is no suspicion of a crime. Moreover when it comes to "mass" surveillance there cannot be any real court supervision, the powers of surveillance authorities are out of control, and the surveillance mechanism may be used indefinitely.*

PRIVATE SECTOR: delete "human rights", before "law"
> **Rationale:** *the full spectrum of applicable international law needs to be considered*

Edit proposals without rationale

CIVIL SOCIETY: suggests inclusion of the following sentence ""In the meantime, we recommend the "necessary and proportionate" principles (contained athttps://en.necessaryandproportionate.org/text) as a guideline to evolution of policy in this area
(+6) CIVIL SOCIETY

ACADEMIA: suggests the following second sentence: "Surveillance of communications, their interception, and the collection of personal data, including mass surveillance, interception and collection should be conducted proportionnaly to

the field where applied after a due processed judicial review limiting the collect of the said data"

CIVIL SOCIETY: "should be conducted" should read "should ONLY be conducted".

PRIVATE SECTOR: suggests the following second sentence "… Surveillance of communications, their interception, and the collection of personal data, including mass surveillance, interception and collection should be conducted in accordance with states' [legal rights and] obligations[, including those] under international human rights law. …"

GOVERNMENT: replace paragraph with "Internet surveillance – Mass and arbitrary surveillance undermines trust in the Internet and trust in the Internet governance ecosystem. Surveillance of communications, their interception, and the collection of personal data, including mass surveillance, interception and collection should be conducted in accordance with states' obligations under international human rights law. More dialogue is needed on this topic at the international level using forums like IGF aiming to develop a common understanding on all the related aspects."
(-1) CIVIL SOCIETY

GOVERNMENT: delete paragraph
> **Rationale:** *It duplicates the item under Human Rights.*

¶ 36

3.   Capacity building and financing are key requirements to ensure that diverse stakeholders have an opportunity for more than nominal participation, but in fact gain the knowhow and the resources for effective participation. Capacity building is important to support the emergence of true multistakeholder communities, especially in those regions where the participation of some stakeholders groups needs to be further strengthened.

Comments on this paragraph: 4

Edit proposals with rationale

N/A: replace paragraph with "Capacity building and financing are key requirements to ensure that diverse stakeholders have an opportunity for more than nominal participation, but in fact gain the knowhow and the resources for effective participation. Support to capacity building would include making sure that citizens, and youth especially, have access to, and acquire, media and information literacy (MIL) competencies, particularly in the school curriculum. These competencies should enable understanding of the context of ICTs, Internet and digital-related matters as well as technical skills. Ensuring access to MIL can inform and empower Internet users to become more critical and ethically-aware, more participative in Internet governance, and more capacitated to protect their human rights and fundamental freedoms. Capacity building is important to support the emergence of true multistakeholder communities, especially in those regions where the participation of some stakeholders groups needs to be further strengthened.
> **Rationale:** *Media and information literacy and skills should be elaborated here*

Edit proposal without rationale

> **CIVIL SOCIETY: "**Capacity building and financing are key requirements to ensure that diverse stakeholders have an opportunity for more than nominal participation, but in fact gain the knowhow and the resources for effective participation. Capacity building is important to support the emergence of true multistakeholder communities, especially in those regions where the participation of some stakeholders groups needs to be further strengthened, without violating someone's national interests."

> **GOVERNMENT:** "…the emergence of a true multistakeholder approach, especially…"

¶ 37

IV.   Points to be further discussed beyond NETmundial:

Comments on this paragraph: 3

Edit proposals with rationale

> **CIVIL SOCIETY:** delete this section
> > **Rationale:** *Why should the outcome document give special mention to a small of number issues that were raised which were off-topic? There are very many other issues that would be equally deserving of being mentioned as further discussion topics.*

> **GOVERNMENT:** make a brief introduction to this point explaining: what is the purpose of point IV or deletion of point IV
> > **Rationale:** *The official purpose of NETmundial was twofold: to develop global Internet governance principles and the road map of the Internet governance ecosystem evolution. These two goals are enshrined in points I and II of the document. Thus it is unclear what is the purpose of the point IV. One may ask why these points were chosen, since there are numerous other topics without a doubt worth considering, only to name few: net neutrality, privacy, infrastructure development, business online and many other. Since the purpose of this point is unclear we also submit for consideration, as an alternative, deletion of point IV.*

> **N/A:** Propose to delete section IV (blocks 37 through 41)
> > **Rationale:** *for the reasons that there are very many issues that may need to be further discussed beyond NETmundial, that this would not be a complete list, and that this is clearly communicated in section V.*

¶ 38

Several contributions to NETmundial identified points that need further discussion and better understanding:

Comments on this paragraph: 7

Edit proposals with rationale

> **GOVERNMENT:** delete this section
> **Rationale:** The UK Government considers that this section represents a limited selection of issues which are being discussed in various existing fora. It is not clear therefore what precise purpose this text serves and it might therefore be deleted without detracting from the rest of the document.

> **GOVERNMENT:** justify inclusion of topics
> **Rationale:** *Many other points were raised in the contributions. For purposes of transparency, it should be explained why only these three were selected.*

Edit proposals without rationale

> **CIVIL SOCIETY:** new revision "Several constributions to NETmundial identified points that need urgent discussion and better understanding:"

¶ 39

> ● *Different roles and responsibilities of stakeholders in the Internet governance ecosystem, including the meaning and application of equal footing.*

Comments on this paragraph: 4

Edit proposals with rationale

> **CIVIL SOCIETY:** go further and say how and where this should be further explored
> **Rationale:** *Does NETmundial recommend that a new CSTD Working Group explore this issue? Or that the IGF do so? It cannot simply be left hanging, without any guidance as to where the disagreement can be resolved.*

> **PRIVATE SECTOR:** revised text "Different competencies and expertise of stakeholders in the Internet governance ecosystem, including the meaning and application of equal footing"
> **Rationale:** *ITI proposes changing "roles and responsibilities" to competencies and expertise." This reflects the need for participation to be appropriate to the forum based on needed skills and capacities*

¶ 40

- *Jurisdiction issues and how they relate to Internet governance.*

Comments on this paragraph: 7

Edit proposals with rationale

GOVERNMENT: include an invitation to interested parties to develop a "scoping paper" by July 2014; facilitate on-line and off-line engagement opportunities, as appropriate, in the run-up to the 9th Internet Governance Forum (Istanbul, Turkey, 2-5 September 2014); following these discussions, aim to produce a first draft of "problem statements" and possible recommendations by the first half of 2015."

> **Rationale:** *The NETmundial draft outcome document clearly identifies jurisdictional issues and how they relate to Internet governance as "material for further discussion". While I understand and agree that a full debate on this broad topic during NETmundial would be neither desirable nor productive, we should have a stronger commitment to a phase-by-phase examination of this issue, with a view to produce "good practice" guidelines as appropriate.*
> **(+1) CIVIL SOCIETY**

Edit proposals without rationale

CIVIL SOCIETY: add " The implementation of international legal norms establishing common and obligatory rules of Internet governance for the governments and other stakeholders will ensure stable and secure functioning of the Internet on the basis of international law".

¶ 41

- *A principle based code of conduct and related indicators for the Internet governance ecosystem.*

Comments on this paragraph: 12

Edit proposals with rationale

PRIVATE SECTOR: strike this bullet
> **Rationale:** *It is not clear what it is intended*

N/A: delete this topic
> **Rationale:** *there is no consensus on the need to develop international code of conducts. Rather, international law and human rights apply equally online as they do offline*
> **(+2) PRIVATE SECTOR**

Edit proposals without rationale

CIVIL SOCIETY: addition after this block - Preventing abuse of dominant positions, at both national and international levels; Basic Internet services as public services available to all; Infrastructure as a public good; Financial issues
(+1) CIVIL SOCIETY
(+1) TECHNICAL COMMUNITY

(+1) ACADEMIA

¶ 42

V. Way Forward

Comments on this paragraph: 2

No comments in this section offered any direct alteration of the text. The original comments and the exchange of arguments that followed can be accessed in the attached spreadsheet containing the full set of comments.

¶ 43

All the organizations, forums and processes of the Internet governance ecosystem are encouraged to take into account the outcomes of NETmundial.

Comments on this paragraph: 14

Edit proposals without rationale

> **GOVERNMENT:** "All the organizations, forums and processes of the Internet governance ecosystem are encouraged to implement and adhere to all the outcomes principles agreed in NETmundial."

¶ 44

It is expected that the NETmundial findings and outcomes will feed into other processes and forums, such as WSIS+10, IGF, and all Internet governance discussions held in different organizations and bodies at all levels.

Comments on this paragraph: 10

Edit proposals without rationale

> **CIVIL SOCIETY:** include ICANN's name to paragraph

> **CIVIL SOCIETY:** add "Summits in the WSIS format"

> **CIVIL SOCIETY:** Suggest deletion after "forums".

> **CIVIL SOCIETY:** revised text "It is expected that the NETmundial findings and outcomes will discuss into other processes and forums, such as WSIS+10, IGF, and all Internet governance discussions held in different organizations and bodies at all levels."

PRIVATE SECTOR: recognize the importance of the CSTD and other Internet governance discussions as forums for further consideration of NETMundial outcomes.
(+1) CIVIL SOCIETY

PRIVATE SECTOR: last sentence should read "It is expected that the NETmundial findings and outcomes will feed into other processes and forums, such as WSIS+10, IGF, CSTD, and other Internet governance discussions held in different organizations and bodies at all levels."

GOVERNMENT: suggests deleting "it is expected that" and replacing "will feed into" with "are encouraged to be discussed in" and replacing "all Internet governance discussions" with "other Internet governance discussions".

¶ 45

The follow up and future discussions of topics listed in this document should inform work convened by existing entities or bodies. They should present reports of their works in major Internet governance meetings.

Comments on this paragraph: 8

Edit proposals with rationale

PRIVATE SECTOR: proposes language that considers the creation of post-NETMundial work-streams "as appropriate."
>**Rationale:** *regards this language as somewhat presumptuous. As drafted, it assumes that existing forums, in fact, will convene new work-streams to address the outcomes of the NETMundial.*

Edit proposals without rationale

CIVIL SOCIETY: "The follow up and future discussion of topics listed in this document should inform the establishing the legal framework for international Internet governance, the work, prompt the creation of expert groups and, task forces or groups of facilitators convened by existing entities or bodies. They should present reports of their works in major Internet governance meetings."