

Digital Global Compact Deep Dive on Internet Governance
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(as one of the three briefers for the session, along with Vint Cerf (internet pioneer) and Tripti Sinha (Chair, ICANN))

1. Good Morning, afternoon and evening.
2. Thank you to the madam chair and co-convenors
3. Given Vint and Tripti represent or have a view of the issues globally and from a technical and private sector perspective, let me talk about the global south, or at least the emerging economies in the global south.
4. What does internet governance look like from where people like me are sitting?
5. **When we look at the Private sector:** we recognize the vital role played by them in providing what was traditionally considered a public service, a service that our public sector/governments failed at providing for its citizens for many years until private capital was allowed.
 - a. We see private actors being forced to choose sides in geopolitical battles that used to be played out between nation states.
 - b. We see the dominance of a handful of firms at each layer of the internet, and their ability to penetrate, participate and influence the conversations with governments at national level, and in between governments at international level, specially in multilateral spaces.
 - c. We WANT these firms to be at these conversations, hearing our concerns and needs on issues that impact human lives every day – on data, on privacy, on inclusion and on safety.
 - d. But we also see so many smaller, innovative private sector actors left out of these conversations, unable to compete against the network effects and dominance of the large players, unable to set agendas, unable to influence the conversations.
 - e. We see governments unable to use traditional competition tools to stop the dominance and long-term competition-harming effects of current market structures
 - f. At national level, we see alliances between large global digital platforms and our governments, squashing dissenting voices at the request of our governments, keeping non-democratic governments in power. The choice given to the private actors is to comply with government rules or to leave; and some leave, others comply.
6. **When we look at our governments:** We recognize the vital role that can be played by governments in ensuring a level playing field for new entrants at all point and levels of the internet value chain, and ensuring that human and socio-economic rights of the connected and unconnected are upheld by all actors in this value chain.
 - a. But we see far fewer of our governments from the global south meaningfully involved in issues around internet governance. One just needs to look at the

dishearteningly minimal participation by emerging economies in conversations related to internet governance at international fora.

- b. At times this lack of involvement is because of local administrative silos – many of our governments haven't still quite figured out where the topic of internet governance lies – is it with the telecom ministries and regulators? Is it the purview of the broadcasting ministry? Is it a newly formed digital economy ministry? How can they engage in decision making on a thing like the internet that spans so many sectors, when administrative structures exist in old silos?
- c. At other times, it's the lack of capacity to engage. This is a capacity that can be filled and must be addressed. Because we know the vacuum is being filled by various actors (including private sector) who want to influence national policies in their favor, or by global geopolitical forces that want a particular vote on things related to digital governance. At other times, digital and data becomes a footnote in a larger trade negotiation.
- d. The lack of int'l engagement by our governments on internet governance is NOT a lack of interest. We know majority of countries are desperate to create knowledge economies and experience the growth that digital transformation brings about. They are desperate to see in their coffers at least a small portion of the global taxation revenues that their users generate for a handful of global north countries. And they are making policies to gain economic benefits of everything from AI to data without the policy frameworks to mitigate the negative consequences. Adoption of EU's GDPR in order to grow an IT outsourcing industry without developing the requisite skills or budgets to run a meaningful data protection authority is just one simple example.
- e. We have more evidence that the lack of int'l engagement by our governments in international internet governance is not a lack of interest. We only need to look at the efforts many governments have made to control the internet for their own needs, often non-democratic needs. Labels of national unity and national security are thrown around to take control of how and what data flows across a country's borders; speech the government doesn't like is labelled hate speech or disinformation. These processes are all too often helped by adopting legitimately developed laws from the global North or developed countries. Countries that have the requisite checks and balances on government power. But in the hands of less democratic states like those that many of us live in, it only harms democracy and puts people in jail. The waves of disinformation or hate speech laws modelled on those of Germany or Singapore and are being adopted across South Asia is just one example.
- f. Sometimes we do see global South governments making best attempts to run inclusive and multistakeholder processes in policy making related to the internet. Public consultations are held, but at times the final policy document is more influenced by another branch of government (usually defense or national security establishments) than the people's voice. At other times, public consultations are held but they are mere tick box exercises rather than a genuine attempt to shape better policy by involving diverse interests.

7. **From where we sit, we see the technical community:** and recognize the vital role played by them in keeping the internet operational day to day.
 - a. But too often they are presented and seen as neutral actors, helpless in the face of national rules that limit the borderless and innovative nature of the internet.
 - b. But keeping the internet open and functioning is a political act in many of our countries

8. **From where we sit, we see Civil Society,** and recognize the amazing progress civil society has made in breaking through and influencing conversations on internet governance.
 - a. At international fora, we see civil society having more space than before to connect, form coalitions, and push for change in creating a digital society that is inclusive.
 - b. While it's ever more inclusive, it is still a section of civil society that has the budgets and the insider track to engage.
 - c. We also see civil society at national level struggling to influence the way governments control the internet. We see them put in jail or exiled from their countries for being activists who speak truth to power, specially using the internet.

9. **From where we sit, we see multilateral institutions,** and recognize the absolutely vital role they play in convening and building consensus on topics related to internet governance. And recognize the efforts made by these institutions at including diverse voices and genuine commitment to multistakeholderism in a system that was designed to give supremacy to nation states only.
 - a. But we also see the constant positioning for power between multilateral institutions, and the take-over of agendas of these institutions by powerful nation states

10. So if this is a view of internet governance from the global south, it is a very mixed picture. How might we move forward?
 - a. Moving forward means we recognize that internet governance lies in a larger context governance – everything from poorly governed nations to the better governed are involved.
 - b. All these types of nations want a say in how the internet is governed. Some of them may want control for all kinds of non-democratic motives.
 - c. Moving forward also means recognizing the legitimate need of nation states to access content outside their jurisdiction and having trusted global processes that facilitate it.
 - d. But unless we bring them into governance discussions at a global level and create the conditions for changing their positions (“slowly slowly”, as they say here), and create conditions to address some of their legitimate needs, we will continue to have an increasingly fragmented internet, an us-vs-them internet, the good and bad internet

- e. Soft nudges are good. But we also need to work hard on global governance processes that hold governments to account and provides the checks and balances that are required. This specially includes the multilateral system that must work harder at holding rogue nations to account. Similar is the need for holding private sector actors to account.
 - f. Moving forward means defining ways in which our speech, and therefore a big part of our democracy, is not given over to the private sector platforms to moderate, but also ensuring that they are asked to have accountable, fair, and effective process to handle situations where our speech has been taken down. Similarly in the use of our data.
 - g. Moving forwards mean defining and understanding what multistakeholderism is today, and then redefining what real multistakeholderism might look like tomorrow. Is it the coming together and discussing? Is it awareness raising? Is it agenda setting, influencing policies, rules and norms? It also means enabling participants who are not already on the inside track to take part in these processes. This includes governments, private sector and civil society who are not at the table or not vocal at the table.
 - h. Moving forward means, even more importantly, working out ways in which multistakeholderism interacts with multilateralism. This is most important if we are move from the at times “multistakeholder theatre” which gives the appearance or illusion of participation, yet at times leaves final approvals and binding decisions to the multilateral processes or to national level rule-making that aren’t inclusive.
 - i. Moving forward might mean asking if the institutions of yesterday that were set up to discuss, shape, govern and operate the internet (such as IGF, ICANN, others) are still the institutions we need in the future to govern the internet. We may need to imagine what those new institutional structures should be. We may need ask what the relationship between the existing institutions should be.
 - j. Moving forward might also mean we take a careful look at all the challenges of new technology that we have somehow put under the internet governance umbrella – such as generative AI – and ask if there are other processes, venues that need to be created to address how these are governed. Putting everything under the internet governance umbrella creates a specialness, uniqueness and exclusiveness to the topic that often limits the discussion rather than broadening it.
11. In the end, I think the framing of this consultation and the questions it asks us to answer are almost not bold enough and limits us. And therefore it’s a missed opportunity to create a new and meaningful digital global compact.
- a. Because the challenge is not so much about governing the internet so that the internet is inclusive, safe, global and secure.
 - b. The challenge is about governing the internet so that the world we live in is inclusive, safe and secure for everyone – for those who are connected to the internet as much as for those who are not; for those who are internet’s innovators and creators as much as the passive internet consumers; for those

who are shaping the internet as much as those who are shaped by it; those most marginalized in societies as much as the most powerful.