

The Netherlands view on Recommendations 5A/B of the UN High Level panel report on Digital Cooperations.

At the High Level Internet Governance of the EU on 28 January 2020 concrete suggestions were asked for in order to improve the Global Internet Governance Architecture as proposed by the HLP on Digital Cooperation in their recommendations 5A/B.

A list of questions was proposed in order to structure the inputs and contribute to a possible European position with regard to UN HLP recommendations 5A/B.

Based on these questions The Netherlands would like to suggest the following:

A) Overarching questions on a future digital cooperation structure concerning all models

1. How could the new model foster more actionable outcomes?

A new model for digital cooperation would need to be based on a model of close cooperation between existing multistakeholder and multilateral organisations.

We agree that in the efforts to **reform existing UN organisations** and adapt them for the digital age we will need within the UN a 'soft coordination' mechanism (in contrast to more binding rules) to facilitate this process. Such a mechanism would aim to increase the participation and influence of more parties (such as ngo's and other stakeholder groups) in order to secure inclusiveness and representativeness. **An example of 'soft coordination' could be the creation of a Tech Envoy within the UNSG office to promote this approach.**

We agree with the panels statements that improvements in the functioning of international organisations is not enough to fully benefit from digital technology, but that increased focus should be given to a multi-stakeholder approach in which **all stakeholders together are responsible for their actions and policies that relate to 'digital commons' or 'digital public goods'**. We are convinced that such an approach would be the best way to maintain an open, free and secure internet for all. **As an example we would like to mention that the proposed norms for Internet Governance and Internet Policy making proposed by the GCSC, including the norm to protect the public core of the Internet should be adhered to by all stakeholders and multistakeholder and international organisations.**

2. How can broader participation of government and business representatives, especially from small and developing countries and SME's be ensured?

The best way to secure broader participation and inclusiveness is to make sure that **all stakeholders can play their role in the large Internet family**. Internet should be seen as a truly global 'public' infrastructure. In practice everybody is not able **to meaningfully access and use new digital technologies. This should be the first policy imperative.** Digital

technologies have an impact on every aspect of our society and we have to ensure that no one is left behind.

As a second imperative we should strive to take away the tensions, which exist between multi-stakeholder and multi-lateral oriented organisations. This calls for a new balance between all forces at work within the vast and fragmented domain of organisations that are involved in the governance of the Internet. Because of technological progress (increase in computing power, lower costs and miniaturization), the Internet has seeped through in all arteries and veins of our economy and society. Its impact is not limited to desks and phones: everybody and everything is connected to the internet, from our doorbell to medical implants, and from our military apparel to our public and private transport systems. As a consequence the commercial, public and state interests have multiplied. Because of this many actors want to get involved in internet governance and protect or serve their best interests. That puts pressure on the technical community and existing mechanisms of multi stakeholder decision making (as ever more participants do not seek to serve the general interest of an open, free and safe internet, but specific public or private interests). It also creates tensions inside and between Internet governance organizations that focus more on the societal, instead of the technical, dimension of Internet governance (like IGF). Digitalization also provides bad actors with powerful instruments to commit crimes, sabotage and undermine the trust in the technological advancement. New threats arise, but also existing powers of law enforcement can be significantly decreased or rendered useless altogether. Effective law enforcement is critical to keep the Internet, and society, secure and contribute to the open, free and secure Internet for all.

A new balance between all these interests and the vast and fragmented domain of organisations involved in Internet issues should benefit broad participation and inclusiveness, including more equality for women and marginalized groups, including broader participation of small and medium sized companies.

3. How can a stable financial funding be ensured?

We strongly support a strengthening of the IGF Trust Fund by means of **multi-annual financial commitments from stakeholder groups, in particular governments and private sector**. The Netherlands has from the start financially supported the IGF secretariat. Other countries and private sector companies have done the same, but most of them to a lesser extent. Also funding by international organisations has been relatively small. A substantial increase in multi-annual funding as well as more donors from governments and private sector, is necessary. In particular, those stakeholders, who have for years openly and explicitly supported the open, secure and stable character of the Internet, but without providing financial support, should be called upon to put their money where their mouth is.

More structural financial collaboration between organisations such as ICANN (which has a substantial funds for internet related projects) and the IGF could be explored. An improved IGF secretariat should aim to collect around 5 million dollars per year. With such an amount the secretariat

could be more substantial in size and promote cooperation and networks that focus on policy development.

B) Internet Governance Forum Plus (IGF +)

4. Do you think the Advisory Group is a useful proposal and if yes, how should it look like? Especially in terms of its composition/membership, responsibilities? To what extent should there be differences to the current MAG?

The current MAG has been very helpful in selecting interest topics for the (annual) global IGF meetings and other organizational issues. It has been less successful in steering towards tangible outcomes of IGF meetings.

We support the **reform of the MAG. It should be smaller (max 25 people) and have a clear steering function, that would provide a more strategic agenda for the IGF, have budgetary responsibility, enhance engagement of politicians in the IGF and identify possible annual outcomes of IGF meetings**, which could be prepared by dynamic coalitions, best practice fora and other similar networks with the help of a structurally enforced IGF secretariat.

5. Do you think the Cooperation Accelerator is a useful proposal and if yes, how should it look like? Especially in terms of its composition/membership as well as its responsibilities?

The new MAG could act as a Cooperation Accelerator. As an Accelerator it should bring different smaller initiatives of stakeholders together and provide specific tasks and goals for the cooperation. One or two MAG members would be tasked to steer towards concrete outcomes e.g. recommendations for relevant stakeholders of these (more concentrated and bundled) initiatives. The Members of the MAG are responsible for finding the right parties when urgent issues that require coordination and response are necessary.

6. Do you think the Policy Incubator is a useful proposal and if yes, how should it look like? Especially in terms of its composition/membership as well as its responsibilities?

The creation of **Policy Incubator Networks, which are a.o. developing policies and recommendations, can be a useful tool to work towards more tangible outcomes of IGF.** These networks can prepare policy options inter-sessionally, which are discussed and supported in the plenary meetings of the IGF. Membership of these Networks should be open for all stakeholders. It could be considered that members of the new MAG are functioning as co-leads. The IGF secretariat could assist these Networks by facilitating meetings and calls.

7. Do you think the Observatory and Help Desk are useful proposals and if yes, how should they look like? Especially in terms of its composition/membership as well as its responsibilities?

The Netherlands agrees that there is a need for national, regional and global capacity building, but this is already core business of many organisations. Better coordination and division of work between these organisations have our preference over creating new mechanisms. In so far as an Observatory and Helpdesk can play a supporting or facilitating role to better organize this it could be considered a useful tool. Existing organisations ,operating in a network, would

be responsible for the Observatory and Helpdesk. The IGF secretariat could provide assistance by creating a list of organisations participating in the network, and publishing this list with contact details on its website. The secretariat could also assist in finding the right contacts for specific issues in the different organisations.

8. Should a new IGF Trust Fund be considered? If yes, how should it look like, what expenses should it cover and – accordingly- what financial volume would it need (annual budget)?

See point 3 above.

9. How can stakeholders be encouraged to contribute to an IGF Trust Fund? How should contributions to a trust fund be structured: multistakeholder-wise, geographically, and institutionally?

As indication one could ideally think of funding of 1/3 by governments, 1/3 by private sector, 1/3 by multistakeholder and international organisations. To provide annually an amount of USD 5 million. One might consider also in-kind donations or sponsorships.

C) Distributed Co-Governance Architecture (COGOV)

10. Which aspects/features of the proposed architecture „COGOV“ should be further considered?

The distributed co-governance structure architecture takes the existing technical organization of the Internet as its basis with organisations such as ICANN, IETF and the regional RIR's. These organisations should become broader in scope and develop norms on digital governance issues, involving the different expert communities. These norms would be non-binding. Government could take these norms to transform these into laws and regulations and safeguard their enforcement.

The architecture acknowledges the interdependency between the more technical organisations and norm setting, lawmaking and legal enforcement. It is valuable to do this, because the existing technical organisations do not operate in a silo and they should be aware of the political and societal implications of their policies.

D) Digital Commons Architecture

11. Which aspects/features of the proposed architecture should be further considered?

The Digital Commons Architecture is based on the 'common heritage' principle, in order to protect resources for the good of future organisations. This protection could be done in the form of treaties or conventions, such as the UN Convention on the Law of the Sea.

Certain elements of the Internet, such as Internet Protocols, could also be regarded as commons which need responsible and global stewardship. The report of the Global Commission on Stability in Cyberspace has proposed a number of norms that aim **to protect the 'public core' of the Internet.** The goals to have a open, free and secure

Internet would be very much helped with the international acceptance of these norms. It would also prevent further fragmentation of the global Internet.

E) Other Ideas

12. Which other ideas, mechanisms and features are worth considering?

As indicated in the UN HLP report the three proposed models have differences in emphasis and approach, but the common element is that all need a multi-stakeholder and inclusive approach. **A global Commitment for Digital Cooperation** should be based on such an inclusive and multi-stakeholder approach.

An IGF plus architecture could also be complemented with a **Global Parliamentary Assembly**, where parliamentarians have a space to discuss and give input to the strategic agenda of the IGF and the expected outcomes.

It becomes increasingly difficult to find host **countries that are willing and able to host the IGF**. The most important factor for this is the budget involved in organizing an IGF, which amounts up to several million dollars. Last year's IGF in Berlin, which is generally considered the best ever, even had a budget of USD 10 million.

This situation is not sustainable and **options for realistic alternative solutions should be listed and discussed**.

A more generally appealing name for a new IGF + could be 'Global Forum for Digital Cooperation'. This can be **announced in the UN's 75th anniversary declaration 'Global Commitment for Digital Cooperation'**.

13. Do you see elements of combining the three models and if yes, how could this be operationalized?

The three models have their specific advantages and disadvantages, but it would be most practical to work from the organisations and coalitions etc. that already work on Internet Governance issues and let them **evolve towards a shared principles, approaches and policies**.