

## High Level Panel on Digital Cooperation

### UK consultations on Recommendation 5 A/B

#### Introduction

1. Since the High Level Panel's report was published in June 2019, there has been a range of ongoing consultations and discussions in the UK, including during the UK Internet Governance Forum. Formal UK Government consultations must adhere to a robust set of consultation principles. The UK Government has not undertaken a formal process in this case: instead, this note aims to set out the key messages from discussions in the UK so far and it has been agreed in the context of the UK's Multistakeholder Advisory Group on Internet Governance.
2. We would also emphasise that a lot of consultation has already taken place at the international level, notably through the European Dialogue on Internet Governance (EuroDIG), whose report is available here <https://www.eurodig.org/index.php?id=804>, and at the IGF Multistakeholder Advisory Group meeting on 14 January. The global IGF in Berlin included substantial discussions on Recommendation 5 A/B, where there was emerging consensus around the importance of strengthening the IGF. Many stakeholders saw these as the most important opportunity to discuss the High Level Panel's report and it is important that we avoid the risks of repeating the same consultations and suffering from "consultation fatigue". We believe it is critical that the consultations last year should be given due weight in the follow-up process. We now need to move towards identifying, discussing and developing concrete proposals.

#### Values and principles

3. Stakeholders in the UK have welcomed the report of the High Level Panel and in particular its emphasis on sustainable development, the need to ensure affordable access to digital networks for all and the importance of multi-stakeholder cooperation. UK stakeholders strongly support the report's conclusion that we should make dynamic choices about the best approach based on the circumstances and that cooperation may be initiated and led by the private sector or civil society and in some cases by governments or international organisations. There is a great deal of support for the values and principles for global digital cooperation set out in the report and in particular the need to ensure that it is inclusive, human-centred and collaborative.

4. There has been little support in the UK, however, for a new “Global Commitment for Digital Cooperation” and a concern not to duplicate or de-value existing commitments of this kind. At the WSIS, for example, world leaders called for a people-centred, inclusive and development-oriented Information Society and WSIS continues to serve as a powerful, recognised and well-supported multi-stakeholder agenda for digital cooperation.

### **The three “options”**

5. UK stakeholders have discussed the three possible options for digital cooperation presented by the High Level Panel. There is general consensus that there is already a crowded landscape of digital cooperation mechanisms and we should focus on improving existing structures and not creating new ones. There is little support for the “Distributed Co-Governance Architecture” option. Some stakeholders have welcomed the flexibility of this option and its voluntary nature. But many were concerned that the architecture was complex and difficult to understand and there was a risk that this would make cooperation less inclusive. Establishing such a complex new architecture from scratch would require significant resources and there was a risk it could duplicate existing work.
6. There has been little or no support for the “Digital Commons Architecture” option. There is a view that international regulation of space, climate change and the law of the sea are not appropriate analogies for digital technologies, which are largely privately owned, and a concern here too that the option would lead to additional, complicated structures with the risks of duplication, cost and lack of inclusivity.
7. UK stakeholders strongly support the proposal to strengthen the IGF. The IGF is already a well-established platform with a strong UN mandate. It has the legitimacy of being an open, multi-stakeholder forum while being anchored in the UN system. The IGF has a very full set of responsibilities, set out in the Tunis Agenda. We have noted the emerging consensus around this option at the Berlin IGF and elsewhere and stakeholders here have focused on what practical steps can be taken to improve the IGF.

### **Strengthening the IGF**

8. There is some concern about the detailed proposals for an “IGF+” as set out in the High Level Panel report. There is scope for the Multi-stakeholder Advisory Group (MAG) to play a more strategic role, as envisioned in report. But rather than establish a new “cooperation accelerator”, UK stakeholders have suggested that the MAG could take

on a greater role in identifying points of convergence and issues around which new coalitions are needed. This would avoid setting up an “over-engineered” duplicate structure and would help ensure this function was joined up to the annual meetings and agendas. There is also scepticism among UK stakeholders about the suggestion of a separate “policy incubator”. This function would be better performed by the IGF itself and IGF coalitions.

9. UK stakeholders have identified a range of ideas to ensure that the IGF maintains its place as the central global platform for digital cooperation, framed around six key issues:
  - i. **Policy issues.** Each annual IGF meeting should focus on a small number of policy issues. In the past, IGF themes have been rather generic and this can lead to a lack of focus. The policy issues should be identified well in advance so that stakeholders can prepare and in particular so that local and regional IGF initiatives can take them into account. Priority should be given to policy issues where co-operation and global solutions are most needed, where the expertise of the full range of stakeholders participating at the IGF can be best harnessed and so where the resources available at the IGF will add the most value.
  - ii. **National and Regional Initiatives.** There should be stronger routes for national and regional initiatives to contribute to discussions at the global IGF, including reporting their messages at the main sessions. This would help promote inclusion and embed a more global perspective. Many national and regional initiatives already report on their key messages and outcomes. These might be drawn together in advance and presented as an input to the annual global meeting.
  - iii. **Curating the discussions.** Annual IGF meetings should remain “bottom-up”, led by stakeholder contributions, but they need to be curated, with a clearer shape in order to make the debate more coherent and easy to follow. For example, the main opening sessions should present the policy issues to be addressed, workshops during the week should address the detailed aspects of those policy issues in greater depth, and then final day should bring the work together to identify broad outcomes.
  - iv. **Outcomes.** The IGF should not become a negotiating body and should not be expected to agree by consensus on every issue. But there should be clear outcomes on each policy issue, reflecting the discussions during the week. Those conclusions may identify areas

of consensus or they may identify areas of difference or where further work is needed.

- v. **Empowering the MAG.** The MAG should play a more strategic role. Rather than setting up a new “cooperation accelerator” and “policy incubator”, the MAG should undertake many of these functions, identifying issues and convening discussion. The MAG should take a more robust approach to programming the annual IGF meeting, with much clearer priorities and influence over the development of proposals. There are currently far too many workshops at the IGF covering too many subjects. There have been improvements with regard to inclusion and gender balance, but we need to empower the MAG to ensure greater quality control. There should be a strong evidence base for discussions at the IGF. Providing key statistics and background information on the key policy issues in advance would help to ensure a shared understanding of the challenges and opportunities and encourage more fruitful discussions and progress.
  - vi. **IGF Identity.** The IGF should develop a stronger corporate identity, guided by the MAG, with improved communications and a clearer mission as the convenor and custodian of multi-stakeholder discussion and champion of inclusive dialogue. The chair of the MAG should be given a more high profile leadership role. The outcomes of the IGF should be communicated more clearly, including communicating them across the UN system, and improving and expanding the IGF website should be a priority.
10. Some UK stakeholders have argued that the IGF should be an entirely open, bottom-up forum that does not produce outcomes or seek to build consensus. The general view, however, is that the kinds of steps set out above would ensure that the IGF was more focused and had clearer outcomes in order to continue to improve digital cooperation in line with the principles and values set out in the High Level Panel report.