Joint Contributions of Civil Society Organizations from Latin America to NetMundial

- Area: COMBINED INTERNET GOVERNANCE PRINCIPLES AND ROADMAP
- Entitled by: Fatima Cambronero
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Abstract

Civil Society Organizations from across Latin America join to add their contributions to the Net Mundial meeting.It is important to Civil Society Organizations from Latin-America to express our point of view about the future of Internet Governance because we are a relevant component of the Internet Governance Ecosystem and the region where part of the next 2-other-billion Internet users are going to come from.Considering this, we have to build the road in our Region for the future, enhancing cooperation in infrastructure and capacity building among others, so those users can participate in the Internet Ecosystem in a more informed and qualified manner. For all those reasons, we think it is important that the voice of the Civil Society Organizations from Latin America shall be heard and involved in the discussion of the Set of Internet Governance Principles and the Roadmap for the future evolution of the Internet Governance Ecosystem.

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Content Contribution:

Introduction

The members of the Civil Society Organization Network of Latin America thank the Government of Brazil in coordination with the global Internet community, for the opportunity to participate and make contributions to the Global Multistakeholder Meeting on the future of Internet Governance.

Latin America represents 48.2% of Internet users from the Americas, with an average penetration of almost 40%, which is higher than the general worldwide penetration rate [1]. Latin America had the fastest-growing Internet population of all regions in the world, growing 12 percent between 2012 and 2013, and reaching more than 147 million unique

web visitors as of last March. Latin America is also an important space for economic and social innovation, with the massive presence and use of social networks. Latin America is an incredible environment of creativity and social mobilization, with increasing expert capacity regarding the knowledge and skills that are needed to fulfill the goals of the information society.

However, the challenges in the region are still significant when addressing the evolving Internet ecosystem thatwhichmust take into consideration the rights of a variety of stakeholders. During the past few years in Latin America, we have witnessed the emergence of laws and policies that violate core digital rights.In several of those instances, such laws and policies were developed in a non-transparent non-accountable environment, without proper consultation with all affected parties. Thus, it is crucial to present our proposals to this consultativeprocess. We hope to see the results of Net Mundial as a positive way forward for the development of the Internet, and the guarantee of digital and human rights in the region.

Considering this, we have to build the road in our Region for the future, enhancing cooperation in infrastructure and capacity building among others, so those users can participate in the Internet Ecosystem in a more informed and qualified manner.

It is important that the voice of the Civil Society Organizations from Latin America is heardand involved in the discussion of the Set of Internet Governance Principles and the Roadmap for the future evolution of the Internet Governance Ecosystem.

1. Set of Internet Governance Principles

To begin, we must define Internet Governance:

Internet governance is the development and application by Governments, the private sector and civil society, in their respective roles, of shared principles, norms, rules, decision-making procedures, and programmes that shape the evolution and use of the Internet (Working Definition of World Summit on the Information Society (WSIS).

As members of Civil Society Organizations of Latin America, exercising our role in the Internet Governance Ecosystem, we defend the Internet as it was designed in the beginning, as open, interoperable, decentralized, inclusive, unique, democratic, participative, global, transparent, equal, neutral, free, innovative and, respectful of human rights and rule of laws.

We fully support several sets of Internet Governance Principles that have already been elaborated. According to the nature of Internet and the development of Latin America, we consider appropriate and adequate for our region to emphasize our adherence to the following principles, without diminishing any others:

1. **RESOLUTIONS ADOPTED BY THE HUMAN RIGHTS COUNCIL, 20/8 THE PROMOTION, PROTECTION AND ENJOYMENT OF THE HUMAN RIGHTS ON THE INTERNET[2]**

Affirms that the same rights that people have offline must also be protected online, in particular freedom of expression, which is applicable regardless of frontiers and through any media of one's choice, in accordance with articles 19 of the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights.

2. OCDE[3]

- Promote and protect the free flow of information.

- Promote the open, distributed and interconnected nature of Internet.

- Encourage multi-stakeholder cooperation in policy development processes.

- Develop capacities to bring publicly available, reliable data into the policy-making process.

- Ensure transparency, fair process, and accountability.

- Strengthen consistency and effectiveness in privacy protection at a global level.

- Promote Creativity and Innovation.

- Limit Internet intermediary liability.

3. **PRINCIPLES FOR THE GOVERNANCE AND USE OF THE INTERNET - CGI.br[4]**

- Freedom, privacy and human rights.

- Universality.
- Diversity.
- Neutrality of the Network.
- Standardization and interoperability.

4. **APC INTERNET RIGHTS CHARTER[5]**

- Internet Access for all.
- Freedom of expression and Association.
- Access to knowledge.

- Shared learning and creation - free and open software and technology development.

2. Roadmap for the further evolution of the Internet Governance Ecosystem

As Civil Society Organizations trying to fulfill our role in the Internet Governance Ecosystem and guided by the regional perspective, we want to highlight the road that has to be built in our Region in order to comply with the principles cited above.

1. Multi-stakeholder Model

- To defend and reinforce the multistakeholder model, the bottom-up process, based in consensus and equal footing of all stakeholders in the different fora of discussion and decision making on the Internet Governance.

- ICANN internationalization: a) Increase the real, effective and active regional participation, investing in outreach, capacity building, efficient communication. b) Root servers located outside the U.S. territory, distributed equally by region. c) Transparency and accountability in compliance with ATRT2.

- To defend and reinforce the global IGF. Review the IGF mandate allowing the elaboration of non-binding recommendations to nurture other fora

where binding recommendations are decided.

- To strengthen the LACIGF by: a) Increasing participation of all stakeholders, specifically governmental participation. b) Continuing discussions of the agenda and a follow-up throughout the year. c) Creating a repository of the materials produced during the discussions. d) Creating a Latin American Internet Governance Observatory, in charge of monitoring the development of the themes discussed in the LACIGF Agenda that are treated in other fora. d) Promoting the elaboration of non-binding recommendations. e) Promoting and encouraging the creation of national IGF's building incentives for the exchange of experiences and best practices. f) Stimulating participation of youth and young adults, the future leaders of the Internet, futuredecision-makers and creators in the digital environment. Applying the methodology of "Learning by doing and role playing".

- Communicating multi-stakeholder processes in a friendly, clear, easy, transparent, accessible, open and multilingual manner.

- Ensure that no government or region shall have predominance in the Internet Governance Ecosystem.

2. Capacity Building and Technical Assistance

The major necessity in our region is capacity building on Internet Governance Issues. Its natural home is the Academy. When the Academy fails on building capacity it's Civil Society, the Government, or individual experts the ones fulfilling this need. For these objectives it's essential to build a pool of regional trainers, and an online learning platform

to provide this services in all the languages of the region in collaboration with regional and global I* organizations.

Capacity building is also important for increasing government participation in all of these fora. By building capacity in government representatives, the public policy discussion agenda will immediately increase and improve. Investing on continued capacity building is a way to assure continuous participation, discussion and national representation of governments in the global discussion.

3. Access

- Infrastructure is the main issue about access in our region. We still need investments, (being public, private or public-private partnerships) to build physical infrastructure. Infrastructure is important to reduce the digital divide and allow access. It is a fact that mobile penetration is higher than broadband Internet penetration in our region. That should be taken into account when reducing the digital divide. The governments of our region should work in collaboration with other stakeholders (civil society, technical and academic community, private sector) by creating permanent working-groups for the promotion of universal and non-discriminatory access to the Internet, ensuring network neutrality, access to broadband and to the universal Internet and shortening access divide (knowledge, generational, gender, between the native, urban and rural population). In addition, many governments in our region still need to understand the importance of promoting the Internet for development and that Internet is about opportunity and permission-less innovation, and no longer a luxury for its citizens. The implementation of universal Internet access should be included in our government public policies agenda, in collaboration with other stakeholders, each of them acting on their respective roles. Another essential or necessary infrastructure component is establishing IXP’s in the countries of our region, reaching public-private collaboration agreements. This will bring positive consequences as the decreasing costs in access and increasing content production and access to them.

- In another access layer, we can mention the access to content, which is another very important issue for our region where actions should be planned. To ensure that the citizens of our region countries have free and easy access to the content circulating on the Internet, our governments must work in the development or improvement of laws that guarantee freedom of expression, both offline and online, avoiding government measures or measures from content provider private companies leading to internet content censorship as well as actions of self-censorship due to fear of reprisals; blocking Internet content and pursuit of citizens wishing to freely express their opinions, ideas or beliefs on the Internet. In addition, our governments should work to update our copyright laws to suit our regional realities and needs. This should go in hand with the development and promotion of free culture, open source, education of citizens about their digital rights and the promotion and development of free competitive services and products in the local and foreign market. This will bring benefits in two ways: it will allow the entire population to have free access to contents that are produced and distributed openly, avoiding access barriers for paying expensive software licenses, hardware and/or services. These free culture promotion activities will increase local content, will promote innovation and will promote regional content growth, while also increasing cooperation in the region and the creation of new jobs.

4. Inclusion and Diversity

We emphasize the need to invest in access and infrastructure to achieve and guarantee true inclusion and diversity forchildren, youth, adults, elders, indigenous, women, disabled people, and the respect for multilingualism, multiculturalism and the preservation of oral cultures.

5. Respect of Human Rights

Given the recent acts of telecommunications mass surveillance where the human rights of worldwide citizens were violated, and recalling the DO NO HARM fundamental principle, we urge the governments of the region to respect international human rights adopted in international law where the countries of our region are signatories.

Taking into account the topology of the network, it is imperative to make greater efforts to respect and defend freedom of expression and privacy; avoiding censorship or self-censorship, arbitrary online content blocking without a order by a competent judicial authority, decreasing Internet connection speed as a sanction, mass surveillance a order by a competent judicial authority, and promoting the non-infringement control of such rights by Internet service and content providers. To protect these rights it's essential for Civil Society to continue to supervise the State role and at the same time, for the State to superviseprivate companies. Furthermore, to strengthen these rights protection, it is necessary that State and Civil Society take actions to restore the trust in the Internet ecosystem that users lost as a result of recent events.

6. Development

Our region still needs a lot of investment for development, for this reason it is necessary to promote and encourage ICT's that result in the desired economic development, creating new business models; to foster the DNS industry in our region, Green ICT development and the development of technical skills to bring responsiveness and innovation in the event of natural disasters thus responding to incidents that affect the stability, resilience and robustness of the network, while also reinforcing the activity of CERT/CSIRT. In order to promote development, the region's governments should promote tax, legal and educational incentives.

7. Participation

Regional participation in Internet Governance global spaces is still low. To increase this participation we suggest the creation of a multistakeholder body responsible for raising funds and its administration, with the aim to facilitate the involvement of national representatives, from different sectors in different Internet Governance areas, ensuring the participation on equal footing. On the other hand, we suggest to improve remote

participation in these spaces, taking into account the bandwidth requirements of the participating users. To this end, the creation of Remote Participation Centers for each of these meetings is needed. These Centers should be permanently available in the languages of the region, without neglecting the creation of participation Hubs at national level in charge of the different stakeholders. This remote participation service must meet the accessibility requirements for an equal and inclusive participation.

We observe a lack of participation of communicators and journalists specialized and skilled on issues of Internet Governance, which makes the message communicated not to meet the requirements of clear, attractive, innovative, simple and friendly communication manner for beginners and newcomers.

Another participation deficit we observe is the low presence of young people in regional and global Internet Governance spaces. To increase this participation, we suggest looking for new meeting formats making them attractive, innovative, creative and tailored to the needs and expectations of the future Internet leaders.

We continue to observe that in our region there are spaces dedicated to the participation of governments, such as ECLAC, where Civil Society is only granted the observer status. We recommend to arbitrate the necessary measures to allow participation in an equal footing to the different regional stakeholders in these similar spaces that still continue to prevent a real and effective participation, especially for Civil Society Organizations.

8. Respect for the Rule of Law

Rule of law should be respected in all the activities addressed to discuss, organize and implement actions on the future of Internet governance by all stakeholders involved. This is in relation with the training activities mentioned above, and aimed at judicial officials, lawyers and judges in charge of enforcing the various national, regional and international laws related to the Internet ecosystem. Also the different stakeholders of our region, especially our governments must assure access to digital justice and promote the implementation of online dispute resolution mechanisms.

[1] http://www.internetworldstats.com/stats2.htm

[2] http://daccess-dds-ny.un.org/doc/RESOLUTION/GEN/G12/153/25/PDF/G1215325.pdf?OpenElement

[3] http://www.oecd.org/internet/innovation/48289796.pdf

[4] http://www.cgi.br/english/regulations/resolution2009-003.htm

[5] http://www.apc.org/en/system/files/APC_charter_EN_0.pdf

Names and Signatory Individuals and Organizations

-Gonzalo A Romero B, Colombia, Individual

-Esther Lizana , Perú, UNP

.Humberto Carrasco, Chile, ADI - Chile

-Aída Noblia, Uruguay, Asociación de Escribanos del Uruguay

-Roxana Laura Goldstein, Argentina , Individual

-Edna Samudio, Panamá, ISOC Panamá (en formación)

-Francisco Vera, Chile, ONG Derechos Digitales

-Pilar Saenz, Colombia, Fundación Karisma

-Julian Casasbuenas G., Colombia, Colnodo

-Dafne Sabanes Plou, Argentina, individual

-Jose Arce, Argentina, Individual

-Joao Carlos Caribe, Brazil, Movimento Mega

-AHM Bazlur Rahman, Bangladesh, Bangladesh NGOs Network for Radio & Communication

-Jorge Gonzalez, Venezuela, UCLA

-Maritza Aguero, Peru , Individual

-Martín Porras, Perú, REDEM: Red Educativa Mundial

-Juan Manuel Rojas, Colombia, AGEIA DENSI Colombia

-Antonio Medina Gomez, Colombia, Asociación Colombiana de Usuarios de Internet

-Alfredo Velazco, Ecuador, Usuarios Digitales - @UsuariosDigital

-Raitme Citterio, Venezuela, Isoc Venezuela

-Mauro Cambronero, Argentina, Individual

-Gonzalo López Peña, Argentina, Ageia Densi

-Franco Moya, Argentina, AGEIA DENSI

-Marcela Tintilay, Argentina, Individual

-Carlos Dionisio Aguirre, Argentina, AGEIA DENSI - ADIAR

-Sergio Salinas Porto Argentina, Asociación Argentina de Usuarios de Internet (Internauta Argentina)

-Juan Parada, Colombia, UNAD

-Yenny Villalba, Paraguay, POJOAJU

-José Huerta, Chile, ONG Cívico

-Nicolas Caballero, Paraguay , ISOC-Paraguay

-Paula Penagos, Colombia, Población Civil

-Encel Sanchez, Venezuela, Universidad de Los Andes

-Adrian Quesada Rodriguez, Costa Rica, Universidad de Costa Rica

-Cynthia SOLIS, México, Ageia Densi México

-Maricarmen Sequera, Paraguay, TEDIC.org

-Natalia Enciso, Paraguay, APADIT

-Israel Rosas R., México, Individual

-Fatima Cambronero, Argentina, AGEIA DENSI Argentina

-Javier Pallero , Argentina, AGEIA DENSI Argentina