

Proposed ToR for the NETmundial Initiative

Richard Hill¹
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I refer to the 23 December 2014 announcement² by the NETmundial Initiative, which states: “Prior to the Council’s first meeting, the Terms of Reference (ToR) for the NETmundial Initiative will be developed through an inclusive, bottom-up, and consultative process, open to the global community ... The NETmundial Initiative will embrace the suggestions in the ISOC/ICANN statement to engage the community in developing the Initiative’s ToR.”

And I refer to the 23 December 2014 year-end thoughts³ by Bob Hinden, Chair of the ISOC Board of Trustees, which states: “The Internet has reached the point where it is an important force in the world, and governments and corporations around the world have noticed. It almost seems like everyone wants to control the Internet, but they don't understand how or why the Internet is successful. As a result, the challenges facing the Internet are growing. This include governments who want to capture the operation and management of the Internet, corporations who ask users to trade their personal information for free service, governments who spy on Internet users traffic, countries blocking access to Internet sites, and increasing amount of attacks on companies, users, governments, and physical infrastructure by governmental and non-governmental actors. All while the work to bring the Internet to everyone is hardly done.”

Some of the challenges identified by Mr Hinden are similar to those identified by others⁴. Thus, I propose the following Terms of Reference for the NETmundial Initiative.

Proposed ToR

Recognizing that the Internet is a global resource which should be managed in the public interest, the NETmundial Initiative will seek to develop enablers/solutions for distributed Internet governance, ensuring the full involvement of all stakeholders in their respective roles and responsibilities, so as to address current pressing challenges, in particular government actions and inactions, and private sector actions, that result in restrictions of freedom of speech and of personal privacy; in mass surveillance; in loss of control of personal information; in monetization of personal information; in lack of cybersecurity; in cybercrime; and in lack of universal, equal opportunity, affordable and high quality Internet access.

The NETmundial Initiative will also seek to develop enablers/solutions for distributed Internet governance that will favour the realization of all human rights, recognizing that human rights are indivisible and that they include democracy, economic and social justice, and the right to development; and that governments have primary, legal and political accountability for the protection of human rights.

When developing enablers/solutions, the NETmundial Initiative will use democratic, multistakeholder processes, ensuring the meaningful and accountable participation of all stakeholders, including governments, the private sector, civil society, the technical community, the academic community and users. The respective roles and responsibilities of stakeholders should be interpreted in a flexible manner with reference to the issue under discussion.

¹ President, Association for Proper Internet Governance: <http://www.apig.ch>

² <https://www.netmundial.org/blog/secretariat/netmundial-initiative-announces-formation-its-inaugural-coordination-council-and>

³ <http://www.internetsociety.org/blog/institutional/2014/12/year-end-thoughts>

⁴ See for example <http://truth-out.org/progressivepicks/item/28294-robert-mcchesney-we-need-to-advocate-radical-solutions-to-systemic-problems> and <http://justnetcoalition.org/delhi-declaration>