



Just Net Coalition

The Caravan Has Set Out for a Neo-liberal Capture of Global Governance

(With governance of the Internet as the path being broken first)

The Just Net Coalition¹ (JNC) comprises several dozen civil society organisations and individuals from different regions globally, concerned with issues of Internet governance, from the perspective of all human rights, including democracy and economic and social justice.

A new chapter in global governance has been opened with the launch of the NetMundial Initiative (NMI) at the World Economic Forum. This is the first time that such a corporate-led venue – although sold as multistakeholder, open, and voluntary, among others – is positioned as being 'the' mechanism for global governance in a specific sector. In fact it is being so openly and explicitly positioned as a direct replacement for existing UN based governance models², which are routinely the subject of harsh critiques by some of the NMI proponents³.

The Just Net Coalition rejects out of hand the transfer of global governance prerogatives to corporate led initiatives such as the NMI, because such initiatives are not consistent with democracy. We additionally have grave concerns at the abandonment of traditional values of democracy and social justice as some civil society organizations are apparently choosing to enthusiastically enter into this unseemly collaboration with global corporate and other elites as represented most clearly by the World Economic Forum and their annual gathering of the 1% in Davos.

1. We thus appeal to political leaders and governments to reaffirm their commitment to the primacy of democracy, human rights, equality and social justice, as the basic principles and values underlying their global commitments and foreign policies. and to apply these to their actions and policies concerning the global governance of the Internet.

2. We further appeal to those sections of civil society currently active in the area of Internet

¹ <http://justnetcoalition.org>

² Unlike for all other important sectors, deliberate actions are being taken to minimize the role of the UN system in areas regarding the Internet. The same actors who support the NMI initiative have strongly resisted any institutional development in this direction, with the very notable exception of the Brazilian government, which special case will be discussed later in this document.

³ The UN is far from perfect, and needs significant reform. However using that as a pretext to develop business-led global governance mechanisms is to deny the transparency and accountability foundations of democratic governance,



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governance who have accepted⁴ the invitation from global corporate and other elites to participate in the NetMundial Initiative and its primary sponsorship from the top down, anti-democratic and elitist World Economic Forum to withdraw from supporting such corporate-led governance models. We recognize but reject the mistaken notion that civil society is being given an opportunity to sit at the table with these elites and thus to participate more actively in decisions concerning global Internet Governance.

Surely it is not necessary to recall the increasing stranglehold of neo-liberal forces over the affairs of the world, in areas ranging from health care to climate change. Strong and effective democratic movements from below are perhaps the only real way of countering this rapidly increasing menace. One of the priority areas for the neo-liberal assault on democracy and consequent neglect of economic and social equity has been in the area of global governance, where poor political organization, authority and weakened institutional development has provided a soft and tempting target.⁵ Capturing the commanding heights of global policy and governance also provides a convenient platform for propagating neo-liberal ideology and 'policy-solutions' downwards, especially in a highly globalised economy, and through the increasingly globalised elite classes in all parts of the world.

The chosen early target within the global governance space is the "governance" of the Internet. There are many reasons for this choice. The foremost is that this is a territory in which governance paradigms mechanisms and models are still being built. It is obviously much easier to capture the initiatives of governance where none already exist or are very weak rather than having to push against pre-existing structures and mechanisms. Second, to the extent that any state-based authority exists at all in regard to the governance of the Internet⁶, these techno-governance reins are firmly in the hands of the US government, the main political ally and beneficiary of the neo-liberal onslaught. And thirdly, the history of the Internet provides it with a certain character, wherein it is easy to articulate a position against government interference – structures, law and governance, meanwhile allowing for a cover up of the real controls which underlie the operation and applications of the Internet.

Such a make-believe doctrine of 'Internet exceptionalism' gets instinctive, and often politically unexamined, support from two important quarters: Internet technologists – who still wield considerable power in the area of Internet governance – and the young 'digital natives' who imagine in the Internet the possibilities of a new unbounded future. The neo-liberals have opportunistically leveraged this

⁴ For example, on the basis of positive views expressed by APC, BestBits, Diplo and NCSG, the chair of the Civil Society Coordination Group (CSCG) has sent a very positive letter to NMI offering to organize a selection process for civil society representatives for NMI's coordination committee. Until now, only the Just Net Coalition (JNC) has opposed this plan, and JNC will refuse to participate if it goes forward. The other member organizations of CSCG are: Association for Progressive Communications (APC), Best Bits, Civicus, Diplo Foundation, Internet Governance Caucus (IGC), Non-Commercial Stakeholders Group (NCSG).

⁵ 'State of Davos – Camel's Nose in the Tents of Global Governance' by David Sogge provides a good overview of the new neo-liberal governance model and predicted the NMI model quite accurately, even though he did not talk about Internet governance. See http://www.tni.org/sites/www.tni.org/files/download/state_of_davos_chapter.pdf

⁶ The US government has until now an explicit and formal oversight role over some kinds of action by the Internet Corporation for Assigned Names and Numbers (ICANN) and in addition in several regards, though contracts and through pure economic might and the structure of the Internet-related economy, there are quite significant extraterritorial effects of US law and of decisions by US courts to disregard international human rights law for example in regard to the right to privacy. Simply removing these ties to the US government without replacing them with an appropriate global democratic or multilateral framework would however not be a solution to the problem, but rather an extreme form of neo-liberal liberalization.



latter real and powerful cultural force. They have forcefully declared that the Internet is special and that its governance is to be left to vaguely defined "stakeholders" among whom of course would be the dominant Internet corporations, thus for example allowing Amazon to share in decision making concerning global taxation of its Internet e-commerce activities and Facebook to be a partner in deciding what should be the power of citizens in controlling their own information. To sugarcoat these illogical demands, other non-governmental actors are reluctantly added to the mix. This governance system is euphemistically called 'multistakeholderism', or more specifically, equal-footing multistakeholderism, to make clear the element of parity of power of big corporations with governments in global decision making. Let no one be under any illusion that this is simply about multistakeholder consultations towards policy development rather than actual policy decision making itself. To quote an analysis of the WEF's Global Redesign Initiative (GRI)⁷:

One of GRI's major recommendations is that experiences with "multistakeholder consultations" on global matters should evolve into "multi-stakeholder governance" arrangements. This transformation means that non-state actors would no longer just provide input to decision-makers (e.g. governments or multinational corporations) but would actually be responsible for making global policy decisions. ... (as an example) GRI also recommends a second new form of multi-stakeholder governance for conflict zones in developing countries. They propose that the non-state actors, particularly the business community, join with the UN system to jointly administer these conflict zones. There are some sharp differences between "multistakeholder consultations" and "multistakeholder governance", some of which are often blurred by the loose use of the term "multistakeholder".

There exists clear evidence of how global Internet governance has been chosen for the first foray of this post-democratic governance model. To quote the WEF's Global Agenda Council on the Future of the Internet from the GRI's final report⁸:

This means designing multistakeholder structures for the institutions that deal with global problems with an online dimension. Thus the establishment of a multistakeholder institution to address such issues as Internet privacy, copyright, crime and dispute resolution is necessary. The government voice would be one among many, without always being the final arbiter.

Multistakeholder Internet governance is to be the thin end of the wedge, with the ultimate objective being to introduce such a form of governance in all sectors as their inevitable digitalisation takes place. Quite cannily, the report goes on to observe:

“And as ever more problems come to acquire an online dimension, the multistakeholder institution would become the default in international cooperation.”

⁷ www.umb.edu/gri/appraisal_of_wefs_perspectives_first_objective_enhanced_legitimacy/multistakeholderism

⁸ http://www3.weforum.org/docs/WEF_GRI_EverybodysBusiness_Report_2010.pdf



The bad news from this is that the caravan of neo-liberal capture of global governance has already set out – and in the most grand fashion, with support from some key governments (the US for sure, but, quite surprising, also Brazil) and certain civil society actors.

The new NetMundial Initiative has been announced as the venue “to solve issues in concrete ways to enable an effective and distributed approach to Internet cooperation and governance”⁹. This initiative is being driven by the WEF along with ICANN, the body that governs the Internet's addressing system under US government's oversight, as well as CGI.br, the Brazilian Internet Steering Committee. The Initiative is clearly positioned as 'the' global forum for governing the Internet, and as a replacement of existing, or possible future, UN-based processes, processes that are openly ridiculed by some of the proponents of the NMI.

It is most unfortunate that the Brazilian government – which has often provided leadership on progressive causes to developing countries, and even to civil society – has chosen through its designated Internet collaborator CGI.br to partner in this historic neo-liberal stampede. Would the Brazilian government, and its ruling 'Workers Party', –often seen as a global leader in areas of social justice and democracy – really like to be seen as having partnered in the creation of the first global mechanism incorporating fundamental neo-liberal post-democratic governance principles through the NMI in such direct opposition to the principles of social justice which the current government so clearly articulated in the recent election? Does this really represent the ideology and foreign policy objectives of the Brazil government and its leading party? One still thinks, not, and very much hope it is an aberration that will be corrected.

It is worthy of note that in February 2014, Brazil blocked the “partnership initiative” at the UN which sought to involve centrally the private sector in the running of UN programs. At the time it described any such move as “outsourcing development”. But the NMI initiative appears to us as “outsourcing governance”, which certainly is much worse.

In our view, a small section of 'Internet enthusiasts' within Brazil have been able to influence certain decision makers towards the (equal-footing) 'multistakeholderism' model as a post-democratic form of governance that is a fit for the global Internet. They have succeeded in this because (1) there are indeed some new cultural practices around the Internet which challenge traditional ways of political thinking, and (2) progressive groups in Brazil and elsewhere have not been able to present a coherent framework and model that adequately addresses these new challenges within democratic norms and structures. In view of how the World Social Forum and its opposition to WEF started in Brazil, it is doubly unfortunate if WEF is now supported by Brazil. ***We appeal to the political leaders and the government of Brazil to re-think their latest moves regarding the global governance of the Internet, and to restore the primacy of democracy, human rights, equity and social justice, as the basic principles of their political ideology and of foreign policy; and having done so insist that its Internet representative CGI.br withdraw from the NMI.***

Perhaps even worse is the role and positions taken by those elements of global civil society involved with Internet governance issues. Without going into the structure of civil society in this space – and, for instance, the insistence of a good part of it that they are not bound to be transparent vis a vis their

⁹ http://www3.weforum.org/docs/WEF_1NetmundialInitiativeBrief.pdf



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funding – it can still be said that much of the involved civil society has been misled into supporting the neo-liberalisation of the global governance of the Internet and to withdrawing from and ultimately deny their traditional commitment to social justice by their alignment with the corporate elites and the 1%. The latest example of this is the joining of the NetMundial Initiative by several prominent civil society organizations some of whom by doing so are in direct denial of their roots in social justice advocacy.

We appeal to the large section of Internet governance civil society that has consented to participate in the WEF's NetMundial Initiative to withdraw from supporting corporate-led governance models, under the mistaken notion of being able to obtain 'participation' in global IG and keeping the states at bay from 'controlling the Internet'. They should re-examine their actions, and reconnect to what are traditional civil society norms and motivations. As a start, they must open up a dialogue with civil society groups in other areas of civil society activity, before taking such a precipitous step.

To repeat, the JNC believes that this is a turning point for global governance, and for the continuation of democratic governance of our societies overall. We seek support from progressive groups and individuals in different sectors with regard to the above call to major actors involved in the NetMundial Initiative to reconsider their support and participation in it. We do not have any problem with the WEF or any other group having their own initiative on Internet governance. However, it should not be positioned as 'the' initiative, and in competition to legitimate global governance forums, as is the case with the NetMundial Initiative. Nor should there be any illusions that this is anything other than a corporate and elite initiative, whose outcomes will be whatever suits the interests of these elites and their corporate investments.

Progressive actors should get together to develop and advocate frameworks and mechanisms for governance of the global Internet that are democratic, participative and open, and able to deal equally with abuse of power by big corporates as by states. These frameworks should however not just be reactive. They should also be able to provide viable alternatives to address pressing global Internet-related public policy issues in a democratic manner.

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Status of this document: In view of strong support in the JNC Steering Committee for publishing this statement as quickly possible, this document has been published tentatively on November 17, 2014, pending a formal JNC consensus process.