

The following text is excerpted from the MAG mailing list discussions between 14-20 April, 2008. Emails relating to housekeeping matters are not included. The only editorial changes relate to an effort to anonymize the comments in respect of the Chatham House rule.

(Writer A)

I wonder if you could let us know if you have heard anything more about the MAG renewal process, including a possible timeline, and also whether there are many workshop proposals/questionnaires at this time? I have been talking to a few people on both topics, and it would be helpful to have some idea how these are going. I am hearing from quite a few people that they are finding the April 30 deadline for workshop proposals quite challenging, and wonder if we may need to starting thinking about an extension or perhaps a second round.

(Writer B)

Civil society Internet governance caucus has been discussing workshop ideas and quite a number of themes have been suggested. There's been some good discussion, but to the best of my knowledge non have been developed to the point where organizations could present their proposals in the questionnaire format with the usual list of various multistakeholder partners, potential speakers etc. Some might get things done by the 30th, but perhaps not many.

I don't know how other core civil society organizations are progressing, again I've heard ideas but not seen completed proposals. Also not heard from other stakeholders asking for help suggesting potential civil society partners in their workshop proposals. Of course there's still a couple of weeks before the deadline.

There are two notes on the IGF website about workshops and they are separated by another note about a paper describing the draft Hyderabad programme. The information we're requesting isn't as clearly presented as it might be.

Perhaps we could do two things: persevere with trying to get full proposals by 30 April, while also inviting people to submit short descriptions of workshop ideas they are considering. The request for proposals needs better visibility on the website, perhaps even a separate page. A rough draft:

Reminder: All stakeholders are invited to submit workshop proposals for the Hyderabad IGF meeting, the initial deadline is 30 April 2008. Please send completed questionnaires (give the link to the document) to igf@unog.ch. (If the online form is available then people can be invited to use that rather than the separate file.) Workshops can be proposed on the draft main sessions themes:

- * Universalization of the Internet - How to reach the next billion (Expanding the Internet)
- * Low cost sustainable access
- * Multilingualization
- * Implications for development policy
- * Managing the Internet (Using the Internet)
- * Critical Internet resources
- * Arrangements for Internet governance
- * Global cooperation for Internet security and stability
- * Taking stock and the way forward
- * Emerging issues

(see the notes of the MAG meeting of 27-28 February

<<http://www.intgovforum.org/AGD/MAG.Summary.28.02.2008.v3.pdf>>

for more information about the proposed themes and draft proposed programme)

Workshops on other issues relating to Internet governance and the mandate of the IGF are also welcome.

Stakeholders unable to complete all the information requested in the questionnaire/online form by 30 April are invited to send a description of their proposal. Describe the theme of the proposed workshop including why this should be a topic on the agenda of the Hyderabad

IGF meeting. Limit these descriptions to 150-200 words. The next round of open consultations, 13 May 2008, and MAG meeting on 14-15 May will discuss the Hyderabad agenda, information about the topics stakeholders think should be addressed in Hyderabad would inform discussion in these consultations.

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We also need to hear comments on the draft programme outline and the draft schedule. I'm wondering if it might be a good idea for the secretariat (or the MAG) to draft a letter we can send around requesting input rather than relying on the website and our more individual efforts to encourage contributions. I think people may respond better to a letter (even a form letter) from the secretariat/MAG.

(Writer C)

I support Writer B's suggestion that people be given the flexibility to submit a description of a workshop they would like to organize and have the option not to provide the completed proposal by 30 April. The proposals can be updated.

For those who are in a position to submit more complete information, that will be helpful, and for others who need more time, even the expression of interest to organize a workshop and a brief description will already be a step forward in terms of starting to shape the programme earlier.

It will be important and helpful for the 30 April deadline to stay in place, and the flexibility Adam has described be communicated to the IGF community so that potential workshop organizers can submit their ideas by that date.

(Writer D)

if at least the proposed topics for workshops are submitted by April 30, the secretariat could inform workshop organizers at an early state about other initiatives with similar subjects. Perhaps an early feedback would make it easier to merge workshop proposals...

(Writer E)

I just got questions in Sweden which are similar to those. "How do we know if other people are working on similar ideas as we do?" So having an ability for the IGF Secretariat to "indicate" what initiatives for workshops exists is not a bad idea at all.

I support it.

(Markus Kummer)

There is one issue we need to discuss in more detail, namely the admission of observers. As I remember our discussion last February, there was on the one hand some dissatisfaction about the way we handled this issue in the past and on the other hand an emerging understanding that we could open up a bit more, and admit a limited number of observers, under certain conditions.

There was a strong sense that, whatever we solution we finally might choose, the admission of observers should be handled in an equitable and transparent manner. Also, it was stressed that potential observers who are not based in Geneva ought to know in advance whether they will be admitted, so that they can make travel arrangements.

One way to move forward could be to give each stakeholder group a number of slots they could distribute freely. Maybe a total of ten observers in all. To make sure that the room would not get overcrowded, we could impose a strict door control, so that only 'pre-approved observers' would be allowed in.

It is also my understanding that the general feeling was that observers should have no speaking rights.

Please let me know whether this idea is worth pursuing.

(Writer E)

Yes, I think this should be pursued. Having observers will make it possible to "protect" ourselves from claims that we are running a closed process.

Regarding ensuring the room is not crowded, one could either do what

you suggest, or a combination of this and "first come first serve".
I.e. be honest and open with the fact that "anyone can come, but when the room is full it is full".

One suggestion could be to do like this:

- 1) Have each stakeholder group a certain number of guaranteed seats
- 2) Have "the rest of the room" be filled by people that happen to be there

That said, I think we at the same time have to:

- 3) Work even harder, and never be satisfied regarding remote participation (both for MAG members that can not travel to the MAG meeting and others to the open meeting)
- 4) Reserve the ability for the MAG to have some part of the meeting closed, without observers
- 5) Start each meeting with repeating the fact we run under the Chatham House Rules, specifically regarding citation of what happens in the room, and that that rule also is valid for the observers

I have no idea today directly what would fall under (4), but if we do not have the ability to run part of the meeting closed, we will of course immediately reach a point in time when we would have liked to have it closed.

(Writer F)

I agree with the idea of having observers but also to keep some part of the meeting closed without them.

We must also always allow remote participation for MAG members that cannot be in Geneva for the meetings.

The suggestion made by Markus and by Writer E in relation with allow each stakeholder group a certain number of seats seems to me a good procedure.

(Writer D)

I support these suggestions as well. However, two points.

1. If we believe that parts of the meeting should be restricted to members, we should agree on those parts beforehand. Otherwise we might face awkward situations with semi-public discussions about what should and should not be private.

2. If Chatham House rule applies also to the observers, it could be difficult to explain why they have to leave the room while certain topics are discussed. Does this mean we trust observers only sometimes or only some of them?

I raise these points to ensure that we are clear about what we are doing...

(Writer G)

Just a quick clarification. I assume that when you use the term "observer" you are using it in the generic sense and not in the specific UN sense of the word. Many IGOs, such as the World Bank, ITU and other specialized agencies of the UN are observers (in that more formal sense) and have attended the WGIG and the Advisory Group meetings, and presumably will attend MAG meetings as observers (in the UN sense).

(Writer H)

In my opinion it's really valid to have part of the meeting closed. I would like to suggest we have the first day of the MAG meeting opened and the second closed. It might look like duplicating the open consultation meeting which took before MAG meetingn, but..

Coming to having observer slot : I agree with the slot distribution proposal made below. But, if we have say, 10 slots as suggested by Markus, we will have here also the 50/50 split model used for membership in the MAG (50% of government people and 50% for other stakeholders)? Or what scheme could we use? Since observers will not have a (key) role in on-going discussions I would suggest we follow here what I would call a fully equitable multistakeholder approach: same number of slots for the three...or four stakeholders...:-). I would therefore propose 12 slots instead of 10.

How to allocate slots available within each stakeholder group will be another issue. I would suggest we let each stakeholder group manage the number of slots allocated to them (as we do during opening sessions of some WSIS or IGF meetings. And each participant would need to register online before the meeting.

(Markus Kummer)

Dear Writer G,

You are right. We never made any distinction between representatives of IGOs and MAG members. Here we are talking about an additional category of observers without speaking rights.

(Writer B)

I think we are talking about "onlookers" (term used in the last meeting) rather than observers. Onlookers have no right to speak, observers (the usually IGOs) do have a right to speak.

Agree with Writer H's comments about the number and distribution. 12, three persons to each group (or 16 and four, etc.) They may need badges for the extra days. It would be nice to leave the door open until the room filled, but do we want to spend time moving seats, squashing up, having people worry about power for their laptops, etc? Having to turn people away would be awkward.

Those who join the meeting should register and agree to the chatham house rule. Means someone will need to be on the door to check names.

What type of discussion might we not want public, names of possible speakers, perhaps some discussion about funding (we don't often talk about funding, but perhaps we should!) I'm OK with the second day closed, but equally just the second morning session would be fine. It would be odd to call the meeting closed and then not have anything special to discuss.

(Writer B)

By letter I was thinking of a separate file with all the information needed to submit a workshop proposal. Rather than the one or two lines on the web as we have now, and other relevant information in various other documents. An

invitation from us that explains how to apply.

A title... "IGF multi-stakeholder advisory group invites for proposals for workshops at IGF Hyderabad"?

A description of the themes (specific and that general IG and Tunis Agenda related themes also OK: some workshops will be linked to the main sessions, some not).

Information about the process of making proposals (deadline, if we want full proposals or just summary descriptions OK, multi-stakeholder principles, summary of the questionnaire).

About the workshops themselves (90 minutes, must complete a report, provide a pointer to the draft programme).

Some indication of what's next (consultations in May to consider proposed themes and begin evaluating workshops, that workshop proposers should be willing to merge ideas and partner with others, etc.)

I think it would be more welcoming/encouraging, and would give us something consistent and of substance to send around to our respective interest groups. And I realize it would have been better to have suggested this a few weeks ago!

(Writer I)

I support Writer H proposal of having open the first day of the meeting and closed the second one. So, people who attend the Open consultation meeting know that they could stay for the following day.

We need at least one day of closed meeting and be very efficient with the time.

Regarding the distribution of observers among the stakeholders group, it seems that we think that the stakeholders group are organized groups are they are not. So, we can not allocate 4 places to a given stakeholder group because there are not (and it is impossible to have one) a single point of contact.

It seems to me that the only way to implement that is to receive in advance expressions of interest for attending the meeting. Those expressions of interest should be addressed to the Secretariat indicating to which organization/s is the person representing (it would be necessary to represent somebody) and to which stakeholder group they consider that they belong.

Based on that, the Secretariat should allocate the quotas with enough time in advance in order to let the people to make their travel arrangements and get their badges.

Does the Secretariat agree with taking this responsibility of appointing/selecting the observers if there are more applicants than places?

(Writer A)

Sorry this is a little long, but the discussion is good, and as I am late in I wanted to respond to a few points.

I agree with Markus's first posting, particularly that the admission of "onlookers" (thanks for that Writer B) needs to be handled in an equitable and transparent manner, for the reasons all have stated. To be clear, I think we need to maintain a distinction between "observers" as defined by Writer G and this new class of attendees.

The phrase equitable is particularly relevant in this discussion, and I agree with Markus's suggestion that there be a fixed number, notionally distributed equally among stakeholders, as Writer H suggested, but with Writer I's suggested refinement. I do support the idea of an application process, if the Secretariat would be able to manage it. The application would help us to understand the rationale for someone wanting to attend, beyond their happening to be in Geneva.

I also think it is essential that we reserve for ourselves the right to take the session in camera at any time if needed. Of course, it would be best to schedule some parts of the meeting to be closed from the outset: perhaps the last hour of the first morning, and the 2nd day, or something similar. The key point is predictability so as not to inconvenience the "onlookers".

I don't think the idea of inviting in as many as the room will hold is a good idea. We are already a large group: if we fill the room, who is to say we should not arrange a bigger room? It was my impression that discussion was significantly curtailed in our one completely open meeting last year, when there were many unidentified observers. The MAG members, while having nothing to hide, need to be able to speak frankly and with the understanding that the Chatham House rule will be respected. I may be a cynic, but no matter how we try to impress that rule on the "onlookers," I believe it extremely unlikely that the meetings will not be reported/blogged and thus effectively public. If that is what the group wants, so be it; but I think we would need to have a closed discussion to make that decision ;-)

Responding to Writer D: I don't see the Chatham House rule being only a question of trust. Some topics, such as selection of speakers, perhaps comments on portions of session/workshop planning, etc., require MAG members to comment on individuals or groups who, in theory, might also be "onlookers." Some of those comments could be interpreted as personal or lead to loss of face if taken outside the MAG itself. After all, not all parts of being in the MAG are pleasant; our responsibility to the UNSG and the community sometimes requires that we be more blunt than I (at least) would like to have public.

I would like to raise a related issue related to equity. The practice to date has been for some MAG members to bring in "advisors," sometimes in large numbers. I would like to see that situation clarified as well. For example, which of us can bring in "expert advisors"? All MAG members? If not, why not? Are these distinct from the "onlookers"? For what reason? It seems to me this would be a good time to think about this question, in the context of the discussion of observers and onlookers.

(Writer C)

I support the points and questions Writer A has raised.

If the secretariat can manage an application process, it will be helpful to understand why particular people would like to be an observer and to manage the selection process to ensure balance across stakeholder groups, experience & expertise, and other factors. There should be a limited number of observers that will be allowed (perhaps 10-15 or 20 maximum in total). This should be applied across all stakeholder groups.

I share the view that opening up the number of observers until the room is full, may not be the best approach for all the reasons already stated. It also opens up the door to rotating observers coming in with no specific criteria because one or more observer has left the room. The group of observers selected should be balanced with stakeholders from all groups.

Observers will need to know if they can stay on after the open consultation, and will need to make travel and hotel arrangements accordingly, so a deadline for completing the process of who will be allowed in as an observer will be important. For practical reasons observers should know if they should plan to stay in Geneva or not without the risk of being turned away for lack of space or other reasons at the last minute. If a clear list has been established, this will be prevented.

I would also support having a designated hour or so each day that is closed for the reasons stated by Writer A, and also reserve the Chair's right to decide to excuse observers if the discussion requires it. It will be important to state this clearly ahead of time so that observers are aware.

A mechanism to ensure that it is clear who is in the room, and that they are meant to be there should be put in place.

I share Writer A's questions about the 'advisors' who have accompanied MAG members to the meetings in the past. This has not been clear to me either. If MAG members would like to bring in 'advisors' it would be more equitable and clear if these individuals applied to be an observer, through the process we are discussing, and thus be part of the overall balanced group of observers that comes into the meetings if they are selected.

(Writer J expressly requested that his message be not published)

(Writer A)

Thanks, Writer C. On your final point, I think special dispensation needs to be provided, should Nitin decide to continue appointing his "special advisors" -- perhaps the word "special" is sufficient.

(Writer K)

I would like to support Writer A's approach, and his questions.

(Writer L)

I also support Writer A's approach.

(Writer M)

I wish to make three connected points:

1. I agree with Writer J's broad concerns and I wonder why we even want to do this. There is an open session that precedes the MAG meeting. Observers and onlookers have this opportunity to participate.
 2. Some organizations such as WIPO allow entry of accredited IGOs and NGOs who are allowed limited opportunities to speak (typically once at the formal opening session). However, in WIPO's informal meetings, IGOs and NGOs are not allowed in the room. Informal sessions present opportunities for the "members" to speak freely (Chatham House) as we do in the MAG.
 3. I believe that provided we achieve acceptable multi-stakeholder representation in the MAG that no one else should be admitted.
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(Writer D)

as we all know, there are pro's and cons to opening the MAG meetings to onlookers.

On the positive side there is presumably increased transparency and legitimacy. I've noticed quite a bit of suspicion about the MAG's authority and the role of specific individuals or groups in the MAG. One could also assume that those interested in serving on the MAG may use this opportunity to get a better understanding of how the MAG works.

The downside I see is that an admission of onlookers seems to create the need for more rules and may make the work of the secretariat more complicated than it already is. Moreover, such rules may evoke new criticism among those whose participation is restricted by those rules.

All in all I am in favor of opening the MAG for onlookers for the simple reason that most of the things we discuss are not particularly confidential. I also find it unlikely that MAG members would speak less openly because of onlookers being the room. The MAG seems already now a

bit large and diverse for an atmosphere of trust.

We should declare beforehand which issues we prefer to discuss without onlookers. The only issue I can think of pertains to names of speakers or moderators.

(Writer I)

I have already expressed my opinion about observers in general, so let me focus now in the advisors of the AG members. I don't see any reason to have advisors. As Nitin has said many times, all of us are already advisors so having our own advisors they would be the advisors of advisors what doesn't make sense to me.

Beside that, allowing Ag members advisors would not be something equitable, since the possibility of bringing these advisors will be limited to those that have the resources for doing that.

So, I tend to disagree with the idea of allowing AG members' advisors.

(Writer F)

I want to support what Writer I is expressing in his message. I also do not see reasons to have advisors, in my particular case I am already an advisor to the government of my country and this is why I participate in the MAG. If additional advisors are allowed, the expected regional balance and the desired representation of developing countries will be difficult to obtain among the group that participates in the face to face meetings. In this sense, remote participation must always be allowed, for those who are members of the MAG and cannot travel to Geneva for attending these meetings.

(Writer N)

I'm also in agreement with Writers F and I. I don't see the value of 'advisors of advisors'.

Furthermore, this will even make it harder for the developing countries representatives to attend the MAG meetings due to the increased travel costs.

(Writer O)

We should be careful we do not complicate issues for our own working arrangements. I support Writer A's approach.

(Writer P)

I too agree with Writer A's analysis and the questions we need to answer.

I also support Writer I's view on the advisors top advisors.

(Writer B)

Dear Markus,

Thank you for putting new information about workshops on the website <http://www.intgovforum.org/workshop_info.htm> and new online proposal form <<http://intgovforum.org/interface/Registration.php>>.

Key information we're requesting by April 30 is:

- "1. Name of proposed workshop
2. Provide a concise description of the proposed workshop theme including its importance and relevance to the IGF.
4. Provide the name of the organizer(s) of the workshop and their affiliation to various stakeholder groups. Describe how you will take steps to adhere to the multi-stakeholder principle, geographical diversity and gender balance.
9. Under which of the five IGF themes does the proposal fall under ? (access, critical Internet resources, diversity, openness, security)"

About question 9 -- asking about the five themes isn't consistent with the draft main sessions themes from our February meeting and given on the workshop description page (above).

(There's a spelling mistake, New Proposal Form question 2 discription/description.)

(Writer Q)

Writer M has spoken with great wisdom here; so have IMO Writers A and J.

1. Writer M shows with the example of WIPO that we have swallowed naively the mantra that a number of IGO's have an open door in every room and meeting (unless this applies only to the Palais des Nations and the UN, but not to all other international organizations.)

2. The discussion about observers or onlookers has shown that the issue is not simple and in fact begins to beg for such a florid set of rules and new responsibilities for the Secretariat, like fairness in selection of who goes in and who does not, swearing each individual participant to Chatham House rules, and so on, that the issue should be declared not workable at the time. If we are very efficient in our discussions in Geneva we may set apart a session to discuss this for the future of the IGF.

3. From WGIG experience we know that advisors of advisors (i.e. advisors, adjutants, technical and secretarial staff of members of the Advisory Group) create a profound imbalance in the workings of the group and beg questions of fairness, confidentiality, and multistakeholder balance. The Group's rules should advise against them long in advance in order to avoid having to shut the door on them (which in my experience since 2004 seems impossible to do.)

4. The question of observers was actually motivated by a deeper question about transparency and accountability of the Advisory Group, which can be addressed now that we are halfway into the IGF's mandate. We should set aside some brief time in our meetings to map out the discussion. Instead or on top of asking, "how can we become more transparent?", we could use a devil's advocate approach and ask "what has lacked in transparency, what damage has it done, and to whom?". The main questions about the Advisory Group's work that seem to give rise to the demand for observers and onlookers seem to stem from questions like "why was this subject chosen over that one for a main session/workshop/side show?" and "why was this speaker (or the organization and point of view he/she is understood to represent) selected instead of that one?". Courage, fellow AG members, let's face these questions and decide whether the presence of onlookers can dissipate those doubts in a way that is necessary.

5. The analysis implicit in the paragraph above leads to the thought embodied in writer J's analysis that a large fraction of those

wishing to sit in the sessions want to act in oversight and with influence over the Advisory Group's discussions and decisions. They are most likely to attempt to influence the discussions in corridor work, over lunch, etc., begging actually deeper questions about transparency and accountability. The onlooker seats thus become a privileged way of exerting action over the AG and are deeply inequitable.

Whatever is decided I hope we can take into account these considerations in a realistic, constructive fashion that can scale well into the future.