

Poland's food for thought on Internet governance aspects in the pre-Sao Paulo discussions¹.

1. Poland welcomes the convening by Brazil of the Global Multistakeholder Meeting on the Future of Internet Governance to Sao Paulo in April 2014. We support the effort to craft globally accepted *Internet Governance Principles* and propose a *Roadmap for the further evolution of the Internet governance ecosystem (Roadmap)* and consider it a timely and important event in the global process of Internet governance. The meeting's legitimacy will be dependent on acquiring a genuine and wide support and involvement of a truly multistakeholder environment. In that context we share the European Commission's and many countries' view, that the failure of the Sao Paulo Meeting would risk projecting Internet governance issues back into the intergovernmental fora and organizations, threatening the multistakeholder model.
2. Poland feels however that there should be no question about the ultimate objective of this global exercise. Irrespective of which forum along the way the multistakeholder community convenes to network, the principal goal to pursue is the unfragmented Internet which should stay free, innovative and open. A globally accepted set of principles should serve as a means to that end. Poland believes that this is a task for the stakeholders to effectively participate in the development of such principles. They should constitute the underlying basis in any discussions or any related framework of Internet governance. In this light the Sao Paulo meeting becomes particularly useful.
3. Poland, inspired by the objectives listed in the *Internet Governance Council of Europe Strategy 2012-2015*² and having in mind the ultimate goal of the free, innovative, open and unfragmented Internet, believes that the *Internet Governance Principles* as well as the *Roadmap* must respect and protect core values and features of Internet such as:
 - privacy of Internet users;
 - open and free technical standards and protocols;
 - human rights and freedoms of Internet users, in particular freedom of speech, access to information and prohibition of preventive censorship;
 - net neutrality and technological neutrality of the Internet infrastructure;
 - the Internet's potential to promote democracy and cultural diversity;
4. The same rights that people enjoy offline must also be protected online. Poland believes that these values have a unique power of ensuring inclusiveness for all stakeholders.
5. Building on the *Internet Governance Council of Europe Strategy 2012-2015*³ Poland strongly advocates applying the method of "doing no harm" to the operational aspects of the Internet as we know it. Any policy, action or decision, both at the national and

¹ Poland continues its active involvement in discussions on Internet governance advocating for a multistakeholder approach. See Polish EU PRESIDENCY PAPER: Internet Governance Forum, 27-30 September 2011 Nairobi, Kenya

² CM(2011)175 final

³ CM(2011)175 final

global level, pertaining to the Internet, should be subjected to the “do no harm” test with criteria based on the above mentioned values and features of the Internet. Although the Council of Europe Strategy introduces the “do no harm” principle only to ensure the application of the European Convention on Human Rights in the online environment, the application of this rule should be extended to encompass all values and features of the Internet as mentioned in previous point.

6. The Sao Paulo *Roadmap* should respect basic requirements for strengthening the multistakeholder model, as stated in the latest Commission Communication on Internet governance⁴, the main of which being: **transparency** of the process, **inclusiveness** and **balance** involving a reasonable effort to reach out to all parties impacted by a given topic, and holding respective bodies **accountable** to all involved in multistakeholder process for actions taken.
7. It can be assumed that one of the main points of the *Roadmap* will be the question of globalization of the ICANN and IANA functions. This issue has been raised in the *Montevideo Statement on the Future of Internet Cooperation*, where leaders of so called technical organizations, among others issues, called for accelerating the globalization of ICANN and IANA functions, towards an environment in which all stakeholders participate on an equal footing. Poland also shares the concern that delegating IANA functions to ICANN through a contractual relationship with a single country raises issues pertaining to inadequate accountability, a lack of transparency and unbalanced stakeholder influence. Thus Poland will support efforts to provide for globalization of ICANN and IANA functions within the scope of the *Roadmap*.
8. The *Roadmap* should make a full use of the well-established frameworks of multistakeholder dialogue, in particular by giving proper recognition to the Internet Governance Forum (IGF), with a view to turning it into an outcome-oriented body. The results of the Working Group on Improvements to IGF offer valuable ideas in this respect.
9. Poland remains strongly committed to the multistakeholder model of Internet governance, and thus welcomes and anticipates any improvements to the ongoing process, as long as these changes adhere to the principles of multistakeholderism set out above. One of the tools strengthening the multistakeholder model is an extensive use of technology allowing remote participation in meetings and in decision-making process, helping organizations and entities, especially from developing countries, to get involved. Truly multistakeholder model is open and public in nature so all forums and meetings that address issues related to Internet should be open to broad participation of all stakeholders.

⁴ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions Internet Policy and Governance Europe's role in shaping the future of Internet Governance COM(2014) 72/4