

Work Plan 2021 - Let's discuss the 'governance' in Internet Governance!

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This document aims to empower young people and members of JEF with practical knowledge on Internet governance and related issues, including understanding of the EU regulations. The ambition is to make young people's voice heard in Internet governance decision-making processes and fora, with a focus on protecting fundamental rights online and improving participation and inclusiveness. This Policy Brief is part of JEF Europe's work plan "Let's discuss the 'governance' in Internet Governance!" funded by the European Youth Foundation of the Council of Europe.

1/ Internet Governance: a multipolar and fast-evolving ecosystem

1.1. Internet Governance: what are we talking about?

What is the Internet?

The Internet is a communication network made up of millions of networks, **owned and operated by various stakeholders**. It connects these networks to each other and facilitates the overall exchange of information. Hundreds of stakeholders have been involved in the design and regulation of the Internet, including governments, international organisations, private companies, technical committees, CSOs...

What is Internet Governance?

Though there is a common understanding of the Internet, there is **no shared view of what Internet Governance (IG)**. A first step might be in 2005, when 40 stakeholders¹ developed a working definition on IG:

"Internet Governance is the development and application by the governments, the private sector and the civil society of shared principles, norms, rules, decision-making procedures, and programmes that shape the evolution and use of the Internet."

Since 2005, however, the Internet has dramatically changed, whether in terms of services, stakeholders, users, platforms, applications, cyberthreats. The Internet consists of multiple layers that were not foreseen 15 years ago. **By now, various stakeholders (private, public, civic) and different (trans)national regulatory systems** are involved in Internet Governance processes. IG is hence an extensive form of global governance: while, in a multilateral world, state actors deal with issues of their own sovereignty, Internet governance needs a transnational perspective as it involves more stakeholders. This implies three main challenges:

- Making this complex ecosystem of (supra)national regulations, international fora, public, private and civic stakeholders work together as a multistakeholder model
- Preserving the integrity of the technical infrastructure while ensuring that Internet Governance complies with democratic values and fundamental rights.
- Ensuring participation, inclusion and representation in the process. IG forums need experts in various areas (e.g. journalists, platforms, (youth) CSOs), for diverse expertise to come together, form a comprehensive network and shape an Internet adapted to our multidimensional societies.

¹ UN Working Group on Internet Governance (WGIG) [report](#) on Internet Governance, 2005.

1.2. Multistakeholderism: a federalist approach to IG?

*“The **multistakeholder model of Internet governance**² is the best mechanism for maintaining an open, resilient, and secure Internet because, among other things, it is informed by a broad foundation of interested parties – including businesses, technical experts, civil society, and governments – arriving at consensus through a bottom-up process regarding policies affecting the underlying functioning of the Internet domain system.”³*

Lawrence E. Strickling, US Assistant Secretary of Commerce for Communications and Information

Why does a multistakeholder approach resonate with federalism?

There's [growing recognition](#) that to solve complex problems, you need to draw on diverse expertise and involve different stakeholders and levels in the decision-making process. A multistakeholder framework allows for the involvement of different stakeholders (governments, private sector, civil society organisations, and especially young citizens) at different levels (local, national, European, global) in the decision-making process⁴. This approach resonates with two pillars of federalism as developed by JEF Europe in its [Political Platform](#): subsidiarity and participation.

2/ Protecting fundamental rights online.

Why are fundamental rights linked with Internet Governance? What are the issues to address?

The principles, norms and rules defined in the 2005 working definition by the UN Working Group on Internet Governance can cover a wide range of issues, such as the fight against online hate speech, harmful and illegal content, cyberbullying, and the protection of fundamental rights online such as freedom of expression. But how is a content considered as harmful, as hate speech, as discriminatory? By whom? Who takes the decision to remove it? Where is the barrier between harmful content and freedom of expression?

Case study 1: Social media and online freedom of expression

When Donald Trump's account was removed by Twitter, it demonstrated that online platforms have an influential power that civil society cannot ignore anymore. Then, how can we make sure that freedom of expression cannot be limited by online platforms?

Case study 2: Right to information and content curation algorithms

The principle is quite simple: algorithms on social media detect the content that users are the most likely to engage with⁵, and by only showing the content that the algorithm considers relevant to the user's profile, it creates bubbles of content. Users may overtime see different content on the same website and even “rabbithole” into extreme sides. These opinion bubbles harm democratic principles such as pluralism, diversity, debate, and narrow the access to information, as could be seen during e.g. the Facebook and Cambridge Analytica Scandal from 2018⁶. It can also lead to seeing paid advertising from specific political parties but not others. By removing pluralism and access to different sources of information, algorithms attack two pillars of democracy and fundamental rights.

² The Council of Europe [supports multi-stakeholder dialogue](#) in its approach to Internet Governance.

³ S.N. Brotman, [‘Multistakeholder Internet Governance: A pathway completed, the road ahead’](#), CTI at Brookings, July 2015.

⁴ *The distinction between ‘actor’ and ‘stakeholder’ is interesting to keep in mind in this regard: **actors** are users who do not influence the decision-making process, whereas **stakeholders** have a role and are directly involved.*

⁵ *The issue of human rights and algorithms is [addressed by the Council of Europe](#) in its approach to IG. It has also been addressed by the Joint Research Centre of the European Commission in the Report [‘Technology and Democracy: Understanding the influence of online technologies on political behaviour and decision-making’](#).*

⁶ Read more: [The Cambridge Analytica scandal changed the world – but it didn't change Facebook](#), The Guardian, March 2020

The decision-making processes and the definition of the norms/values/principles to be applied on the Internet can eventually affect or protect fundamental rights. Setting up a democratic IG model means protecting our fundamental rights on the internet.

What are digital rights? How are they linked with Internet Governance?

1. Digital rights have been sorely tested during the Covid-19 pandemic, with two ‘extremes’:
 - The urge of a ‘**right to disconnect**’, as the generalisation of teleworking has blurred the border between private and professional life (work-life balance).
 - The urge of a ‘**right to Internet access**’, as moving classes online has increased inequalities for students coming from disadvantaged backgrounds, who have limited or no access to a stable Internet connection or to a computer.
2. Although the Internet and digital technologies have been taking a growing importance in people’s lives (whether professional, personal or democratic life⁷), [digital inclusion](#) and digital literacy are lagging behind. Despite daily use of the Internet, of online tools and platforms, of digital technologies etc., a lot of people and organisations feel that Internet Governance is distant from their daily lives. But **the way the Internet is regulated and the way values/principles/norms are applied directly impact digital rights**, such as the right to privacy or the protection of personal data online. Moreover, regulations and literacy on digital threats, from fake news and harmful and illegal content to cyberattacks, cybercrime (phishing, ransomware, virus, hackers...) or cyberbullying, are urgently needed.

There is a balance to find between regulation and rights. The accountability of social media platforms implies the need of a regulation for social media to be held accountable for what happens in their platforms (e.g. hate speech, fake news, harmful and illegal content...), while preserving fundamental rights online such as freedom of expression.

3/ The challenge of regulation

There is a high demand from stakeholders, and especially civil society organisations, for governmental organisations to **regulate the Internet**, notably by adopting legislation and policies regarding e.g. cybercrime, data protection, online hate speech, illegal content, freedom of expression online. The challenge for intergovernmental organisations, and the European Union, who have the ambition to regulate the IG, is that the Internet is a multipolar space, and involves multiple **(inter)governmental / (supra)national blocks who do not share the same values** and objectives when it comes to regulating the Internet and the use of digital technologies.

Moreover, governments are not the only stakeholders involved: Private actors, such as online platforms, also known as *gatekeepers*⁸, participate in and influence Internet Governance processes. The EU and more broadly global institutions, in cooperation with the companies and civil society organisations, have to ensure the responsibility, accountability and transparency of online platforms and artificial intelligence processes, while ensuring consumer protection and the respect of fundamental rights and values online.

In this regard, the European Commission launched the **EU’s digital strategy** in 2020 aiming “*to make the digital transformation work for people and businesses, while helping to achieve climate-neutral Europe targets by 2050.*” The strategy is divided into 2 frameworks:

⁷ On the concept of digital democracy and the use of digital tools to enhance citizen participation in democratic processes, see ECAS’ Paper on [‘Next-level participation: citizen-driven e-participation tools’](#).

⁸ see glossary for definition of gatekeepers

- [Europe's Digital Decade plan](#) to ensure Europe's digital transformation by 2030. This vision for the EU's digital decade evolves around four cardinal points which are skills, governments, infrastructures, and business.
- [Shaping Europe's digital future](#) developed on three pillars which are: a technology that works for the people, a fair and competitive digital economy, and an open, democratic and sustainable society.

Following the first steps taken by the Commission in recent years - notably the **General Data Protection Regulation** (GDPR) which came into force in 2018 - several proposals have been announced by the European Commission within the mandate of President von der Leyen (2019 - 2024) to shape the digital landscape and make Europe as a pioneer in regulating digital giants and companies.

- [Digital Services Act \(DSA\)](#), consisting of a *“set of rules on intermediaries' obligations and accountability across the single market will open up new opportunities to provide digital services across borders, while ensuring a high level of protection to all users, no matter where they live in the EU”*.
- [Digital Markets Act \(DMA\)](#) establishing a *“set of narrowly defined objective criteria for qualifying a large online platform as a so-called “gatekeeper”. This allows the DMA to remain well targeted to the problem that it aims to tackle as regards large, systemic online platforms.”*
- Commission proposals to regulate and define new rules for excellence and trust in [new Artificial Intelligence regulation](#) which consists of *“making sure that Europeans can trust what AI has to offer. Proportionate and flexible rules will address the specific risks posed by AI systems and set the highest standard worldwide”* through a risk-based approach on 4 levels: Minimal risk, Limited risk, High-risk, and Unacceptable risk.

The topic is gaining a bigger role: Important to note that in the recently approved *Recovery and Resilience Facility* (RFF/EU Recovery Fund), each EU Member State will have to dedicate a minimum of **20%** of their fund to foster the digital transition. The latter includes reforms and investment to foster digital connectivity, such as “universal and affordable access to Gigabit connectivity in all urban and rural areas”, with a particular focus on investment in broadband networks in rural areas, to tackle the current lack of investment which resulted in “important social divergences and exacerbated inequalities in terms of connectivity, resulting in lack of fair access to quality education, job opportunities and affordable and accessible services” in these rural areas.⁹ The EU had previously launched similar initiatives, such as [Wi-Fi4EU](#), but the current budget allocated through the Recovery Fund is much more ambitious. As Internet Governance processes are meant to shape the use and evolution of the Internet, providing rural areas with quality access to the Internet is an essential principle to ensure inclusiveness and equality between citizens and territories - here in the EU.

[4/ Youth-specific issues: digital rights, inclusion and participation](#)

[4.1. Why is it linked with Internet Governance?](#)

Any regulation on online freedom of speech, online hate speech, cyberbullying, right to information, future of work in the digital transition, etc. is part of Internet Governance and concerns young people directly, either as future/youth workers, social media and online platform users, consumers of digital services, or citizens who have the right to access information.

⁹ https://ec.europa.eu/info/sites/default/files/component_digital_connectivity.pdf

Young people do not only have the right to be informed about this topic, they also have the right to get actively involved in the decision-making process, to provide input, to express recommendations, etc. Moreover, digital literacy and access to digital tools and training are essential for young people, especially in the context of the digital transition, as the future job market will require digital skills that young people will need to develop to be employable.¹⁰

4.2. What are the current challenges/difficulties?

• Meaningful youth participation?

IG international forums exist, where discussions take place and recommendations are issued (e.g. EuroDIG, YouthDIG, ICANN). Young people have several possibilities to get involved, for example through Internet governance forums and capacity building events dedicated to young people: examples of these include YouthDIG, SEEDIG Youth School, the African IG Youth Summit, and the IGF Youth Ambassadors initiative. However, all of these platforms face different challenges:

- **Inclusiveness challenge:** including youngsters from diverse backgrounds in IG fora, empowering them by tackling the ‘impostor syndrome’ as some young people feel that their background makes them irrelevant to contribute;
- **Follow-up challenge:** where do these trained young people go afterwards? What do they do?
- **Reaching out challenge:** how to turn discussions and recommendations into policies and laws, how to reach out to decision-makers outside of (youth) IG fora?
- **Representativeness challenge:** being young does not mean representing ‘the youth’. You may simply represent yourself or your organisation.

Opportunity for JEF Europe:

• Breaking misconceptions on young people and the Internet

- **Young people are seen as a digital / tech-savvy generation but it doesn’t mean that they have digital literacy**

E.g. Knowing how to use intuitive social media does not protect you from cyberbullying or cyberthreats, does not mean that you know how to use more complex digital tools, and does not mean that you are aware of e-participation or e-consultation possibilities.

- **Moving activities online does not automatically imply that it will increase young people’s participation:**

During the Covid-19 crisis, moving courses online and closing student libraries actually damaged participation. In primary, secondary and higher education, young people from disadvantaged backgrounds, with no or little access to a stable connection or to a computer/laptop/tablet could not attend classes. This increases inequalities.

How to improve youth participation? Insights from the Stakeholder Meetings

At the expert meetings on IG held by JEF Europe in March 2021, the following ideas have been mentioned to improve youth participation in forming IG:

- Strengthen knowledge and organise trainings (school + lifelong training) on the use of digital technologies/services and on advocacy;
- Foster (youth) CSOs and IG fora to share materials to improve digital literacy;

¹⁰ See for example [The Future of Work and Youth](#) report published by the European Youth Forum in April 2019.

- Develop dialogue areas (e.g. with experts) for young people to better understand what is at stake in IG, interact with skilled stakeholders, and express their recommendations to reach out to relevant forums and decision-making bodies.

⇒ **Need for digital literacy, awareness, inclusiveness, education and (lifelong) training to empower citizens.**

What's next?

- JEF-led international seminars in Alicante and Helsinki;
- Participation of JEF in youth working groups on Internet Governance (e.g. YouthDIG, YouthSIG) to disseminate our input;
- Participation of JEF in national Internet Governance fora;
- Contributing to the working groups of YouthSIG and YCIG in view of the IGF2021, to disseminate our input in IG Youth Fora.