

VII Ukrainian Internet Governance Forum

IGF-UA

Kyiv, October 14, 2016

Annual report

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INTRODUCTION

The first Ukrainian Internet Governance Forum (IGF-UA) was held in September 2010 in Kyiv. Since that time the annual IGF-UA was a continuation of the world series of Forums due to discuss the most important issues of the information society development, consolidation of efforts of state bodies, business, online community, professional and academic elites in order to accelerate the implementation of the IT-capabilities, creating conditions for comprehensive development of Internet technologies for the public interest. IGF-UA always gathers participants from different countries who represent international organizations, governmental agencies, non-governmental and commercial organizations in the field of ICT and media.

The seventh Ukrainian Internet Governance Forum IGF-UA was held on 14th October 2016 at the Centre of events Nivki-hall (Kyiv). Over 130 participants attended the event from Ukraine and other European countries, representing government agencies, international organizations, private sector, civil society, academic and technical community, the media, the students youth. A significant number of participants took part in the IGF-UA remotely.

IGF-UA continues to be an important component of the national debate about the future of the Internet in Ukraine.

ORGANIZATIONAL PROCESS

The activity of the Organizing Committee is based on the "Principles regarding the conduct of the Ukrainian Internet Governance Forum IGF-UA (Protocol of intentions)". This document was developed for the implementation of the decisions of the 4th IGF-UA.

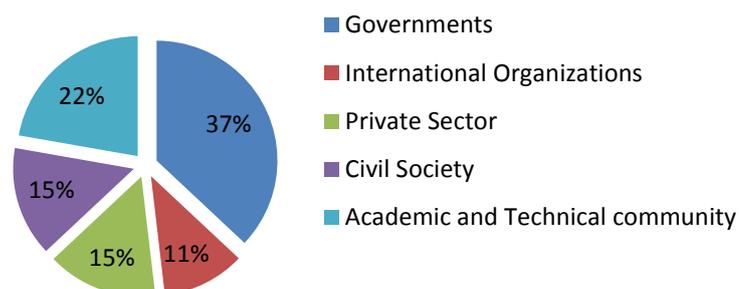
"Principles of the Ukrainian Internet governance Forum IGF-UA (Protocol of intentions)": <http://igf-ua.org/docs/Principles.doc>.

All members of the Internet community, who came up with a proposal on the inclusion of his candidacy in the Organizing Committee and agreed with the Principles concerning the conduct of the Ukrainian Internet Governance Forum IGF-UA (Protocol of intent), were elected as a member of the Organizing Committee.

The Organizing Committee consists of 26 people, balanced in representing different stakeholder groups: government agencies, international organizations, private sector, civil society, academic and technical communities.

The Members of IGF-UA Organizing Committee

	Full name	Organization	Stakeholder group
1.	Antonenko Serhii	The state Agency for e-governance of Ukraine	Government organizations
2.	Baranov Oleksandr	Research Institute of Computer Science and Law of National Academy of legal Sciences of Ukraine	Academic and technical community
3.	Bidenko Artem	Ministry of Information Policy of Ukraine	Government organizations
4.	Harkavenko Oleksandr	The security service of Ukraine	Government organizations
5.	Honcharuk Yurii	Association of Enterprises "Ukrainian Network Information Center"	Private sector
6.	Husiev Oleh	The Commission on science and information technology	Civil society
7.	Dziuba Serhii	National Commission For The State Regulation Of Communications And Informatization	Government organizations
8.	Karhapolov Yurii	Internet Association of Ukraine	Civil society/ Private sector
9.	Kosyk Viktoriia	Institute modernization of educational content, Ministry of Education of Ukraine	Academic and technical community
10.	Konovalov Oleksii	Kyiv College of Communication	Academic and technical community
11.	Kokhmaniuk Dmytro	The Independent Expert	Private sector
12.	Kukovskyi Volodymyr	Secretary Of The Organizing Committee	Civil society
13.	Soltanovskyi Vitalii	The security service of Ukraine	Government organizations
14.	Opanasenko Oleksandr	The Verkhovna Rada of Ukraine Committee on issues of freedom of speech and information policy	Government organizations
15.	Paziuk Andrii	Institute of international relations of KNU of Taras Shevchenko	Academic and technical community
16.	Parno-Kyriienko Lesia	A joint project of the European Union and the Council of Europe "Freedom of media in Ukraine."	International organization
17.	Pietukhov Ivan	Ukrainian League Of Industrialists And Entrepreneurs	Civil society/ Private sector
18.	Potashev Serhii	The apparatus of the Verkhovna Rada Committee on Informatization and communications	Government organizations
19.	Prykhodko Oksana	European Media Platform	Civil society
20.	Protsenko Diana	Center for Innovations Development of National University "Kyiv-Mohyla Academy"	Academic and technical community
21.	Semeniuk Dmytro	The office of fight against cybercrime of MIA of Ukraine	Government organizations
22.	Smolianinov Pavlo	State Service of Special Communication and Information Protection of Ukraine	Government organizations
23.	Stetsenko Dmytro	The Verkhovna Rada of Ukraine Committee on Freedom of Speech and Information Policy	Government organizations
24.	Tkachenko Svitlana	Hostmaster	Private sector
25.	Tsaruk Oleksandr	Government Advisory Committee of ICANN	International organization
26.	Yakushev Mikhail	ICANN	International organization



Pic.1. Participation of representatives in the IGF-UA Organizing Committee of various stakeholder groups

At the 5th IGF-UA, held in October 2014, it was decided to carry out the activities of the Organizing Committee of IGF-UA on a regular basis. In order to implement this decision, the Organizing Committee was performing work not only during the immediate preparations for the IGF, but throughout the period between the 6th and 7th IGF-UA.

There were six meetings of the Organizing Committee – 01.06.2016, 08.07.2016, 04.08.2016, 16.09.2016, 27.09.2016 and 10.10.2016 (protocols of meetings in Ukrainian – <http://igf-ua.org>).

At meetings of the Organizing Committee, in addition to issues of the organization of the IGF-UA, were discussed the questions of the participation in the European Dialogue on Internet governance EuroDIG, the employment of the developments of the Internet community of Ukraine in the Organizing Committee. It was also organized terminal for remote participation in the European Dialogue on Internet Governance EuroDIG 10.06.2016. Topics of discussion – national initiatives in the field of Internet governance.

The Organizing Committee has determined the composition of the nine Organizers IGF-UA: Internet Association of Ukraine, Commission for Science and IT of the Ukrainian League Of Industrialists And Entrepreneurs, Joint project of the European Union and Council of Europe "Freedom of media in Ukraine", Internet Corporation for Assigned Names and Numbers (ICANN), RIPE NCC (RIPE Network Coordination Centre), ISOC (Internet Society), National Commission For The State Regulation Of Communications And Informatization, the IGF support association, NGO "European Media Platform".

Thus, among the organizers there is a balanced representation of different stakeholder groups:

- Civil society / Private sector (Internet Association of Ukraine, Commission for Science and IT of the Ukrainian League Of Industrialists And Entrepreneurs);
- Civil society (ISOC, NGO "European Media Platform");
- Private sector (RIPE Network Coordination Centre);
- Governmental bodies (National Commission For The State Regulation Of Communications And Informatization);
- International organizations (a Joint project of the European Union and Council of Europe of a project "Freedom of media in Ukraine", ICANN, the IGF support association).

The forum was held with the support of the Ministry of information policy of Ukraine (government organization) and State scientific institution "Institute of modernization of content of education" of MES of Ukraine (Academic and technical community).

The partner of the Forum was Arzinger Law office (Private sector).

AGENDA

The main purpose of IGF-UA is the development of Internet governance in Ukraine through multi-stakeholder dialogue and promoting partnerships in order to coordinate stakeholders for better and more balanced development of the Internet for the interests of the Ukrainian citizens. Based on this goal, the Organizing Committee has identified a list of the main topics for discussion at IGF-UA. They formed the basis of a number of platforms/sites for discussion and debate.

The plenary meeting. Reviewed the situation on the Internet governance in the world and prospects for the near future.

Site No. 1.1. A discussion about the role of the state in the Internet governance processes.

Site No. 1.2. An open lecture on attraction of youth to the ICANN's programs for the student group "Laboratory of Internet governance".

Site No. 2.1. Within the theme "cyber security" discussed the following key issues:

- Legislative support of cyber security of Ukraine;
- Cyber security and war;
- Industry Certification;
- Cyber security and human rights

Site No. 2.2. Within the theme "The rights and freedoms online" hosted a discussion on "European standards and practices in ensuring a balance between human rights and security on the Internet.

Site No. 3.1. Within the theme "Intellectual Property Rights Protection" discussed the following key issues:

- Reform the legal regulatory framework on copyright in the EU
- New mechanisms for the protection of IP rights on the Internet.
- The legal basis for the functioning of the WHOIS and the protection of personal data.

Site No. 3.2. Within the theme "Digital era for Education" discussed the following key issues:

- Cloud services
- Online tournaments
- Online educational resources
- Ontological textbooks
- Informal education

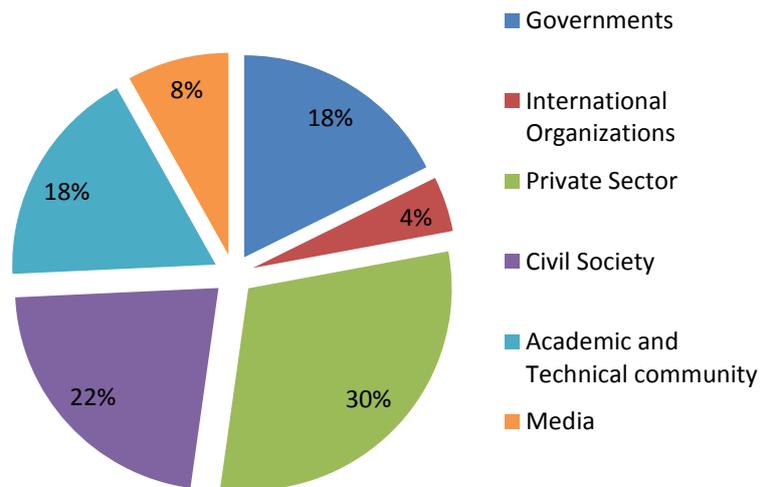
Site No. 3.3. In the framework of the Round table with the domain of issues discussed problematic issues of the current state of domain market of Ukraine, the world trends domains:

- What might be the consequences of the IANA Transition process?
- How might the Internet change in connection with the newgTLD program?
- What are the technical issues confronting modern domain name market?

PARTICIPANTS

In the 7th Ukrainian Internet Governance Forum IGF-UA participated more than 130 participants from all over Ukraine and other European countries, representing government agencies, international organizations, private sector, civil society, academic and technical community, media and youth.

A significant number of participants took part in the IGF-UA remotely. Participants who took part in the IGF-UA remotely, had the opportunity for feedback via email.



Pic 2. Representation of different stakeholders among participants of IGF-UA-2016

Full list of Participants (on-site) IGF-UA-2016 – <http://igf-ua.org/%D1%83%D1%87%D0%B0%D1%81%D0%BD%D0%B8%D0%BA%D0%B8-igf-ua-2016>

During the "Stakeholders' Lunch" a survey was conducted among the IGF-UA participants regarding responsibilities of the state, the private sector and civil society in the field of Internet governance. The most common response among representatives of civil society was "Awareness-raising and capacity-building (knowledge, training, skills sharing)", and among the representatives of the government – "Public policymaking and coordination and implementation, as appropriate, at the national level, and policy development and coordination at the regional and international levels" and "Creating an enabling environment for information and communication technology (ICT) development".

CONCLUSIONS

The moderators of the panels presented the final statements at the closing panel discussion. They underlined the fruitfulness of the discussions, the importance of implementing international experience in Ukraine and the role of the discussions of the 7th IGF-UA in further improvement of Internet governance.

During the **discussion of the role of the state in the Internet governance processes** was proposed a number of practical steps that should make the Ukrainian government agencies together with representatives of the Internet community, particularly the necessary components of administrative reform in the ICT industry in Ukraine, dissemination of information in Ukraine about protection of the rights of Internet users. There were differing views of the representatives of the government, public and business on the need to publish the data of the Internet access quality by Internet service providers.

The panelists on the topic of "**Cybersecurity**" admitted that today in Ukraine there is the lack of legislative provision of cybersecurity relatively equal interaction between the state, private sector and civil society, ignoring the European practice of democratic control over the actions and powers of government, while implanting the practice of the state-aggressor and collapsing the IT -sector. It was proposed to deepen and to specify legislative work on these issues, it is advisable to separate the issues of information and cyber security at the conceptual and legislative level, during the development of legislative acts apply different approaches to the protection and administration of public and private information resources taking into account world experience.

All legislative initiatives, involving the use of information resources (system), must undergo a comprehensive public review to determine the possibility of their implementation in hardware, software and communication levels. The examination must be held by the experts from the academic community, IT professionals and public organizations.

The state should establish the effective interaction at all levels (between the power unit, the government, business and civil society) and to define the powers and responsibilities, within which it is impossible to transfer the tasks from one structure to another, to create conditions for effective cooperation and collaboration with the informal public associations, which voluntarily carry out tasks of protection of national cyberspace and prevent cyber-attacks from external aggressors, to complete the investigation of cyber attacks (cyber-incidents) and inform the public about their effectiveness.

State support of computer emergency response team (CERT): financial, personnel, program and technical, methodological, etc. – is virtually absent. At the same time, the private sector shows a high level of responsibility and interest in the development of private CERT, in particular created and received international certification of the first private CERT.

The participants did not find the answer to the question whether the government and society are ready to follow the laws and the Constitution of Ukraine, however, the state demonstrates its commitment to the introduction of anti-democratic methods of control over the commercial and private sectors of the Internet. The European practices of democratic control over the actions and powers of the authorities are blocked, while practices of the state-aggressor are implanted.

State policy on cyber security is at low level in general, which provokes criminals and aggressors for implementation of active actions to the detriment of the national interests of Ukraine in cyberspace.

The panelists on "**Human rights and freedoms online**" acknowledged that human rights online should just be guaranteed and no less to be protected as offline. Ukrainian users of virtual environment are the bearers of

human rights and fundamental freedoms guaranteed by international law and the Constitution of Ukraine. Ukrainian state, represented by its officials and authorities, as it follows from the provisions of the Council of Europe Convention on the Protection of Human Rights and Fundamental Freedoms, has not only not to violate them, but also to create the necessary conditions for implementation by the adoption of necessary laws, organizational and financial support. Challenges along the way require joint efforts of the government, civil society and business.

Despite the annexation of Crimea by the Russian Federation, accompanied by oppression of freedom of speech on the peninsula and repression against the Crimean Tatar and Ukrainian online media and journalists, despite the armed conflict in Eastern Ukraine and the powerful propaganda of the aggressor, the Ukrainian state and society, thanks to free media, adapted to new challenges of hybrid war and defends national interests without resorting to undemocratic methods of limiting freedom of speech online.

The participants noted the need to take self-regulatory measures on the part of media environment to respond to such challenges as "Jeans", "media bots", "information noise" and also propose to implement programs to increase media literacy, professional standards of online journalism, the continuation of reforms on transparency of ownership, preventing media concentration in the market and editorial independence of the media from the impact of political-financial oligarchic circles.

It is extremely vital for Ukrainian society to adopt legislative acts concerning blocking and filtering of illegal content on the Internet relating to children's rights, the fight against terrorism and the language of hatred, as well as the protection of intellectual property is subject to the generally recognized principles of "necessity and proportionality" by involving the public and business sector at all stages of development and adoption of appropriate regulations. The Council of Europe standards and practice of the European Court of Human Rights is a guide for the implementation of the necessary regulatory measures in the audiovisual sector in the field of electronic communications, the reform of the legislation on intellectual property protection online, protection of privacy and personal data in compliance with the standards of freedom of expression offline and online.

Panelists reaffirm their commitment to the principle of multi-stakeholder participation in the Internet governance and broad involvement of all stakeholders on an equal basis in order to develop and implement policies to ensure the freedom, security, stability and resiliency of the Internet. With the aim to ensure the inevitability of course of the Ukrainian society to develop such Internet, we **endorse Multilateral declaration of appeal for the protection of human rights and freedoms online with the recommendation of the accession of Ukraine's accession to the "Coalition for Freedom Online"** (Freedom Online Coalition) and send it to the senior officials of our state (see below).

The panelists on "**The digital age for education**" offer to promote the creation of a single Ukrainian educational platform, integrated access point, "single window" for scientific and educational information for interactivity of all users, to invite children to the next Internet Governance Forum to participate in the work groups (possibly separate), and provide suggestions on issues that affect them, to create a safe and better Internet for children, and promote best practices (cases) for the protection of human rights have been violated online.

The participants of the round table of domain issues under the theme "**Protection of intellectual property in the Internet**" discussed the increased importance of intellectual property protection in the Internet. Every year there are more conflicts related to intellectual property and related violations of the law. One of the main problems is the problem of establishing the proper defendant and determine the point of where and by what means was carried out the violation of the law in the Internet environment.

In the practice of enforcement from state authorities are used methods of "wide trawl", when instead of identifying specific sources of breach, unacceptable methods of blocking or complete blocking or termination of the hosting, data centers are applied. As a result, Ukrainian hosting market has undergone several upheavals that led to his downfall doubly more. Hosting migrated to other countries and continues to work there. Instead of pitting localization problems law enforcement authorities destroyed business of several hosting companies. The use of such actions by the law enforcement authorities is unacceptable, it is necessary to form a self-regulating institutions for decision-making regarding the fixing of objective parameters of violations and cooperation of these institutions with public authorities.

It was discussed the necessity of forming Ukrainian domain market procedures for pre-trial settlement of disputes, would have involved, and which would be recognized by all market participants. It was noted that there are two approaches - with the UDRP and ADRP.

Within the theme "**The general state of the market registrations of domain names**", participants discussed the overall state of the market and defined the main problem of the market for the domain .UA: fragmented management of the domains of the third level, which is expressed in the absence of uniform rules of registration and various requirements for registrars by regional registers. Also noted the problem of high prices for domains, lack of influence of all market participants on price level. Particular difficulties have been noted on the level of prices for second-level domains. It is difficult to register because of the need to have a trademark, which in some cases can confuse the situation, as in the case of google.ua.

As part of the discussion of the situation of Cyrillic domain .UKR it was emphasized that the market is in a negative trend. This is due to the general state of the economy. A significant adverse effect on the situation of .UKR is the absence of full-fledged e-mail service.

The participants noted that the Internet governance is inextricably connected with rules and regulations in force in the domain of the market and are largely determined by practice that exists in Ukraine. The participants were in favor of increasing the impact of self-regulation and the formation of mechanisms with best international practice.

Videos and presentations of IGF-UA-2016 – <http://igf-ua.org>.

CONTACTS

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MULTISTAKEHOLDER DECLARATION
on the protection of human rights and freedoms online
approved at the 7th Ukrainian Forum on Internet Governance
October 14, 2016, Kyiv

We, participants of the 7th Ukrainian Internet Governance Forum (IGF-UA),

relying on the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the European Convention on Human Rights, the Constitution of Ukraine and the generally recognized principles of law,

striving to build the information society which is people-oriented, open to all and aimed at development, where everyone can create and collect information and knowledge, have free access to it, use and share it in order to allow each person fully realize their potential, contributing to the social and personal development, improving quality of life,

adhering to the principles of freedom and security of the Internet, of respect and protection of fundamental rights and freedoms online (freedom of expression, privacy, freedom of assembly), including the protection of children and people with a disability, **multistakeholder participation of all stakeholders** (government, business community and civil society) on **equal footings** in the Internet governance,

approved this Declaration on the protection of human rights and freedoms online:

1. Government authorities, business community and civil society in Ukraine have a common goal to ensure the effective protection of human rights online and unite their efforts on equal footings for the implementation of the necessary institutional, legal, technological and financial measures. Such measures should meet the needs of the entire **Ukrainian society**.
2. Enforcement of human rights online in Ukraine should be under constant supervision by all stakeholders, and results of periodic monitoring should be published as it provided by **the recommendation of the Committee of Ministers to member States of the Council of Europe on Internet freedom, dated April 13, 2016**.
3. We consider it necessary to confirm the inevitability of democratic choice of the Ukrainian people and commitment to freedom, respect of human rights and aspirations of developing Internet policy that promotes a free flow of information and encourages innovation, creativity and economic growth - **by admitting to Freedom Online Coalition**.
4. Forward this **Declaration** for use of all parties interested in the development of the Internet, including high-level government officials: **the President of Ukraine, Prime Minister of Ukraine, Chairman of Verkhovna Rada of Ukraine and Chairman of the Constitutional Court of Ukraine**.