**IGF 2015 Session Report: Dynamic Coalition on Internet Rights and Principles Organizing Meeting**

**November 12, 2015, 9:00 AM**

**Panelists: Carlos Affonso (ITS), Sergio Branco (ITS), Hanane Boujemi (Hivos), and Marianne Franklin (Goldsmiths, University of London)**

Introduction: Hanane Boujemi opened the session with a brief introduction to the Internet Rights and Principles Dynamic Coalition and the panelists for this session. She also introduced the newly launched Brazilian Portuguese version of the IRPC Charter, which was the focus of the first segment of the discussion.

Part 1: Launch of the Brazilian Portuguese version of the IRPC Charter Booklet

Sergio Branco spoke about his involvement in in the launch of the Brazilian Portuguese version of the Charter. When Marianne introduced the idea to him, we was excited to get involved in the translation process, but soon discovered many challenges in the work.

The first difficult issue was coming up with a name for the Charter in Portuguese. The term "Charter" can be translated in different ways. It took quite a few days of discussion to decide on the best word. It was a surprise that this was the first difficult problem. The main translator was Gabriel, although he was supported by a group of people. Gabriel was translating from the English version of the Charter into Portuguese.

After the group began to revise the text, they realized that they should have translated from Spanish, not English. In Brazil, everyone studies English. Few people study Spanish because it is so similar to Portuguese. Because they have not formally studied the language, people make many mistakes in Spanish. It is more common in Brazil to translate documents from English to Portuguese. It would have been easier, however, to translate from Spanish in this case because the language structure is more similar to Portuguese. It would have been much faster to start with the Spanish version of the Charter, which was excellent. In the end, the translation team ended up working with three documents instead of two to find the best wording.

The next question the translators needed to address was whether to translate the names of international treaties or keep them in English. They decided to use acronyms in English because they thought it would be more universal for Portuguese speakers in Brazil and other places. Portuguese is spoken in a number of countries, and people write words differently in different countries. It was even difficult for the Portuguese working group to translate "Dynamic Coalition on Internet Rights and Principles." The translation for the word "coalition" in Brazil does not exist Portugal.

Hanane Boujemi said that she relates to these challenges and faced similar problems when working on the Arabic version of the Charter. She similarly needed to interpret and adjust text so that the Charter made sense in Arabic. She then asked Sergio Branco why he was interested in working on the translation and what he saw as the added value of the project.

Sergio Branco responded that it is valuable to for the IRPC Charter to be available in have not only in Portuguese, but also in many other languages.

In Brazil, the Marco Civil law was implemented, which is full of principles. There is a trend in Brazilian law to have principles. This creates flexibility and can be used over time, whereas more strict formulations can get outdated.

The Charter is important because it also has the value of principles. It is flexible and universal. Branco saw this value when he first read the Charter in English. He clearly understood the text of the Charter and knew that others would be able to do the same. No matter a person's language or country, the Charter can be used. It is fully and completely compatible, for example, with Marco Civil.

Carlos Alfonso built on the discussion of the connection between the Charter and Marco Civil. The work that has been conducted by the IRPC Dynamic Coalition has been referenced as the international root of Marco Civil.

Alfonso continued by mentioning that Brazil hosted the IGF in 2007 in Rio, and this was also when the Marco Civil process began. Civil society was protesting a criminal bill of law that would criminalize many activities online. The idea of Marco Civil was raised. At the time, the IRPC Dynamic Coalition already existed. Brazil and Italy signed a joint agreement to create an Internet bill of rights. It was particularly important to have Italy on board. A number of Italian stakeholders came together to speak strongly in support of the idea.

At this IGF, it is special that we are back in Brazil. We celebrate the work of Italy and Brazil. Both countries have delivered on their promises. Italy produced a declaration on Internet rights and Brazil ratified Marco Civil.

There are real end products that track their origins back to the IGF. It is not always obvious, but discussions at the IGF lead to additional meetings throughout the year and progress is made on important issues. Sometimes people criticize the IGF and say that there are no real end products. People just talk. But there are concrete results in that the IRPC Charter and those projects that it has contributed to is evidence of outputs from the IGF.

Hanane Boujemi agreed that these products reinforce the value of bringing together stakeholders with different expertise and experiences from around the world through the IGF. At the IGF, people share experiences and best practices that can be applied at the regional and local level.

Marianne Franklin said that there are now physical booklets in six languages: English (now in the 4th edition, with new endorsements), Turkish, Arabic, Spanish, German, and Portuguese. There is also a Mandarin translation, which is not yet in booklet form, and a Farsi version, thanks to the IG-MENA program. We still need a French edition and support for an IRPC member in Katmandu who wants to get working on a Nepalese edition. For all versions, there are issues related to translation, such as how to translate institution names, and differences in how the reference list should look like, conforming to UN requirements for international treaties and conventions etc. Each one is an exercise in making meaning for the translating group and their constituencies on the ground. The IRPC Dynamic Coalition is looking for structural funding to support this work, and produce Mandarin, Nepalese, and Farsi booklets.

The Charter is impacting political processes far from Europe. The New Zealand Green Party used it in the drafting of documents at the national level. The Italian declaration that just came out drew on

the Charter. The Council of Europe guide on human rights for internet users was also a collaboration that gained inspiration from the Charter.

In addition, the Charter is used as a teaching tool in universities in Chile, Argentina, the US, and more. It is an authoritative document that brings concepts together. It allows national governments and educational institutions to adapt and use it in a flexible matter.

Part 2: Questions from the Audience

Representative of the Institute for Better Democracy in Brazil: While working for the Ministry of Justice in Brazil, he was a part of the Marco Civil process. In his opinion, people are treating Net Neutrality a more flexible concept than it should be. In his opinion, the discussion should focus on how to implement Net Neutrality and not whether to do so.

Sergio Branco said that there is no question that Net Neutrality exists as a concept, and that this is reinforced in the IRPC Charter. There is still a question of how far it goes, and what is included in the concept. This is the case not just in Brazil but all over the world. Everyone in the room may have a different perspective. In his opinion, at least in Brazil, they are working to decide exactly what that means.

Carlos Alfonso responded that this is a crucial question. How does the Charter intertwine with national legislation? Marco Civil has strong language about Net Neutrality but the regulations are still forthcoming. Net Neutrality is in the first principle of the IRPC Charter. There were discussions about the issue in NetMundial. It was a difficult conversation. There are also developments with respect to Net Neutrality in Europe and US. The challenge is how to codify Net Neutrality and make it enforceable. The declaration even goes a step farther than Marco Civil, for example around devices. It is important to have Net Neutrality as a principle because it is a placeholder for specific issues that may come up in the future.

Marianne Franklin added that there is the full IRPC Charter (the 21 articles) and then there are the 10 principles derived from the Charter. You draw on provisions related to Net Neutrality using either the articles or the Charter. She agreed that it is important to move from principles into practice.

Question from a representative of the CGI Brazil: Governments in many developing countries are supporting initiatives like zero rating that may have short term benefits at the expense of the long term. What do you the panelists think of the recent report on Internet.org?

Carlos Alfonso: We are having a big discussion around Internet.org at this IGF. IGF allows for more discussion around the topic and enables us to debate face-to-face. This year, the host country Brazil is undergoing discussion about whether zero rating should be allowed. It's important to dig deeper into different models of zero rating and their impacts. The IRPC Charter gives a sense of direction with its language about Net Neutrality. The principles shine and give direction as you look at specific business models.

Hanane Boujemi said that the zero rating discussion is still at the early stage. There needs to be fact-based evidence about the impacts. In a recent discussion, people from Africa said that they would rather have some Internet than no Internet at all. Facebook may have had good intentions, but they did not weigh the impacts.

Comments on the DC Output Consultation: Facebook provided feedback on parts of the Charter as did the Remote Hub from Syracuse University where a large number of substantive comments and suggestions were made. This consultation platform hosted by the IGF enabled a new level of participation. The Charter is a living document and is never completely done. It shows how a document can be consistent and coherent but also dynamic. The input process is a way to validate the Charter and get more input from different groups.

Marianne Franklin added that comments from the consultation are on the IGF website. She thanked the IGF for setting up the website. She also mentioned that students at Syracuse University have provided substantial contributions on all dynamic coalition outputs. Feedback from "digital natives" is particularly valuable in this process.

Marianne Franklin discussed the upcoming Dynamic Coalition main sessions at the IGF. The first session was scheduled at 4:30 PM on the same day. The second session was scheduled for the following day at 9:00 AM. The first session will provide a brief overview of the Dynamic Coalitions' work. In the first session, the Dynamic Coalitions will provide a brief overview of their work. The second part is an experiment. Participants will be provided with a rating-sheets to complete regarding the work product with the intention of creating a genuine interaction in live space, which will reinforce the coalitions as a constituency of the IGF.

Hanane Boujemi asked about the expected outcome of the rating exercises.

Marianne Franklin responded that this will depend on the audience. Organizers will collate responses and publish a report with the responses. They will also review the process and determine how well it works.

Question from the audience [Meryem Marzouki]: Is it important to interact with the public. Has the IGF MAG taken steps to have Dynamic Coalitions interact with one another? There are different groups that work on some subsets of the IRPC focus, for example the Freedom of Expression and Net Neutrality groups. What has been the interaction between these groups?

Marianne Franklin responded that this interaction has started to happen. The Gender, IRPC, Youth, Platform Responsibility, Net Neutrality, and the Public Access in Libraries DCs issued a joint statement at the 2014 IGF for more acknowledgment of the DC work and enabling of greater interaction between the Dynamic Coalitions. Avri Dori and Jeremy Malcom ran the planning process for the DC main session this year as representatives of the MAG, with Markus Kummer as Chair. The Freedom of Expression Dynamic Coalition has also just been re-launched and this is good news.

Question from Brazilian Youth Observatory: He is concerned about the framing of Net Neutrality at the IGF. Too often it is framed around consumer choice and not about rights and inclusion, addressing people as citizens. He asked the panelists to provide their opinion about this debate. How can we relate net neutrality to fundamental rights, not just abstract rights?

Hanane Boujemi responded that the IGF is a place for debate. If you think that Net Neutrality should be defined around rights of citizens, you should express this in the sessions. But it is important to tie it back to core concepts as they are done in the Charter.

Question from the audience: Net Neutrality must be defined broadly as a principle, not just a rule. It's not just about specific activities of ISPs or other players in the market but about broad values. How can these broad values be effectively translated into rules?

Carlos Affonso responded that this is a very difficult question to answer. It's a very complicated issue. For example, Sergio thinks that zero rating is not allowed under Marco Civil. But he is speaking personally and not on behalf of ITS Rio de Janeiro. However, when people say it is better to have some internet than none, it is challenging. Internet is very expensive in Brazil. It's something to consider. This is a tough decision to make. Either you determine that Marco Civil does not allow zero rating, or you approach it more flexibly and allow some solutions that give more people access to Internet, even if it is imperfect.

Comment from Andy O'Connell of Facebook: He thanked IRPC for considering Facebook's comments on the Charter. On Internet.org, he said that he disagreed with the framing of some access being better than no access. According to O'Connell, Free Basics is not intended this way. The program is designed to be an "on ramp" to the Internet. He reported that one big barrier to Internet access is awareness and that Facebook is not making revenue, there is no exchange of funds. Fifty percent of people who access Internet.org for the first time purchase Internet within 30 days. Facebook recently made a lot of changes: changed the name, added SSL by default, narrowed the privacy policy. They think it's working pretty well so far. But they are open to feedback. They see this as a way to get more people on the Internet.

Part 3: IRPC Announcements and Participation

Hanane Boujemi introduced the third part of the session. This part focused on soliciting new participants to get involved with the project and handle procedural matters related to the IRPC Dynamic Coalition.

**Introducing the IRPC and its work**

She encouraged people to get more information at IRPC at www.internetrightsandprinciples.org, the IRPC Facebook page, and @netrights and #netrights on Twitter.

The main communications for the group takes place over the listserv, which is open to everyone. In terms of news on IRPC activities: The Council of Europe has granted the IRPC observer status on its CDMSI committee. It is a form of official recognition of the Charter, and reflects positively on the expertise and value of the Dynamic Coalition beyond the IGF space. The CDMSI meetings take place in June and December. Observers do not have a vote, but may attend meetings, respond to the CDMSI Committee documentation and drafts. COE works on public domain and all of their work is available on their website.

**Updates on IRPC collaborative events at the IGF 2015**

IRPC co-organized IGF sessions 31 and 142 on the "Right to be Forgotten" Rulings (now called the Right to be De-Linked or De-Indexed), in collaboration with the UN Commission on Human Rights, ITS Rio de Janeiro, and Karisma (Chile).

**IRPC Steering Committee Elections:**

IRPC is working on the announcement inviting applications for positions in the Dynamic Coalition. Interested parties should sign up for the listserv. Polls will open today or tomorrow for nominations.

Marianne Franklin elaborated that there is a two-year rotation. Robert Bodle steps down as co-Chair to take his place in the Steering Committee and Catherine Easton will be an ongoing co-chair. There is an open slot for the other co-chair. There are an additional 4 places open for (re-) election this year. More information on the IRPC governance is at www.internetrightsandprinciples.org.

**Any Other Business**

Question from the Audience from Youth IGF and the Observatory of Youth of Latin America. The purpose of the Observatory is to reframe the Internet as a space for youth participation. How can the IRPC Charter be used to promote the Internet as a space for youth?

Marianne Franklin responded that the Charter addresses the rights of children and people with disabilities, as well as the right to development. Article 10 and above address rights to education, culture, health, and social services. Rights of youth is integral to the second half and needs more input from the younger generation. She encourages that input through the website.

Question from the audience, Karmen Turk from Estonia, intern at the Council of Europe: It is a big accomplishment for the IRPC to be given observer status within the CoE. The CoE does a careful assessment of applicants and has determined that IRPC has important input to provide. A CoE subcommittee will be working on a document related to Indicators on Internet Freedom soon.

Question from the audience, Catherine from the Human Rights Big Data and Tech Program at the University of Essex: The human rights based approach is a methodology to channel debate. What is the suitability of using human rights as a framework for debating issues related to the Internet?

Hanane Boujemi responded that there is a main session tomorrow to address this issue. This is an important slot bringing together many of the people who are working on these issues from different angles.

Marianne Franklin added that the Dynamic Coalition output session will segue into the main session on human rights. The Charter is in itself a framework for approaching issues through a human rights lens.

Hanane Boujemi closed the session by thanking everyone who participated and asked questions.