

PRELIMINARY NETMUNDIAL+10 OUTCOME DOCUMENT, São Paulo, Brazil
April 25th, 2024

1. Global Challenges for the Governance of the Digital World

Convened in São Paulo, Brazil, in April 2024, stakeholders from around the world asserted the need for improvements to the governance of the digital realm - and spelled out how to bring all stakeholders, people, cultures, countries and distinct economies together to solve the common challenges we face. Such challenges transcend our divisions and can only be resolved by harnessing the energy of our disagreements, arguments, and hopes to shape a better future for all.

Given the rapid digital transformation and continuous innovation and spread of multiple Internet-based technologies and applications, including the role of new digital and disruptive technologies such as Artificial Intelligence, the governance of the digital world faces new challenges and so requires improvement.

These technologies open up great opportunities for accelerating human, social and economic development and tackling inequalities, building more inclusive societies. At the same time, if not properly managed, they also bring uncertainties, insecurities, and asymmetries among countries, deepening divides. No stakeholder can handle these challenges alone.

The governance of the digital world, more than ever, requires unprecedented coordination and cooperation among stakeholders to effectively unlock the benefits of this massive transformation for everyone, everywhere – and to collaboratively prevent and remediate abuses online.

To strengthen multistakeholder spaces for participation, it is necessary to improve mechanisms for building consensus and producing guidelines and recommendations in such a way that communities' voices have an impact on multilateral and other decision-making processes, so that effective solutions to the challenges we face can be found and implemented.

The 2014 NETmundial meeting was groundbreaking, marking a significant milestone in the evolution of Internet governance. As we approach the 20th anniversary of the World Summit on

the Information Society and the Tunis Agenda and a decade after NETmundial, it is high time to address the lingering unresolved issue: how to help all actors to contribute to multistakeholder process to create the networked global governance architecture that is human-centric, inclusive, environmentally friendly, and development-oriented, as the networked society demands.

In this context, NETmundial+10 had the focus of bolstering the digital governance architecture, bringing together key stakeholders to deliver concrete, non-binding recommendations on how to strengthen the multistakeholder approach as the basis for consensus-building and democratic governance, including in existing multilateral and other relevant decisional fora.

NETmundial+10 reaffirms existing principles to guide the governance of the digital realm, proposes procedures to do so effectively, and delivers messages to shape intergovernmental dialogues and decisions on the future of digital governance. NETmundial+10 reaffirms the need to build an effective and functioning governance architecture that facilitates an informed, participatory and transparent debate between sectors, in a multistakeholder model. This is the best way to contribute to the construction of a digital world that respects fundamental rights and fosters inclusive societies that promote peace, prosperity and environmental sustainability for all.

To help address these challenges, the NETmundial+10:

- Reaffirms the continued relevance of the 10 principles for Internet governance processes adopted in 2014, including for new, more recent digital policy challenges;
- Offers operational guidelines to help the implementation of these principles in a diversity of situations; and
- Provides input into various ongoing processes regarding the evolution of the governance architecture for digital issues.

This document represents the outcome of a collaborative, open, and inclusive process, shaped by 154 written, online contributions from representatives of governments, the private sector, civil society, and the technical and academic communities gathered through an open consultation held between March and April 2024. The consultation was structured around three main topics: Principles for Digital Governance Processes, Guidelines for the Implementation of Multistakeholder Mechanisms, and Contributions to Ongoing Governance Processes.

Based on the undertaken consultations, valuable inputs were also gathered from more than 800 participants attending both in person and online on the two days of the event.

2. Principles for Internet Governance Processes

2.1. The NETmundial 2014 process principles

NETmundial 2014 Internet Governance Process Principles

<https://netmundial.br/2014/netmundial-multistakeholder-statement/>

- Multistakeholder
- Open, participative, consensus driven
- Transparent
- Accountable
- Inclusive and equitable
- Distributed
- Collaborative
- Enabling meaningful participation
- Access and low barriers
- Agility

The 2014 NETmundial meeting adopted a set of ten Principles for Internet Governance Processes (the Process Principles). These Process Principles are statements of how the Internet Governance system should work, across the broad scope of technologies and public policy matters related to the Internet.

Even with the rapid technical, social, and economic transformations that have taken place since then, these Process Principles remain relevant and valid in addressing today's digital governance challenges and represent a distinct and important reference for all stakeholders in how the governance system dealing with Internet and digital policy issues should be shaped. As they have not yet been fully implemented, there is a need for collaborative efforts toward their full application, opening more and better opportunities for all stakeholders to meaningfully participate, especially in multilateral digital policy mechanisms.

The 2014 NETmundial process principles should be the basis of any future evolution in digital governance, and it is vital for all stakeholders to fully implement them, as a shared vision of the community.

2.2. The “multistakeholder” process principle

The 2014 Process Principle regarding multistakeholderism reads as:

Multistakeholder: Internet governance should be built on democratic, multistakeholder processes, ensuring the meaningful and accountable participation of all stakeholders, including governments, the private sector, civil society, the technical community, the academic community and users. The respective roles and responsibilities of stakeholders should be interpreted in a flexible manner with reference to the issue under discussion.

Each stakeholder group has different roles and responsibilities, depending on the topic and phases of specific governance processes. The distribution of roles and responsibilities between stakeholders is an ongoing (and contentious) subject of debate.

There are persisting concerns that too many governance processes are failing to properly apply the multistakeholder Process Principle, especially due to the lack of inclusive and meaningful participation of all relevant stakeholders. Excluding key stakeholders from the decision-making process can indeed be a critical factor leading to failure.

Multistakeholder approaches to Internet and digital governance work best when they are inclusive, and when stakeholders can identify their own interest in an issue and participate in processes to address it. This is because it is the very clash of perspectives, insights, interests and priorities that generates the solutions needed.

This means that to gain the most positive benefits from governance processes in the digital realm, the roles and responsibilities of stakeholders must be interpreted flexibly and openly. Sectors, organizations and individuals must not be shut out of a given process due to an outdated categorisation that was suggested in the past.

That said, a vital component of protecting and improving such processes is to select the relevant forms of expertise and experience that are required at different stages of discussing a particular issue. This also implies a realistic analysis of (and response to) the power asymmetries between and within stakeholders in a discussion.

2.3. Coordination of governance spaces

Numerous initiatives and processes have emerged to address the broad diversity of issues raised by the digital transformation. Sometimes, multiple processes address the same issues in parallel. This has both positive and negative impacts.

Distributed initiatives on a particular issue can help cover the diversity of approaches and perspectives. At the same time, there is a risk that separate discussions on a specific issue may create incompatible and even conflicting outcomes. There are also difficulties posed for stakeholders to follow simultaneous and duplicative processes, especially for stakeholders from the Global South. Better coordination between processes dealing with overlapping issues is strongly needed.

The Internet Governance Forum (including its intersessional work and network of national and regional initiatives), can deliver on this need, by strengthening its coordination and information-sharing roles. Its open nature, hybrid approach and inclusive design attract support. Such roles may need new working methods to be developed that can deliver genuinely improved coordination, information sharing, outcome deliberation and insight, while avoiding conflicts with existing processes or creating new burdens, and ensuring bottom-up participation, transparency and accountability in governance processes.

Working methods that drive stronger connections between governance processes and implementation of outcomes would strengthen the overall effectiveness of digital and Internet governance.

Effective improvements in coordination will benefit all stakeholders and the ability of the Internet and digital governance system to deal with the issues they are addressing.

3. Guidelines for the implementation of multistakeholder mechanisms

3.1. Participation in multilateral processes

Multilateral processes benefit from involving broad stakeholder input. Better decisions can be achieved, and better delivery of outcomes assured, by involving diverse voices in inclusive processes appropriately designed to incorporate multiple worldviews, enable adequate

deliberation and support consensus-building. Multilateral processes need to be more inclusive to ensure the meaningful participation of all stakeholders from the Global South.

To achieve these gains, all stakeholders should be empowered to contribute in a meaningful way to all stages of a process tackling issues of concern. The appointment of advisory/expert roles and/or platforms adequately resourced should be encouraged, to effectively facilitate and analyze diverse contributions from the agenda-setting phase, during deliberations, and on draft resolutions, following agreed guidelines and timeframes and incorporating ethical and public interest considerations. Similarly, investments in capacity-building and education to strengthen effective contributions are vital. It is important that such investments account for the relative power differences among different actors.

In the spirit of the multistakeholder principles, multilateral processes should evolve. They must share the scope of their work and publish a commitment regarding transparency of the process, including but not limited to a timeline highlighting critical opportunities for participation. As part of that commitment, a regular schedule to inform about their progress - or lack thereof - must be made available, including access to specific outputs. Documentation of how contributions were made, evaluated and incorporated into the process will be as important as the documentation related to dissenting and divergent views. Such mechanisms must follow accessibility standards, and provide alternatives to facilitate participation in languages other than English.

Robust accountability mechanisms should be part of all multilateral processes, so that there are clear steps and deadlines for the implementation of recommendations. Concrete mechanisms for reflection about the impact of their decisions and the status of implementation of their recommendations are key for continuity. Efforts to accurately document each multilateral process should be made, including concrete steps to identify linkages with other similar processes.

3.2. Guidelines for multistakeholder consensus-building and decision-making

We offer the worldwide community a set of guidelines and related process steps (“Guidelines”), that are distilled from existing foundational documents as well as from current good practice and experience. While no one size fits all, they shall help sub-national, national, regional, and global communities to establish and implement multistakeholder collaboration processes and

mechanisms, as well as to assess processes and mechanisms that are presented as being multistakeholder, but are so only by their name.

The following guidelines are a complement to and operationalize the 2014 NETmundial Internet Governance Process Principles. Due to the ever-evolving nature of multistakeholder collaboration, these guidelines cannot be cast in stone and have to be considered as a living document. They need to keep on evolving, both in their practical implementation as in their concrete wording.

We therefore recommend that the IGF is best suited to act as depositary of this first set of guidelines, and we look forward to the IGF considering its implementation in its own processes, and its further discussion and evolution.

Guidelines and process steps (“Guidelines”) for multistakeholder collaboration, consensus-building and decision-making

Guidelines

1. Multistakeholder processes should empower stakeholders by providing them with the necessary information, resources, and skills to participate effectively. Transparency measures should aim for making policy processes comprehensible and actionable.
2. Multistakeholder processes should involve informed and deliberative discussion among stakeholders.
3. Stakeholders should participate on equal footing, treat each other with mutual respect, recognizing the value of diverse viewpoints and contributions and the different nature of their roles and responsibilities in an issue-specific manner.
4. Multistakeholder processes should be governed by the rule of law, with respect to international human rights principles, including economic, social and cultural rights.
5. Multistakeholder processes should be accessible to all stakeholders, regardless of their background, status, or level of expertise.
6. Stakeholders should share responsibility and uphold accountability in their respective roles for the outcomes of the multistakeholder process, with legal and political accountability for protection of human rights remaining the primary responsibility of governments.
7. Digital governance processes should be agile and adaptable to changing circumstances, evolving technologies, emerging issues, and changing geopolitical dynamics.

8. Multistakeholder processes should strive to treat all stakeholders fairly and equitably, considering their respective needs, capacities, realities, and vulnerabilities.
9. Mechanisms for resolving conflicts among stakeholders should be in place to enable decision-making.
10. A global multistakeholder approach to digital governance should recognize the need for collaborative action across national borders and stakeholder groups, while duly considering and leveraging local and regional perspectives.
11. Decisions should consider the long-term implications and sustainability of outcomes for human rights, and inclusive development, as per the Tunis agenda.
12. Capacity-building efforts enhance understanding and skills of stakeholders, particularly those from developing countries and underrepresented communities.
13. Cooperation and dialogue should be sought with other governance fora and processes, in order to avoid duplication of efforts and to share best practices and lessons learned.
14. Ensure that the collaboration process is oriented towards practical, actionable outcomes that lead to tangible results and positive changes towards the governance of the Internet.

Process steps oriented guidelines

Recommended process steps for an open and inclusive multistakeholder process

1. Scope the issue/s: define the issue or set of issues to be considered by the multistakeholder collaboration process, considering, as much as possible, all affected perspectives.
2. Identify Stakeholders: Identify all relevant stakeholders, including individuals, groups, organizations, and communities affected by the decision or collaboration."
3. Engage Stakeholders: Actively engage all interested stakeholders through methods such as public consultations, surveys, workshops, and forums to gather input and feedback.
4. Share Information: Provide clear information about the process, objectives, and outcomes to ensure transparency and understanding among stakeholders.
5. Ensure equitable participation: Ensure equitable participation of all relevant diverse perspectives and interests, including marginalized or underrepresented groups.
6. Facilitate Dialogue: Facilitate open dialogue, collaboration and deliberation among relevant stakeholders, encouraging respectful communication and consensus-building.

7. Prepare draft outcomes: develop draft outcomes for consultation on the basis of dialogues between relevant stakeholders, and consult the wider community of all interested stakeholders over results.
8. Factor in feedback from wider community: adapt the draft outcomes taking into account the inputs stemming from the consultation, transparently reporting on how inputs were considered, and the corresponding reasons.
9. Open decision-making: use collaborative decision-making processes that involve all the relevant stakeholders in identifying solutions, exploring trade-offs, and reaching agreements.
10. Community powers: submit final outcomes to the consideration of the wider community, providing for mechanisms empowering the wider community to react to outcomes that are inconsistent with the wider community interests.
11. Implementation and accountability in decision-making: Establish mechanisms for implementing decisions and holding stakeholders accountable for their commitments.
12. Monitor and Adapt: Monitor progress, evaluate outcomes, and be willing to adapt the process based on feedback and changing circumstances.

4. Input to ongoing processes

As stated in Section 2.3, several processes are currently under way in the UN context regarding the coordination and governance of digital technologies and development, in particular the negotiations around the Global Digital Compact (GDC) in the framework of the Pact for the Future, and the WSIS+20 review. They include recommendations and potential pathways for the further development of the Internet and the broader digital ecosystem contributing to the achievement of the Sustainable Development Goals – SDGs. As a unique gathering that seeks to articulate a concrete pathway for multistakeholderism in Internet and digital governance, NETmundial+10 presents specific messages to these processes oriented to ensure synergies, coordination and complementarity.

4.1. Internet Governance Forum (IGF)

The Internet Governance Forum consists of its annual event, intersessional work in the form of dynamic coalitions, best practice fora and policy networks, parliamentary and judiciary tracks,

and national, regional and youth initiatives. It brings together all stakeholder groups from different parts of the world.

The IGF has been an effective space for Internet governance and digital public policy debates and cooperation, in spite of lacking the required financial resources to meet its mandate optimally. The IGF has the proven convening power and capacity to further explore and evolve innovative multistakeholder approaches to policy deliberation and decision-making processes. If strengthened, it could be consolidated as the preferred space for information sharing and improved coordination among digital governance processes. Its open nature, hybrid approach and inclusive design facilitates widespread participation support.

A strengthened IGF may need to develop and adopt new working methods that can deliver genuinely improved coordination, insight and information sharing while avoiding conflicts with existing processes or creating new burdens to participating stakeholders and the UN system.

A strengthened Internet Governance Forum (IGF):

- requires long term sustainability through increased financial, technical and human resources to be consolidated as a pivotal deliberative platform for coordinating participative debates on Internet and digital governance;
- can provide cohesion and facilitate participation in the context of a distributed and growing digital governance ecosystem, ensuring more inclusive and diverse participation of under-represented countries, communities and sectors, in particular from the Global South; and
- requires improved procedures to guarantee inclusive deliberation, to generate both legitimacy and effective outcomes.

In its evolution, the potential of the IGF to deliver tangible outcomes (such as evidence-based policy recommendations, best practice guidelines and pilot projects to test proposed solutions) in order to build capacity and inform policymakers should be optimized. This will require the commitment and participation of all stakeholders.

The IGF Secretariat, the IGF Leadership Panel and the Multistakeholder Advisory Group, in the performance of their respective functions, have a key role to play in that regard. Mechanisms for collaboration and information exchange with other international bodies and governance fora should be enhanced, as well as IGF's intersessional work. The strengthening of national and regional IGFs, as spaces for the definition of common goals and challenges to inform the global IGF agenda, contributes to tackle governance fragmentation.

The IGF is the process in the UN system that is best positioned to address the gap between discussion and action by building closer ties with other organizations that are central to the functioning of the Internet, but also with multilateral institutions, through ongoing innovation and experimentation within the IGF framework.

The IGF should be renewed as the foremost global platform for broad-based public participation and dialogue in all Internet and related digital governance matters. Through strengthening the IGF we would allow for the UN system to leverage on the legacy and relevance of the model while avoiding further fragmentation of the Internet Governance discussions.

4.2. Global Digital Compact

In order to set the grounds for an "open, free and secure digital future for all" as envisaged by the Global Digital Compact, NETmundial+10 recognizes the essential role of the Internet and digital technologies to build inclusive and participatory governance mechanisms, reaffirming the importance of a multistakeholder approach to Internet and digital governance and embedding it in its core. The recommendations emerging from NETmundial+10 towards strengthening the multistakeholder approach to the governance of digital technologies and development are a basis to ensure that policies and frameworks are inclusive, democratic, and reflect the diverse perspectives of all sections of society.

In the perspective of adding value and filling the gaps in the current structures in Internet governance fora, the GDC should avoid creating new structures or processes where existing ones could be strengthened and improved to support in monitoring the implementation and reviewing progress of the GDC. For many reasons the IGF is the appropriate venue to follow up and monitor implementation of the GDC's commitments. The topics set out in the GDC, and driving so much of the focus on digital governance, are already on the IGF agenda and have been for many years.

The IGF with its structures and mechanisms should be used as a space to facilitate implementation and monitoring of the Global Digital Compact, working in collaboration with other UN agencies such as the ITU, UNDP, UNCTAD and UNESCO, through the WSIS Action Lines, and with the UN CSTD providing a platform for intergovernmental engagement in the monitoring process.

Through its implementation oriented to integrate its outcomes with the WSIS process and effective follow up mechanisms building on existing fora, the GDC is an instrument to integrate digital into the acceleration of implementation of the Sustainable Development Goals.

The GDC is an opportunity to put digital technologies on track for global efforts that pursue digital inclusion, cross-border cooperation and collaboration among the different stakeholders, the consolidation and effective application of existing human rights international standards, underscoring the centrality of the international human rights framework as both a foundation for and an enabling environment to support all aspects of Internet governance.

4.3. WSIS+20 Review

The World Summit on the Information Society (WSIS) has served as a pivotal platform for fostering cooperation among governments, civil society, private sector, academia and technical communities to collectively address the opportunities and challenges brought about by the digital age for technical and public policy issues in digital governance. As the WSIS+20 milestone approaches, a renewed commitment and innovative strategies for achieving digital inclusion and protecting human rights online is needed for leveraging the SDGs. The multistakeholder model, which recognizes the intricate interplay of various sectors and actors to shape digital policy, is fundamental in ensuring that WSIS remains a dynamic process based on the development of global standards and cooperation mechanisms around key digital issues, agile and responsive to the expanding frontiers of new technologies. By building on a strong commitment to multistakeholderism, fostering cooperation and discussing the potential challenges, evolving technologies and trends within the digital landscape, WSIS can prepare for and look beyond the 20-year milestone.

4.4. Other Processes

NETmundial+10 highlights the value of coordinating the different processes that deal with the governance of the digital world, including regional and local initiatives, in order to achieve a holistic and consistent view. It is key that those processes also follow inclusive and transparent multistakeholder processes, with a prioritization of efforts to bridge the digital divide and promote digital inclusion, particularly in underserved communities and regions.

Relevant organizations and processes include, *inter alia*:

- The broader UN community, including ITU, UNESCO, WIPO, OHCHR, OEWG and others, which should strive for strong interaction and collaboration between multistakeholder and multilateral processes;
- The UN Sustainable Development Goals (SDGs) Agenda, emphasizing the role of digital inclusion and access to information technologies and advocating for global cooperation in leveraging digital innovation for sustainable development initiatives;
- The I* community, including ISOC, ICANN, RIRs, ccTLDs, IETF and W3C;
- The OECD, in particular recommending strategies for inclusive growth through digital transformation, emphasizing skills development and access to digital tools;
- The G20 Digital Economy Working Group, which should stress the importance of global data governance frameworks that respect privacy, promote data protection, and facilitate trust in digital transactions;
- The Internet & Jurisdiction Policy Network, promoting a harmonized legal framework for digital interactions and cross-border cooperation to combat cybercrime.

Other processes to which the NETmundial+10 outcomes are of great relevance include:

- National and regional digital policy formulation processes, where multistakeholder participation in digital policy formulation can be encouraged, which will bring emphasis to the importance of transparency, accountability, and citizen participation in the implementation of digital policies;
- International negotiation processes on Technology and Trade Agreements, where the message would be to ensure protection of intellectual property rights without compromising equitable access to technology and information as well as consideration of the social, economic, and environmental impacts of trade policies related to technology;
- Technological standards development processes, encouraging the adoption of open and interoperable standards that promote accessibility, security, and innovation, as well as enhancing multistakeholder participation;
- High Level Advisory Body on Artificial Intelligence - HLAB/AI and other organizations and platforms dealing with this issue should strive for an ethical development that prioritizes transparency, accountability, and the mitigation of bias.