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Respected Prime Minister,

Sub: India's statement in the UN in October 2011 regarding government control through a United Nations Committee on Internet Related Policies (CIRP) over the Internet is inherently against the open, democratic, inclusive and unhindered growth of the Internet. It harms India's reputation, has been submitted without a prior public consultation with multi-stakeholder groups, and therefore needs to be withdrawn.

This is with regard to India's statement made at the 66th session of the UN General Assembly in New York on October 26, 2011, proposing government control over the Internet through the formation of CIRP {Agenda Item 16: Information and Communications Technologies for Development (ICT): Global Internet Governance}. This proposal is expected to come up for a discussion on May 18, 2012 in Geneva during the World Summit on the Information Society (WSIS) meeting on the issue of enhanced cooperation etc.

India's position (in the statement), even though cleverly worded, hurts its reputation of a multi-ethnic, multi-cultural and democratic society with an open economy and an abiding culture of pluralism. Further, it hurts the advancement of the Internet as a vehicle for openness, democracy, freedom of expression, human rights, diversity, inclusiveness, creativity, free and unhindered access to information and knowledge, global connectivity, innovation and socio-economic growth. It is fundamentally against the interest of 800 million mobile users and over 100 million Internet users in India who need to play a continued role by strengthening the existing multi-stakeholder process, rather than moving Internet governance to a government-run, inter-governmental, bureaucratically organized system – as proposed by India.

While this statement (India's proposal) has gone mostly unnoticed in India, if accepted – it will be deeply harmful to the interest of Indian citizens and hits at the very reputation of a country that was till recently seen as a model of free speech, democracy and growth amongst Internet users and policy makers around the world.

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The statement, unsurprisingly, is excessively defensive as being one where it will lead to governments taking over, regulating, and circumscribing the Internet.

The position taken by India is wrong on many accounts. These include:

i)   No previous public consultation with the multi-stakeholder groups that have successfully participated in the governance of the Internet thus far was called for or arranged before the statement was finalized. Most members of India's civil society, private sector, inter-governmental and international organizations as well as the technical and academic community were neither consulted nor involved in any way in formulating this statement – which inherently represents their interests and changes their role permanently, if the proposal is accepted. This betrays the most fundamental requirement of public consultation, which is mandated in most of our legislations and is the very basis of good governance.

ii)   The proposal shifts India's existing stance without explaining the reasons for such a shift. If India is concerned with the control or influence of any single government over the current process, then it should explain the same in no uncertain terms. In any event, strengthening the multi-stakeholder process by reducing a certain government's influence should not result, under any circumstances, in shifting Internet's governance into an inter-governmental, 50-member, bureaucratic set up to be based out of Geneva, serviced by a UNCTAD secretariat, and reporting to the UN General Assembly. This would reverse the existing system wherein a multi-stakeholder structure governs the Internet while the government advisory council is constantly engaged with the multi-stakeholder group. In fact, at least one Indian, Shri Ram Raj, former CEO of Sify, serves as one of the 17 directors on ICANN.

In sharp contrast, CIRP, the body proposed by India to replace the current process, seeks governance through at least 50 government bureaucrats / politicians with oversight and control over the Internet, while multi-stakeholder groups will be moved into an advisory role. If anything, multi-stakeholderism should include the government. An attempt to replace a multi-stakeholder system with a multi-lateral system is a dangerous idea.

iii)   Inter-governance is a highly complex issue. It cannot be run from a government body with the UN logo. The solution lies not in governments taking charge but in strengthening the existing multi-stakeholder model from which significant benefits can be derived since it allows for equal access to decision-making for all bodies.

iv) India's challenges with regard to Internet access have very little to do with international governance. Our issue relates to business models, multiple languages, supply and demand side barriers, cost of equipment and the absence of necessary infrastructure as well as low literacy levels. Altering the governance structure globally will not resolve the challenges that we face domestically.

v) The Internet has been developed and designed by the technical community, supported by innovation and the private sector. The governance works through innumerable provisions and protocols that work through reciprocation. The only effective solution is to embrace and strengthen a multi-stakeholder process which allows such changes to propagate swiftly and in a broad-based manner across multiple stakeholders. The Internet's spread will certainly be hurt if governance moves to the UN top-heavy, government-controlled body.

vi) Sadly, it is widely publicized that India's position is closely associated with countries such as Russia, China, Saudi Arabia, Cuba, Brazil, South Africa and Rwanda etc, none of which is a sparkling example of democracy, free speech, or human rights. Unless the global reporting on this issue is inaccurate, it is clear that we will suffer tremendously by way of our reputation in being seen as associated with such countries on the issue of Internet governance and, by extension, freedom of expression and free speech.

vii) The Internet has neither been built by governments nor should it be regulated by them. This sudden attempt to move Internet governance into inter-governmental control is unexplained, considering the tremendous success that the Internet has seen around the world and after 3G launched in India – with over 2.5 billion Internet users and nearly half a million being added each day. The current governance structure does not, in any way, prevent the seven mandates that India's proposal mentions for CIRP. India must find a way to achieve these within the multi-stakeholder arrangement or through suitable improvements rather than a radical shift.

viii) The speed and manner in which decisions are made about Internet governance is through a consensus amongst engineers and other volunteers. No state governs the Internet today. There is no reason whatsoever to change what is currently free, open, and working reasonably well.

ix) It seems that this is a position that has been inadvertently taken by some overzealous officials or officials of an unconnected ministry or without appropriate briefing / guidance. We should certainly not let a mistake / lapse in the due diligence process stand in the way of taking a mid-course correction. In the withdrawal of this proposal, India will be seen as a country with a strong sense of introspection.

Finally, a top-down, centralized, international governmental overlay is fundamentally against the architecture of the Internet – which is a global network of networks without borders. No government, let alone an inter-governmental body, can make engineering and economic decisions in the lightning-fast Internet time.

In India, productivity, rising living standards and the spread of freedom everywhere would be hurt as engineering and business decisions relating to the growth of the Internet will become politically paralyzed within a global regulatory body. Any attempt to expand the government's power over the Internet – however incremental or seemingly innocuous – should be turned back. Modernization and reforms can be constructive, but not if the end result is a new government-controlled, global bureaucracy that departs from the multi-stakeholder model. India must draw a line and stand against such proposals while welcoming a role for further reforming the multi-stakeholder process that could even include a non-regulatory role for the ITU (UN).

The Government must move immediately on this issue. This development, about which no consultation has taken place with the stakeholders in India, has the potential to adversely affect the daily lives of hundreds of millions of Indians and also threatens their freedom and prosperity.

I urge you to kindly pass the necessary directions to immediately discuss ways for withdrawing this proposal and working with other democratic and similarly minded governments to advance the cause of freedom, growth, and empowerment of our people through the use of the Internet and governed by an open, transparent, truly multi-stakeholder process. In case you seek further details, I am available for a personal briefing.

Yours Sincerely,

RAJEEV CHANDRASEKHAR

Dr. Manmohan Singh
Hon'ble Prime Minister
Government of India
New Delhi