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A NEW INTERNET ERA

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DISCUSSIONS ON THE GROUND

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>> SHITA LAKSMI: Hello all. We will start in a couple of minutes. We're waiting for people who are enjoying their coffee. For the speakers, kindly sit on the left side from my side. We are still waiting for others, so another two or three minutes, we will start. Thank you very much.

Thank you very much for coming for the sessions. I think we are still waiting for several speakers to come, but I have briefed them, so I'm assuming they understand what we talk about.

Okay. Good morning, nearly afternoon. Thank you very much, everyone, for coming for this session. The title is "Igniting Internet Governance Discussions on the Ground." This is a merging sessions covering the issues of -- Jac, you are here. So this is a merging the ASEAN master plan which might be able to influence the processes.

Well, since day one we have heard about the Internet Governance discussions, we have heard about the multistakeholder processes. In my point of view -- perhaps I'm wrong, but correct me if I'm wrong -- there are many discussions under the multicorporations. We have a lot of assumptions and prerequisite before we can sit down together as a multistakeholder to talk about the issue of Internet Governance,

so we have been talking at the global level, we have -- for the IFG for ten years and probably another ten years, but what about what's really happening on the ground? So we're really lucky to have this panel.

There are two parts to the sessions because this is a merging one. The first part we'll talk about what's really happening on the ground on the Internet Governance discussions, more the processes rather than the content. The speakers, we have Wanawit Ahkaputra, the executive director for Electronic Transactions Development Agency of Thailand. We also have Nica Dumlao from the Philippine Internet Freedom Alliance. We also have we have Jac SM Kee. She's with the Association of Progressive Communications and also multistakeholder and member at the Internet Governance Forum.

So we have great resources from Malaysia, from Thailand, from the Philippines, from Vietnam, to talk about what is really happening on the Internet Governance discussions.

The second part will talk about the ASEAN ICD master plan. We will have the director of Asia bureau at Internet Society. He's not here yet, but he will. And Lih Shiun Goh for Google. He's in Southeast Asia.

So without further ado, I will ask the speakers to speak. For the first session, I will ask Jac, Nica, and Wanawit, and we'll have Jac first. If you can speak for your experience. What is the situation that has allowed Internet Governance discussions to happen in Malaysia, what is the enabling factors, what is the inhibiting factors for that really happening, what is the multistakeholder cooperation is visible in Malaysia context.

>> JAC SM KEE: Okay. Visibility is a very interesting question.

So Malaysia is a very interesting development of Internet Governance structures. It started off being quite forward-looking, so we were quite early adopters in terms of looking at access to ICTs, looking at how ICTs can really enable development, can support governance, et cetera, et cetera, and one of the early kind of pillars to facilitate this process was the M -- what is it now? The MSC Bill of Guarantees, so this is building the multimedia super corridor. Malaysia has a bad reputation for being terrible on freedom of expression issues, so this was to make it, okay, if you have the Internet within the MSC Bill of Guarantees and within one of the key legislation pieces that came out of this, which is the Communications and Multimedia Act, there is a specific section that says nothing should be construed as being the Internet, so this was a very important guarantee that was made and given in this particular context of having a bad reputation.

So in the early days, a lot of structures were being built, and they were built very much on the principles of multistakeholder participation, which is one of the key principles that underpins Internet Governance processes right. You have different stakeholders coming together having conversations about policies emerging and

getting the points through before you make any kind of decision, but that was like, gosh, a long time ago already. That was maybe like in the early '90s, late '80s. Yeah, yeah, the Mahathir's Vision 2020, he was visionary in that sense seeing the IC.

It's roles in the country. We have things like the content forum, which is really a multistakeholder forum process that looks at developing a self-regulatory code for the Internet, so it included people in the advertising industry, in broadcasting, there's even a Civil Society rep, there's people within government, and it was kind of functioning that way, but fast forward to now, this has really changed. Just as the Internet has changed, the context of this has also really, really changed.

The idea of multistakeholder participation has significantly eroded, and the kind of body, which is the MCMC, Multimedia Malaysia gosh, what does it stand for? There you go, Malaysian Communications and Multimedia Commission. It is basically a body under the government, and it's become like a modern-day -- can I even say this here? Maybe I shouldn't say it. It's become kind of like, you know -- it's started to really become the final say in anything that has to do with the Internet. It's become that kind of a body, and it operates in a very interesting way. It takes on a lot of things, and it's not necessarily always transparent in terms of its decisions and not very approachable, doesn't really engage with Civil Society, for example, and not very accountable to some extent, so in the days where we used to think that nothing -- you know, censorship on the Internet was like, wow, now everybody accepts some level of censorship, some level of filtering, so they've started to do this, but the processes behind it has been rather opaque, so there's no explanation of which aspect of the law is it actually contravening. It used to be a (Inaudible) and you can't get access to it, it's an error page. I think from starting late last year, they started to put up a holding page that says for your information, this site has contravened this act, and therefore, you cannot access it, but under which section under this act, we don't know.

This act is kind of a funny act because even though it has within the act itself, it says nothing should be attributed to censorship of the Internet, it also gives MCMC powers beyond executive powers, so it's a bit of a funny act. There's a session within this act as well that says that -- that covers things as broad ranging as fraud --

(Lost audio)

-- so Malaysia for example as existed for a long time and for an online alternative news site, it is like hands off. You're still able to sustain yourself for quite so long.

But came 2008, the ruling coalition lost control over a few very important key states, also won by the slimmest majority since independence, so that was a real shock, like oh, shit. Like oh, no, this space is giving people power, we have to control this space. This

is a terrible space, it's so unruly, so there's a lot more concerted effort to provide some level of regulation around this, so it starts from things like hiring cyber troopers, so these are individuals who are really scouring the Internet to look at what people are saying and doing two roles, one -- actually three roles. One is to kind of like troll users and make them feel kind of afraid. Second is kind of a -- kind of social surveillance, they're like the Internet police, right, looking at who's saying what and hanging on to that, and I can't remember it all, but, that's kind of what their role is. Two things are starting to look at amendments to the CMA, to make it an even much more stronger and more empowered act.

So that's now 2016, and since late -- late last year there has been announcements to say that the Communications and Multimedia Act, so this is the pillar act, right, that they want to basically make amendments to it to change it so that it will keep up with Internet development, but essentially, we're not quite sure what's within it because all of the conversations is closed, even though the consultation with different stakeholders, definitely Civil Society was not consulted. We know there was consultations with media players, so people who were in the media doing things like -- there was some consultations with some private-sector stakeholder groups. So what we were really -- and because of that consultation, we were able to get some insights into what the conversation was about and what some of the proposed amendments were, so included within that was things like -- were things like preemptive propping, registration of blockers, which is announced in the press, and potentially also data retention at the ISP level of user -- user content.

So I mentioned this because it's very important for Civil Society to really have allies and good working relationship with people in the private sector, and also in the media industry as well because this kind of really helps to -- because at some point we all come in, that's what the multistakeholder model is, right, you all come in with different interests, but in some point in the Venn diagram, there's some bits that you concur, so you kind have to keep those relationships open where there is a little bit in the middle you can agree, so that has been valuable in terms of organizing.

The other part that's quite valuable in terms of organizing, is building a coalition of Civil Society groups, so we organized and built a coalition of nine organizations, and within this coalition, even though we have a very dynamic Internet community, there is -- it doesn't quite translate into a dynamic Internet rights community among Civil Society groups, so a lot of people were taking on these issues were either traditional human right groups, free expression groups, free media groups and so on, but there are people in Civil Society in Malaysia who are engaging in Internet governance processes who can bring this conversation on to the table.

The coalition is also to find a little bit in the middle on the

Venn diagram, they're working on human rights, working on women's rights, working on child's rights, press freedom, and working on arrests and stuff, and actually, the Internet is a very important organizing space, so how can we work together as a coalition to push back these amendments that seem to be quite scary but to build capacity amongst the constituencies that we work with to understand and have a conversation around Internet rights, and that's where we are.

Initially we came up to push back against the CMA amendments but now we're trying to work on the ground to say, okay, we're to hear what the government thinks about the kind of Internet that we should have for our safety, for our good, et cetera. We want to -- we can't use declaration, because that's politically the people's charter of Internet Rights and Freedoms, and that requires a lot of conversations with different stakeholder groups and this diversity in Civil Society. Organizing in the coalition is quite critical, because what we're getting on our first on the ground conversation is perspectives we don't normally hear which is not around say political speech only. One of the two big stakeholders' groups that had a lot of insights to give, one was the indigenous people's group and the second was the sexual rights group. I think we're learning a lot about this process, and I'll end.

>> SHITA LAKSMI: Thank you much, Jac. It's interesting to see how the multistakeholder corporations -- I think Jac just mentioned some -- regulation is very important and the government openness as well, it's clear in Malaysia, the Civil Society cooperation with private corporations is more tangible at this point.

We go from Malaysia -- can we go to Thailand first because I think one is coming from the government, so it's nice to hear the story from Thailand for the multistakeholder corporation, so Wanawit.

>> WANAWIT AHKAPUTRA: Thank you. Put me on the spot. So I'm Wanawit Ahkaputra, Electronic Transactions Development Agency, a public organization. It's a hybrid between government and private sector. Our sector is coming from private sector. So when we talk about this topic, I think the key issues that we have to understand is that the government is -- every government seems to be a big brother kind of -- they're still in that stage back there and trapped in there when we stepped in with the idea, it took a lot of time for us to first find our position, because there would be more than 15 or 20 government office who are having legal enforcement, legal power to, like Jac said, it's confusing. They can get in any reasons, and that are the problems we faced, so we want to have this Thailand IGF as a floor that everybody comes and it's like a clearing house of ideas. Even when you talk about national security, safety, it's my aspect, the privacy aspects.

When -- I'm also running a group called Public Safety Working Group, a big fight between Food and Drug Administration, who control the online pharmacies and proxies -- people are hiding behind the privacy and proxy services -- and the government who likes to know -- when

you go to the court, at least in U.S., it took 48 hours to access, to get a court order, and then it's gone. You have to bear in mind the Internet is one of the technology that's killing people. Not many technologies that really can do that. Electricity is under control because of that issues, but we want to look to it as a public safety. Community have to make a decision. We have a case that if you see your child posing for pictures, currently there are no 911 to call and be sure that the picture is not go across border, across the platform to another platform, and we are in last-minute technologies, but we cannot do this, and that is a concern that the government likes to having these kind of Internet Governance Forums to really discuss the people that -- two individuals have different concern than the people in art and culture. The gender, used to have a case that somebody wants to get -- this is a famous case -- they want to get baptized, and as you know, we have a lot of problem on the websites, we have all these problems. The dot-com or dot-net, it's not a problem, but if you have the dot-Thai, that will be a problem.

This is the benefit I see. I ask the -- we want the IGF to be sure that their opinion is heard officially. That's why I pushed for NII to have the linkage. Normally they come and talk, talk, talk, and talk, and I cannot use the papers to another 20 government office that try to do something. They make a decision they want to do like this, and this is what's important for the message. I think it's important for the IGF, local IGF at the -- at root level that formality is required. Even though you want to be independent, but how your words are heard, you need to structure -- you need to make a paper out. You have to dare to put the committee's names there because it needs to communicate officially, then the government can react. Otherwise you can -- it's become like a mob kind of that what we see, you just come and complain to the government. Make it wise in a way that it's concrete and we can carry on and talk to the other government administrators and driving a new law on committed crimes that people are talking about, so I will not go into detail of that. It's in the process to improve the way that we could control -- in the way to enter into the censorships or blockings. That's in short what I can talk about the role of government to the local IGF. Thank you.

>> SHITA LAKSMI: Thank you, Wanawit. I guess we -- he mentioned very important points that he pushed the multistakeholder or the local IGF not to only talk, talk, talk, talk, but produce something concrete, and it's been difficult in several experiences. We go to Philippines. Nica.

>> NICA DURLAO: So Malaysia, Thailand, and the Philippines.
(Laughter)

So compared to Malaysia and Thailand, Philippines is in a more friendly moment. I'm sure some of you have followed the developments in Philippines and the disputes. You know we have just concluded our national elections two months ago, and now we have a new president

and we also have a new set of legislators, so the State of the Nation has just been concluded last week or three days ago, I think, and the president laid out his plans during that -- during the State of the Nation address.

So before, we also only had an attached office, the ICT office, the Department of Science and Technology leading the development of our country's ITC policies and standards. Now we already have a cabinet-level agency that can do this. The previous administration before vacating their office did two things that -- that impacts the ICT policy and Internet Governance landscape in the country.

They signed the Department of ICT Law, and the next is they appointed commissioners to the National Privacy Commission, so just a note that we already had this data privacy law since 2012, and it was only this year, after four years, that the commission was established, so the new administration now, the administration now has already appointed a Department of ICT secretary, so -- and this secretary comes from the private sector, so some sections in the Civil Society are worried that the secretary might always side with the private sector, but what's new; right?

So in general, it looks like stakeholders are in a wait-and-see to how Internet Governance looks like in the next six years, but I'm sure Civil Society will make sure to maximize the opportunities since everything's like in their early stages, so we can, you know, be there and influence the -- the processes, the new policies.

So we also have a liberalized telecommunications and Internet environment, and this has been raised, I think, by -- in the document discussion where we have, like, a problem when it comes to -- to Internet connectivity, so -- in general.

So the liberalized telecommunications and Internet environment has undoubtedly been a big factor in the increasing communication access of Filipinos, but this ecosystem is private-sector led, so it presents challenges, and large corporations have become dominant, and in the Philippines we have a very weak regulatory agency, so it poses serious problem when it comes to protection and -- protection by the government, and to make sure also that -- that -- that we'll be able to really have a say in -- in this ecosystem. We can have a say, but if they will be able to really, you know, listen to it and enforce something about it.

There are also doubts about whether the government has the proper orientation and capacity to evolve a property framework on Internet Governance that's progressive and forward looking given that there are bad laws, you know, in the Philippines, and I don't know if you've heard about our cybercrime law. This has been briefly discussed yesterday in a panel, where we have this law that it's -- initially it has like very contentious provisions on surveillance and takedowns, et cetera, and then many people or many Civil Society organizations and stakeholders, academics, legal -- legal organizations questioned

it, and some of the provisions of that law were declared unconstitutional but still there, and some people are worried that -- or Civil Society are worried that the regulations of that law is also bad, that it might also lead to surveillance, and it's actually leading to increase in cyber libel cases in the country.

So what are the efforts from the stakeholders that are being made to address these issues? Well, from an Internet Governance point of view, it's just -- there are Civil Society-led initiatives to make sure that these issues are being discussed, so last year there was an IGF in Brazil, and the Philippines has been really thinking about sending a delegation, so since -- since they wanted to, you know, bring a government delegation to the IGF, they wanted to also know what to do, so since there are Civil Society organizations and technical community people that are active in the IGF space, they, of course, ask us about our opinions, about our insights, and that's actually positive because you have, like, this level of -- or not -- you are more aware of the IGF than they are, right, so -- so -- so the Civil Society and tech community and the government organized a pre-IGF multistakeholder consultation, and -- and there we were able to collect inputs from different stakeholders on what issues should be raised by the government delegation in the IGF, but the thing is, you don't really have to have like -- you know, I don't know if there will be a space for the government delegation to have -- you know, to raise those issues in the IGF because IGF is -- we have observed like, you know, different sessions, how will you be able to really -- to really be able to bring your position as a government to anyone, right, so -- so there.

Also, there is -- since we have a new National Privacy Commission, there are local Civil Society communities, tech communities, and even the private sector are very involved now in crafting the implementing rules and regulations. The National Privacy Commission even partnered with the Civil Society organization in the Philippines where I -- where I formally associated with the Foundation for Media Alternatives. We've been working with them to conduct private consultations. For the Foundation for Media Alternatives, they really mobilized inputs from different sections of the society, not just those who know how -- how ICT works but also to mobilize those who will be affected, you know, by this -- by the law.

So I think that's it.

>> SHITA LAKSMI: It's very interesting to see the Philippines, it's nice to know that you have the preconsultation, the consultation before the IGF in Brazil still.

>> NICA DUMLAO: They didn't push through attending the IGF in Brazil, actually, because of some logistical problem.

>> SHITA LAKSMI: It was too far, perhaps.

Now we go to Vietnam. I would like to hear from Mr. Vu Hoang Lien, the Vietnam Internet Association. Your story, sir.

>> VU HOANG LIEN: I share something about the Vietnam and for the government Internet, and in Vietnam, you consider Internet in the telecom sector and also the -- the thing about ICT sector, inside ICT has a telecom, and inside telecom has an Internet, so a legal environment or way based on the ICT, all the decree for the ICT, for telecom that the control for the Internet environment.

So the Internet in the government -- the Vietnamese government has a policy that the implement of the Internet based on the ability of the government, so now they change two policies at the -- many of the government has to follow to implement the Internet in Vietnam, so not quite so good now.

And the government, it seems many license for the ISB in Vietnam, many easily not very difficult, but ISB in Vietnam just -- it a number of about four or five that provide, like, VNPT, FPT, Vietnam, and (Inaudible)

So we get the ISP in Vietnam on the state of company that they rarely issue. MIC, Ministry of Information and Communication, is the government -- government entity regulator in Vietnam, but also MIC plays a role as the investor to the company, but -- then the government only by regulation, but they can manage the ISB in Vietnam by the conduction, by policy, and very -- very close to ISP in Vietnam, so that makes the many -- so even the government control for the new technology, new services, and even the spectrum for the frequency, even recently, you know, Vietnam, that one country -- new technology, very quality and Internet very quickly, but now in Vietnam, just to have the (Inaudible) so the demand of the use -- meets the demand for that. That's the really issue because the government keeps the conservative for the forgery because many region.

And the government -- the government in Vietnam and MIC, there are the -- the bureau in each province, so each province, they can govern the Internet in their province, so sometimes it makes a different policy and different program.

The -- in Vietnam, the -- we have the Vietnam -- VNNIC. VNNIC is the one organization based on MIC, but VNIC plays a role between the government and the ISB.

I think maybe in other countries they have the association for Internet that the -- on behalf of the ISP can do something, but VNNIC in Vietnam, they -- on behalf of Internet, the indoctrination between the ISP on networking and also on behalf of ISP to connect and to deal with the -- as an organization, an international, regional organization, that's the -- I think maybe different with the other country, so the government of MIC in Vietnam, by that way, so the government controls, so very close to the environment for Internet, and even sometimes -- some issue with the government couldn't follow or couldn't manage, the government normally keeps the situation in -- I mean, it stands by idol situation.

>> SHITA LAKSMI: How about the Civil Society, are there other

voices? Civil Society, are they also on the board?

>> VUHOANGLIEN: I think they are. Yeah, concerning to the social, I think there are many associations in Vietnam. VII is one of the socials, and VII is a young association. Before that there are many associations in the telecom and Internet in Vietnam, and now VII with -- most of the members, there's that's the old ISP we get in Vietnam. We on behalf of the members of the ISP and service provider in Vietnam connect to the government and have to lobby to the government and contributes to the builds the legal environment in Vietnam.

The MIC always gets the idea, information from VII before they issue the new -- new -- decree or new -- very open to get the information from VII, from the service provider. I think that's good, but the relation with the international organization now, service provider can connect to international organization, but almost the important issue is that the government, MIC or VNIC or government organization stand on behalf of all the ISP in Vietnam to deal with that.

>> SHITA LAKSMI: I think we can move because I would like not to make this as monologue but more into dialogue with the participants, so we go to the more regional level, we go to -- go first to talk about the ICT Master Plan, whether you think this might be able to ignite the Internet Governance discussions and we see the political context is very relevant. Before I start, just a quick show of hands who has heard about the latest ICT Master Plan. The ICT Master Plan 2020. Less than five. It's quite clear, and I think we need time for discussions, so I'll keep it really quick. So the ICT Master Plan, to give some context, is really kind of like a vision that ASEAN put together as part of the whole integration thing, and I think the main reason why a lot of people have not heard about it, first, it's not been talked a lot about in the press. More importantly, I think in the context for the room -- and I can just read off it if we need to, it's very economic development focused, so I think if you are interested in this one, I will look for more of a group perspective, and the way ASEAN works is more by the consensus and after a series of discussions and agreements, so if you look at it in terms of ICT across ASEAN, you have a huge disparate in terms of the capabilities from skills to infrastructure to man power, right. So in some sense, when you read the ASEAN master plan, they talk about really basic stuff like literacy and access. Sometimes I hear about IoT that's really out there, like the next stage of development, and that's also because it's part of ASEAN.

Now, in terms of the process, I think the way it is, the way ASEAN works in terms of Internet Governance processes is to get people to engage in the national level because that's how it flows up to the discussions where they will have a discussion on what we need to do as a region, and bearing in mind there is so much disparate, it's very important for each country to then put forth exactly what they think is important for their country and how ASEAN can help us, right. Reading

on what's on the ASEAN master plan, the first thing mentioned was economic development transformation, the importance of ICT to be sustainable.

The next thing to talk about is -- even in that aspect it's about (off microphone) infrastructure development when they talk about that, in the sense of providing a strong infrastructure backbone to create a synergy for a country to grow and thrive. Number 6, ICT in the single market, and 7 into new media content. They talk about things like widening and deepening engagement to unlock (Inaudible) again, a very economic focused narrative here.

And the last piece on information security and insurance, they talk about things like data protection, but you will notice they use things around malicious software, it's called the digital ecosystem narrative.

I think in terms of Internet Governance, I think that's something that maybe it would be interesting to talk about more, let's say, in next year's APrIGF or this year's, because the role in enterprises, everything we talk about is -- it is about enabling people to get access to infrastructure, and most of the time, given that 99% of businesses in our SMEs, I think that's where a lot of governments are coming from in a master plan is how do they help SMEs. I think it's an interesting way we can explore how to Civil Society can work with SMEs where they create associations or even the associations, like the Internet Association in Vietnam, right, so think about how we can help SMEs, you know, put forth their needs or their narratives to the government in the most successful way. The SMEs are running around doing a lot of things and they don't have time to look at the broader picture, so it will help them. It depends really at a country level how consultations can be placed, and I think that's one we're aware as a multistakeholder model we could achieve to help more SMEs.

In the discussions of economic development, more -- can be more engaging than only human rights or gender or --

>> I think all these things are really important in the concept of Internet Governance, but the way I look at it as well, we need to think about how SMEs think about it because they are a major kind of employer of -- of people in each country, but once you get that right in terms of access issues, in terms of the issues, it comes in more clearly, and I think people can see the value to them in terms of their --

>> SHITA LAKSMI: So put them on the table as well as part of the multistakeholder. Okay. Can would he move to ISOC? Raj.

>> RAJ: Thanks for this opportunity. Last year (Inaudible) with the AAC getting into gear shortly, we thought it was a timely opportunity to do this report. And basically what it does is looks at the countries, the infrastructure that exists in the countries, and tries to basically map out where they're standing in terms of each other. I think anyone who works with ASEAN realizes there's great diversities. (Inaudible) you've got Laos and Myanmar at the other end, quite a few economies in between, so there are basically three levels, if you like, that

we identified where the countries exist, and the report is available on the website. I won't go through that, but please feel free to download it. It's a free download on that.

But out of the report there were ten recommendations that were made, and I want to highlight two of those. One, number 8 said governments need to lead in using ICTs to extend inclusion, and number 10 said promoting capacity building is a key part of empowerment, and both go to basically ensuring that people who don't have access need to have access, but once they have access, it's not just a matter of providing access, you need to go to the next level, which is empower them to use what they have in order to better their lives, which is what the other speakers have mentioned in their interventions.

One of the issues I think is that, you know, if you look at the ASEAN master plan or the AEC as a whole, really -- and I've been following that for a couple of years now, seeing how that's been developing -- it's -- and it's very obvious that there's going to be a lot of challenges for ASEAN for it to do what it aspires. I think AEC is an aspiration, and there's a lot of hurdles on the way to get there. Some things should be far more easier to do than others, but ultimately a lot of the things that will go down to the facts that the infrastructure across the ten economies are not the same at the same level. Neither are the resources, be they financial or human, so there's a lot of challenge that will come out and perhaps the Internet itself may be a way in which some of those issues could be addressed. Not necessarily solved but at least addressed.

Thailand, as an example, recently announced their plans to connect virtually every village in the country, is Thailand 4.0. But again, it's an aspiration, so let's look at it from their perspective. That's where I think we really need to get to.

There's also the issue of ensuring that people are trained and empowered, which then brings me to the issue of Internet Governance and what does that have to do with all this? You know, we've seen across time, in post-WSIS, as more people have connected, they have -- after getting the access thing sorted out, then they started realizing there's other issues, there's gender issues, there's security issues, there's -- I mean, the list goes on and on and on, and the same thing happened when we have all these new communities coming all online, there will be issues that will pop up. One extra challenge I think ASEAN has that there's a large number of languages used in the region, and most of the documentation and literature, unfortunately, is in English, which may not be relevant or be easily understood, and that cuts across all regions, it's not just talking about infrastructure or high-level policy, so that's also an issue, so how do you bring all these people back into the fold?

The regional IGF, such as this, I think is good, but really those discussions need to happen the local level.

You know, and again, having been involved since the WSIS days,

what I see is it innovates the global discussions and people get excited about it, I need to go to the global IGF and go to all these exotic places around the world, Bali, Greece, Istanbul. It ticks all the boxes for bucket list, but the fact remains that sometimes those global discussions don't really resonate at the local or even regional level.

And sometimes the discussions you need to have locally have to be localized discussions with local context, local issues, which may have nothing to do with what's happening at the global level, so I think some of us have to be less excited about the global stuff and ensure ultimately it's acting locally, which is going to have an impact on the global thing, not, you know, trying to do what's happening in the rest of the world and then trying to copy it down to where you are in your locality, so it's very promising from the Internet Society's perspective to see a lot of discussions blossoming up. You know, there's also an issue there in -- at least I see there's one, and sometimes we have competing groups wanting to do a national IGF, so I don't think we should be locking it down, let a thousand flowers bloom, it shouldn't be one that one has to do in IGF, it's an Internet dialogue, it's a discussion, and I don't think just because somebody's already done it -- people can collaborate, would, with others, but then that should not be a barrier for others to also do some of the things as long as there's collaboration, coordination, and then the reporting back into the wider, bigger pictures of things that exist. Let me stop there. I'm rambling on too much. Thanks.

>> SHITA LAKSMI: (Inaudible) idea of acting locally because I think that's really why this session is also happening. We have all of the discussions in very good places, but what happened in our local.

I would like to go to the participants or people or -- also, you are also resource person to tell us your -- the comment to the distinguished speakers.

>> PANELIST: Very quickly, I'll just make one intervention. Nica was very polite and diplomatic what she said about the new secretary, so let me say what she cannot say. The person who's come in is from Matelco, and that has its own issues.

(Laughter)

>> SHITA LAKSMI: Okay. Any questions or comments or people who would like to share something from the participants? We'll have lunch 30 minutes later, so don't worry. Any comments? Or if not, perhaps I ask first, yeah, to -- to give a discussion.

So Internet Governance at the global level has the best practice forums, and one is a multistakeholder corporations, and there are some inhibiting factors for a multistakeholder, it means like it's like bad actors, it's like the trust building issues, but I think from the discussion that we have here, I think the most relevant for ASEAN at least is the political contacts who has the power, who has the closest power to the government, also the capacity, so from the speakers, if you can -- you can make a comment on that.

So if we have to make our own Best Practice Forum for ASEAN and multistakeholder corporation, what do you think is necessary for us to either put it as enabling factors or inhibiting factors, that's my question, but I really would like to have others also have a comment on that. Who would like to start? I'll give it to Jac.

>> JAC SM KEE: Yeah. That's a bit harder. But actually, like I've been thinking quite a lot about doing a national IGF, actually in Malaysia. I've been thinking quite a lot about it. The reason for that is because I think somehow the Internet Governance Forum format allows us to sit down, like, you know, look at us here, right, at a table, coming from all different stakeholder groups, to be able to somehow have a conversation that's quite difficult in the nonimmediately antagonistic way, and that actually is very valuable because sometimes you do need to have these kinds of conversation, and for me one of the best values of Internet Governance forums is actually capacity building. You really are able to kind of get a lot of people together to sit down and think about what are Internet Governance issues by sharing what you know and having, you know, conversations about emerging key issues, and those two kind of -- those two pieces of -- I've been doing IGF for way too long, but these two things somehow really resonates, but at the same time, there are some things that are very important to happen also in preparation for this, so for example, I come from Civil Society, and I really do think that it's quite important also to have Civil Society to come together as Civil Society and all of our diversity to think through about what are some of the key Internet policy issues that's important to us and to articulate that. So we are having APrIGF like a week before the other forum, and that was important. The first time I read the report and ICT Master Plan was before last year's ASEAN people's forum because we were trying to prepare to have a regional conversation about this issue, like, you know, what is -- what is the critical issue about Internet access to us as a region and what pulls you us together despite our diversity, what are the core things we can think about, connect with, and collaborate with, and that kind of space is important even as we're thinking about multistakeholder, but I think she told you absolutely right, political context matters a lot in this region because it also -- it's a very diverse region, actually, even if you're just looking at Southeast Asia, a different political kind of organizing, languages, et cetera, et cetera, so that adds an additional challenging layer, and that also adds the kind of compulsion us as Civil Society to sit do you and understand each other's contexts better to be able to draw something up to say, okay, this is something that we need to talk about.

Another opportunity I think is really the increasing interest and conversation around access to the Internet and its link to the sustainable development goals. For us, this is an important thing in this context, and looking at how ICTs for development and how these

intersect also with human rights issues and not necessarily just civil and political rights, but also economic, social, cultural rights, and how can we start to have this conversation about right to health, right to education and all these different capacities and how they link to freedom of expression, right to information, so on and so forth, so, yeah, lots to talk through.

>> SHITA LAKSMI: (Off microphone)

>> PANELIST: Because if you look into the monthly stakeholder -- multistakeholder, there are several layers that are involved. Naturally, the diversity is also relating to qualities, to building the knowledge.

The problem we have is the technical knowledge and the language barriers. You can sit in ICANN meeting and you cannot understand what they're talking no matter how good English you are.

I remember the first time going there, I thought I was going to the Telex room when I was a kid and then the -- that exchange of the currency, they have all this jargon, and I think that's one of the most important things that I do see among -- as a role of government to -- we need to also coordinate government because everyone have their own -- own silo that they work, the one who work with ITU, the one that work with IEEE, and the Internet starts to become the cross-cutting issues. Even in the trade we heard this morning, the Ministry of Commerce have their own interests, and then we start to talk about the other commerce that means Internet, they use the word cross-border commerce, so these are the things I think that how we organize among AP. It's also important to have the things of what we try to do, like ASEAN, ICT Master Plan, which should be in line with the others as well. For example, I like to make things concrete, that we need the input from -- from the communities.

We talk about the theme of merging physical space and cyber space. The (Inaudible) what we like to do about it. Can the government just issue the electronic identity for you? They have the eGovernment website, maybe 400 of them, and then you have to have a book, nothing down. What is the user and password they use? That lead to the cyber security. These are the issues that we like to get the words from the community. Government should coordinate to have a common idea, you -- it's a technical flow and they need to give the answer, but the community have to say that we don't accept this. Government coming up with a website, I have to go for -- select the election place or my kids go to school, there's a website of the Ministry of Education, then you go through the health, you go through the tax authority, you can go on and on and on and on, and the government says you're using Internet and you have user and password, and these are the first things, for example, that can be put in ICT Master Plan. That's how we're going to go, and I'm proposing the eAuthentication frameworks in ICT Master Plan on how we're going to do. And IST is coming out with a mobile issue that some of you might need to read that they're not allowed

to use the OPT in mobile anymore because it's a threat, but community has to say something about this. That's another viewpoint.

(Inaudible) government should raise the concern back to the communities in a way that is on what is the problem we'd like to find out from communities and lead the technicals or the people around the issues that relate to this in the public policy.

>> SHITALAKSMI: Any other speakers who would like to make a comment?

>> NICA DUMLAO: So lien talked about the ICT Master Plan. The master plan is an economic focus, and I think we all know this is really very -- all master plans, actually, no, ICT master plans, not just in ASEAN but also local level where they always think of -- they only think about actors in -- that can contribute in the economy and not Civil Society that are working on women's rights, human rights, sexual rights, so that's something that we really want to -- to change, no, and -- when discussing about Internet Governance, and that's also something that we also want to -- as Jac said, we wanted to really get private sector's cooperation, some private sector's cooperation, some private sector, friendly private sector's cooperation. Yeah. To be able to really -- to also help us in -- in -- you know, in giving -- help us -- help us to have space in those discussions.

So that's one. And the other thing is about regional and local, so we always think -- or we always say that it's always -- it should -- the conversation should really start in the local level, but what if there's no space there? So that's why there -- yeah, there -- that's why Civil Society organizations and, like -- in Vietnam or in Malaysia or in different countries or somehow societies that are restricted, also, you know, try to raise these issues in the -- regionally, because they don't have space in their countries, so -- yeah.

>> SHITA LAKSMI: Others would like to speak on these issues? Oh, yeah, one, and then I really would also speak for (Inaudible) please state your name.

>> AUDIENCE MEMBER: Hi. My name is Jillan. I'm from the Philippines, and just maybe -- I think that the ongoing challenge when it comes to ASEAN is I think it's good that our representative from Thailand is here because -- and I will start my (Inaudible) now. It's really the government who holds the entry point, so in all those pillars, including the master plan, it's actually the government who has really the say, who comes to meetings, so if that would be an opening, an opportunity, I mean, not to be threatened by the Civil Society organizations and to have a similar environment, similar to what IGF has been proposing to do, I think that's really an opportunity in Southeast Asia, right, sir? And I think for the next coming 2017, it's also a challenge for the Philippines, since Philippines will be chairing the ASEAN, to possibly come up with a similar model which, eventually, might give birth to a -- not -- I cannot say it's more open in the Philippines, I cannot really say that, but given the vibrancy of the NGOs in the Philippines, there is a possibility of having that,

and I think the support of other regional NGOs and other actors in the region could also pave way to a more vibrant IGF or multistakeholder discussion.

>> AUDIENCE MEMBER: Hi. Nice to meet everyone. My name is Puli. My company is sort of half private, half public. We help Korean government set policies and develop technologies in Internet promotion and information security.

First, I would like to take upon one point. I think including ICT, all technologies, actually, value neutral. You know, technologies can be used to surveil or monitor your own people, just like big brothers, as someone said, and also can be used to make our life better, and so there I think government, Internet Governance dialogue, I think there's a government role is needed, and my -- actually, I happen to be main member for the Internet Governance Forum under umbrella, and it was my very first time there, actually two weeks ago, really. I'm still a little jet lagged, so I'm very confused.

Anyway, I was there, and I observed that the government participation and here also -- I see low level of participation from the government, so I have a concern, probably we need to, you know, come up with some plans how to -- government, I think they should become one of the stakeholder, I think we need government for this multistakeholder dialogue.

And also, I'd like to share a little bit about Korean, you know, dialogue in terms of Internet Governance in Korea. Internet Governance is also part of duty for my division also in my company, and we try to push to keep some momentum for the discussion for Internet Governance, but it was very difficult because since Internet Governance is, you know, large topic and like ten years ago when we talk about Internet Governance, it was like a very -- relatively simple who gets what, like for the Internet, critical resources, who gets -- but now we are talking about conversations, like gender issues and human rights and security, so we tried to find some experts, tried to get some people who has expertise in their field, and want you to get -- convene one place and to talk about like solutions, how we can solve any -- I mean, those issues, which is related to Internet, but it was very challenging -- the post was everyone has their own domain, it's like a silo. They want to -- it's like there are already existing forum, and we are talking about issues, like there are forums for Internet -- information security, there are forums for privacy, and so why -- what's in it for me, why we have to go there? So that's the first challenge for us.

And probably global -- at the regional level and global level, maybe, you know, we share this -- this same, so I would be very appreciative if anyone -- any panel or participants have any good practice that you did in your country to solve this problem. Thank you.

>> SHITA LAKSMI: Anyone would like to respond to that? Well, really interesting about the breaking the silo because that's also

very -- in my experience in Indonesia, we are also having this Indonesian Internet Governance forum. One of the way is we have routine meeting -- not routine meeting but it's more people getting together. We like to get together. This is our culture and we like to have a coffee or any cafe in between us, so we have an informal discussion, routine discussions, together with have an Internet platform hub, so that is actually the one that will break the silo so people can really speak and know each other, know decision-making processes, really very informal. It's after hours, so people can be themselves or not really have to have identity outside -- inside the organizations, yeah, so that's actually one of the good points of having this to break the silo.

I think Wanawit, would like to respond.

>> WANAWIT AHKAPUTRA: One from the Philippines on the issues of ICT Master Plan. In general, one thing I'd like to left as thinking is that for government, for us we always require credentials, who we are, and that creates a silo because it's legally binding us. If you don't do it, like in Thailand, you go to the court because you're sitting on the legal, if somebody filed a complaint, you have to take this content down. If you don't do it, you need not behave, so they put you in the court, you losing pension, you losing -- the government dealing with credentials, who we are. If you want to be the -- you need to be appointed by the government.

Then come to the private sector. You don't know who you are, there are no credentials, that's why I urged that you need to formulate, organize where you have -- you just have something documented who you are, then you will be count for sure, and that's always lacking in most of the case.

Even in ICANN we're facing these problems. There used to be a famous word of government capture. I said capture and they take photograph, and I said this is me in capture for my meeting because in government, when you're dealing with consensus, we have 184 countries in the meeting. If one country raises their hand an objection, we cannot have anything at all, and we just discuss that in the monthly stakeholder. The problem is in the private sector, the credentials aren't required, so how the government react? Why only is it coming from this person or two or three persons that not really listen, that's what I like to raise.

We urge that you need to have -- it can be just a group associations or the clubs or whatever stuff, but if we can look through -- if it's on the website or document that you have passed when you propose something, say, okay, we need to listen and we know to whom we should contact. That's one of the ways -- that's a way to communicate to the government.

And the other thing that they mentioned, I think setting up the national multistakeholder very much like BI in Brazil by the minister and we have put it as a national multistakeholder, just getting it approved for the covenant, just waiting for a first meeting. Took

three years for us to setting up this, and we want to use this committee to desilo 20 departments involved in the Internet to listen to this committee in terms of principle and elections, and we try to put the community Civil Society to give opening to this coming.

>> SHITA LAKSMI: That was a very nice explanation. Who would also like to comment on this or any comment from the speakers? Lih perhaps?

>> I like the idea of the committee thing or the Internet policy issues. I think it's always about a process, right? How do you do it in a way -- for instance, you're thinking about -- I mean, it works both ways. It could be really good if you're trying to protect rights, but it could work against you, let's say a project that's looking at how do you quickly roll out access to communities. Communities, as you all knows, tends big time to reach an agreement, and I think the national projects -- I think we need to think about what's the right process, does everything need to go to the committee for discussion? I think there's probably things that we want things to move faster and kind of a separate consultation process where Civil Society is involved, and I think that's important.

I like the point as well about the fact about technical knowledge. I think you mentioned about capacity being so, so, so important, right? I think there's so many studies out there, and I'm just wondering how are we involving the universities in the process of how do you put it in a way that's easy for me to digest, in a lingo that's easy for laymen to understand. When I talk about SME stuff, when you bring a specific research to SME, how do you put it in a way that they say, oh, I can see why, let's say, cross-border data flows are really important to me it makes it easier for me to sell my services to outside the Philippines, right, or outside Malaysia, so I think the academia, that could be another nice relationship we could try to grow, because on the private sector end, we do commission a lot of economics to kind of run reports, but we do that with the idea of telling government or sharing government what the opportunities are and what they're for. I think it would be really nice to have that process as well to say, okay, we -- very interesting points that I'm going to include in my research that could be put before the right policymakers for them to consider.

>> AUDIENCE MEMBER: Hi. I'm from India. I just wanted to sort of comment or flag another aspect. Talking of silos, we have been saying Civil Society is one group, but within it you have these different silo, no? You have those who are working on human rights and those that are working on Internet rights, and there's also a bit of the territorial sort of the -- the tussle that is there, so I guess in all this, how do you reach out to the larger community in order to be part of governance is also to reach out -- is also to expand the silo, I guess in a way.

We work in silos, but at least we could expand the silos that they're

larger and more inclusive and bigger and, therefore, have a stronger voice.

I know that APC, for instance, there are members of APC here, they're working on a project that looks at sort of linking the offline and the online rights and groups which are working on these respective rights and, therefore, sort of expanding that conversation, so just to say that, you know, I mean, we have a -- I mean, I've been here the last two days, and I'm not a part of this conversation on a regular -- I mean usually, and I find again that this is a very limited space, and it's the elite sort of -- the -- within the Civil Society, within the Internet sort of -- all the stakeholders concerned who are part of this IGF, whether it is global, regional, national level that you're talking about, it needs to become like commonplace, no? The conversation has to become very common, so my mother-in-law, she's part of the whole governance structure, I mean, she's -- she participates in governance, so to speak, so just -- just that -- just a thought. Yes. Thank you.

>> AUDIENCE MEMBER: Thank you. Actually, my name's Haley. I'm curious about the low participation of government in this region because I see, like, although there are a lot of vibration from the community and Civil Society about IG, and at the same time, if the government participates in IG, there is a huge benefit in political landscape. They have more say and they have more presence, but like what is the rationale behind and challenges behind that hindered this happening? And also, I have heard that like in South Korea, like, the country is trying to have some program for the youth, to let more youth to learn more about IG and so that more people from South Korea can participate in South Korea, like in the region -- regional and global level.

So I would like to know, like, how come, like -- like what's the rationale behind for the, like, situation in this region? Thanks.

>> (Off microphone)

>> JAC SM KEE: Okay. Just as we think Civil Society is one monolithic group, government one monolithic group, actually inside there's many differences, and the thing with Internet Governance there is some level of -- when you come and attend an ICANN situation, you don't know what's going on, alphabet soup. The thing with Internet Governance is as the Internet becomes more and more embedded in more aspects in our lives, there becomes more entry points to come in, so that enables different ways of engaging into the process, and it's not always in the dialogue about ICANN, it's not always in the dialogue about IG even. It could be in the conversation at very local levels about economic development at some point, and it doesn't -- or, right, information at different points, but the challenge, then, is how do we then pool all of these different things together and how do we, as people who may be are, to some extent, familiar with the process act as a translator of which builder. I think that is a little bit

critical, and I think every single stakeholder group can play this role to some extent.

The reason the government's reluctant to engage in Internet Governance is because of the multistakeholder process. It is a different dynamic in terms of how governments engage with citizens and stakeholders. In democratic processes, that's the very formal route. One was saying you need credentials, you need ways to engage, but multistakeholder process is informal. You sit down and accept maybe the government doesn't know everything and maybe Civil Society doesn't know everything, so we come with our partial knowledge to get to know something a bit more, but this is quite challenging to some governments.

Like I have not really seen the government of Malaysia engage in IG, maybe in the early days a little bit in the WSIS process, but not so much in IGF, and that's an important challenge. Actually this has value to you, engaging in this process is incredibly valuable. You can engage in this conversation from so many different points of view, so -- and I think the only way to do this is really to also start -- actually, no, I don't think the only way is to start national, I think the way to do is sandwich, go global, go national, go regional, and sort of go at every direction that you can.

>> So two comments, sort of, one for the lady from India, I think you said you were, where you talked about the different silos, so my question would be that, you know, I -- I'm not quite sure how you break down those silos because I think some people are very comfortable with the silos they're in and some people like to sell their ideas. To my mind, I think the bigger question is how do the silos talk to each other. If there's a little bit of coordination between that, sometimes they're not -- they might not agree on everything, but at least there's a communication channel open that might help the conversation a little bit.

In terms of the governments, once aspect -- I think one was covered. I think the government is (Inaudible) to all these meetings. The same thing goes to Civil Society and others, even private sector for that matter. You know, there's so many meetings that happen throughout the year on so many topics, having sufficient budget -- I mean, in my organization, I struggle to cover all the meetings we get invited to. In fact, we decline I think 80% because we don't have the resources, either people or money to get there. That, I think, resonates with a lot of institutions, and particularly if you look at the Civil Society sector and particularly people from the nonprofit sector, you know, you have to put your priorities in order where you spend that money, and a lot of governments have the same problem, so let's -- government -- a big pot of money, sometimes they do, but they go missing, but the question still remains, it's a resourcing issue as well, and the resources has multiple components.

>> SHITA LAKSMI: Thank you. I think we'll close and I'll make

a bit of summary and finish.

>> PANELIST: I pretty much concur what has been said by Jac, why the level of government are getting lower and lower, but I just want to keep one more region. Since IFG is not decision-making body, I think that's the reason. And also there are already -- they are attending intergovernmental organization, like OECD, IPU, which is decision-making in economy and -- so that's why -- the reason they don't see any good reason to be this multistakeholder dialogue, they don't see that, and you want -- you want me to explain more about Internet Governance Academy in Korea?

>> SHITA LAKSMI: Or perhaps later on because it's already finished. Apology for this, but I have to -- I don't want to keep you away from your lunch.

>> AUDIENCE MEMBER: Okay. Okay. Yeah.

>> SHITA LAKSMI: Sorry.

>> AUDIENCE MEMBER: Just a little bit short -- I'll take just one -- 30 seconds. I brought a brochure that we put outside, and if you're interested, please take a look at it. Thanks.

>> SHITA LAKSMI: Thank you very much. I think -- ten seconds.

>> Five seconds. The reason government is not there is because government need formal Internet. It's not formal, not intergovernmental, nothing. You cannot have a budget. That adds a problem, (Inaudible) it's a side job, you not get a reward, your boss is chasing you, they complain, so nobody like to work in Internet. That kind of problem, we need to make the -- government have to -- in Europe it's not a problem. In Asia, every country have a problem. This he cannot get a budget because there's no treaty, no intergovernmental, nothing. Committee will help us. That's why I come to support. You are the taxpayer. You need your -- you need this elephant to support you, and fixing the problems.

(Applause)

>> SHITA LAKSMI: Well, thank you very much for a very nice and very fruitful discussions. I would like to just one point, that you have to know that IGF at the global level is really trying to really engage with the national and regional IGF, so this conversation will not stop here, it will start -- it's just starting, so please do not frustrate with the process of multistakeholders and your political context, let's just continue to do this.

I would like to thank you and would like to -- how about a round of applause for our speakers.

(Applause)

Thank you very much, and enjoy your lunch.

(Session concluded at 12:33 p.m.)

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