

IGF 2021 Main Session Proposal Emerging Regulation Issue

- 1) **Title** - *Regulation and the open, interoperable, and interconnected Internet - challenges and approaches*
- 2) **Date** *Day 3: Thursday 9 December 2021, 10:15-11:45 CET*
- 3) **Duration** – 90 minutes
- 4) **Associated Programme Themes** *Emerging regulation: market structure, content, data and consumer and users rights regulation*
- 5) **Brief Description/Objective** - Stakeholders around the globe are increasingly considering legal and regulatory approaches to address various public policy issues posed by rapid digitalization. However, the very nature of the Internet as a borderless, interconnected system makes it too complex to be solely managed by any single country, company or organisation. As a result, whether designed to address Internet content, guide market functions, or reinforce data protection, security and consumer rights, isolated measures taken unilaterally or in silos risk undermining the open, interconnected and interoperable nature of the Internet.

Policymakers at the local, regional and global level, should work to maintain this unique nature of the Internet, as highlighted also by the UN Secretary-General in his recent report *Our Common Agenda*.

This main session will highlight regulatory experiences under three main layers of the Internet: infrastructure, content and data aiming to promote collaborative global approaches and best practices. For the purpose of this session we consider various initiatives at local, regional and global level that impact the Internet in its different layers from technical infrastructure, to content, data and emerging technologies such as AI. These include, among others, conditions that might impede or enable the ability of systems to fully interoperate, as well as practices and policies by all stakeholders that can either facilitate, or constrain or prevent certain uses of the Internet. These impacts can lead to discriminatory results in different parts of the world in the ways users experience the use of, and access to the Internet.

We will begin with a discussion where the speakers for each of the three areas identified provide best practices, examples of experiences and approaches coming from their own involvement with different regulatory processes. A diversity of perspectives will inform the debate: the session co-organizers will seek to involve

parliamentarians, technical experts, human rights advocates, ministers, academics, Internet users, and business representatives in the discussion. Following the presentation of the regulatory experiences there will be a general discussion reflecting on the commonalities, the challenges, and the useful lessons learned that could be leveraged as best practices to ongoing and future regulatory processes.

This session will build upon the IGF2020 Trust Main Session, where relevant, and could be used to establish a future intersessional work program on the topic at the IGF.

6) Policy Questions

- 1. What best practices can be identified from the regulatory examples presented in the session to achieve greater international consistency in the proposed regulations?*
- 2. Are there non-regulatory approaches that could be explored to achieve the intended policy objectives of some of the regulatory experiences examined? How could non-regulatory alternatives interact with regulatory approaches? Non-regulatory approaches would include self-regulation, co-regulation, guidelines, principles, codes of conduct, various voluntary measures etc.*
- 3. What can be the role for IGF and its multistakeholder approach providing policy discussion and guidance to avoid fragmentation that may result from national or regional regulatory developments and preserve the open, interconnected and interoperable nature of the internet?*

7) Session Agenda

- Welcome and Introduction (5 minutes)
- Scene Setting Remarks (5 minutes)
- Recap of the preparatory session (5 minutes)
- The following part of the session will look at three particular issue areas and consider the impact of regulatory efforts. Discussion will consider how these efforts align with human rights approaches, consumer's rights, fair competition and preserve the open, interconnected and interoperable nature of the Internet;
- Regulatory example 1 - Data (20 minutes)
 - Speaker presentation: overview and examples (10 minutes)
 - Discussion and identification of best practices (10 minutes)
- Regulatory example 2 - Content (20 minutes)
 - Speaker presentation: overview and examples (10 minutes)
 - Discussion and identification of best practices (10 minutes)

- Regulatory example 3 - AI (20 minutes)
 - o Speaker presentation: overview and examples (10 minutes)
 - o Discussion and identification of best practices (10 minutes)
- Conclusion: general discussion reflecting on the commonalities, the challenges, and the useful lessons learned that could be leveraged as best practices to ongoing and future regulatory processes. (15 minutes)

8) Chair and Moderators *tbd*

Jovan Kurbalija – Diplo - DiploFoundation

9) Speakers *tbd (6 speakers representing all regions and stakeholder groups)*

PRIORITY SPEAKERS							
Name	Org	Position	Stakeh. group	Region	Gender	Topic	Status
DATA							
Margrethe Vestager	EU Commission		IGO	WEOG	F		
Vint Cerf	Google		B	WEOG	M		
CONTENT							
Anton Gorelkin			G	EE	M		
Maria Ressa			CS	APEC	F		
AI							
Sally Radwan	Government of Egypt		G	Africa	F		
Carolina Aguerre	Center for Technology and Society (CETYS) University of San Andrés (Argentina)	Co-director	CS	GRULAC	F		

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ALTERNATIVE SPEAKERS

SUGGESTED SPEAKERS ON DATA				
Name	Title	Organization	Topic / Regulatory example	Status
Vint Cerf	VP, Chief Internet Evangelist	Google		
SUGGESTED SPEAKERS ON CONTENT				
Name	Title	Organization	Topic / Regulatory example	Status
SUGGESTED SPEAKERS ON AI				
Name	Title	Organization	Topic / Regulatory example	Status

Gary Marchant	Regents Professor at the Sandra Day O'Connor College of Law	Arizona State University Also, member of the OECD Expert Group on AI	Trustworthy AI and soft law, see: https://www.carnegieiaie.org/blog/why-soft-law-is-the-best-way-to-approach-the-pacing-problem-in-ai/	
Carlos Ignacio Gutierrez	AI Policy Researcher	Future of Life Institute Also Vice-Chair of the IEEE, Artificial Intelligence and Autonomous Systems Policy Committee, member of the OECD Expert Group on AI	Soft law and AI: https://oecd.ai/en/wonk/soft-law-2-0	
Kyeongsik CHO	Government of the Republic of Korea	Vice-Minister, Ministry of Science and ICT	Could speak from the perspective of implementing the OECD AI principles in a national context	
PREVIOUSLY SUGGESTED SPEAKERS - PLEASE RE-ADD ABOVE				
Dr. Shoshana Zuboff	Charles Edward Wilson Professor Emerita and author	Harvard Business School		
Anthea Roberts	Professor	School of Regulation and Global Governance (ANU College of Asia and the Pacific)		

Joseph Stiglitz	Professor and Nobel Prize in Economics winner	Columbia University		
Vint Cerf				
Parliamentarians				

10) Rapporteurs *tbd*

11) Plan for participant engagement/interaction *tbd*

12) Facilitators *tbd*

13) Desired results/output. Possible next steps for the work

14) Annex Documents and Sources

15) Links to SDGs