

INTERNET & JURISDICTION

A GLOBAL MULTI-STAKEHOLDER
DIALOGUE PROCESS

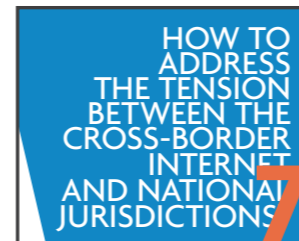
PROGRESS REPORT 2013/14

MORE INFORMATION ABOUT THE
INTERNET & JURISDICTION PROJECT:
www.internetjurisdiction.net
@IJurisdiction

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FRAMING THE CHALLENGE



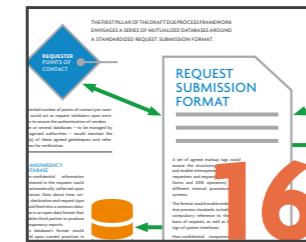
TIMELINE



A GLOBAL MULTI-STAKEHOLDER DIALOGUE PROCESS



SIX BUILDING BLOCKS



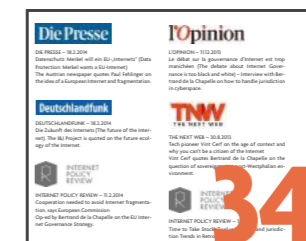
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GLOBAL ENGAGEMENT



I&J OBSERVATORY



IN THE MEDIA



FUNDING

“The Internet & Jurisdiction Project is identifying new, innovative ways to deal with global law and the Internet. [We need such operational solutions.](#)”

NORBERT RIEDEL, COMMISSIONER FOR INTERNATIONAL CYBER POLICY, GERMAN FEDERAL FOREIGN OFFICE

“This Project brings to the space of policy-making [the collaborative attitude that formed the very foundation of the Internet design.](#)”

VINT CERF, CO-FOUNDER OF THE INTERNET AND VICE PRESIDENT, GOOGLE

“Bringing the diverse actors together is critical to find pragmatic solutions. [This Project does this in a unique way.](#)”

ANNE CARBLANC, HEAD OF DIVISION, DIRECTORATE FOR SCIENCE, TECHNOLOGY AND INDUSTRY, OECD

“Narrowing down a problem and developing a concrete solution through an inclusive dialogue process: [this is what enhanced cooperation is really about.](#)”

ANRIETTE ESTHERHUYSEN, EXECUTIVE DIRECTOR, ASSOCIATION FOR PROGRESSIVE COMMUNICATIONS



“The NETmundial Roadmap stressed that the issue of jurisdiction deserves to be further developed by the global community, so I applaud your efforts. [You propose a good approach that could help very much.](#)”

BENEDICTO FONSECA FILHO, DIRECTOR, DEPARTMENT OF SCIENTIFIC AND TECHNOLOGICAL AFFAIRS, BRAZILIAN MINISTRY OF EXTERNAL RELATIONS

“The jurisdictional problem is addressed here with [surgical precision in an issue-based, multi-stakeholder manner.](#) This is very valuable.”

JOANA VARON, INDEPENDENT CONSULTANT ON DIGITAL RIGHTS

“We need innovative instruments and principles-based approaches [like this](#), that all actors including governments can agree upon.”

ANKHI DAS, PUBLIC POLICY DIRECTOR INDIA & SOUTH ASIA, FACEBOOK

WELCOME

TOWARDS A TRANSNATIONAL DUE PROCESS FRAMEWORK FOR THE INTERNET

The Internet is transnational. Its cross-border nature challenges the international legal system that is based on a patchwork of separate national sovereignties. No reliable framework exists to handle this challenge. The resulting legal competition has unintended consequences including: increased jurisdictional conflicts, tensions between actors and a risk of fragmentation.

The Internet & Jurisdiction Project was launched in 2012 to address this issue. To enable the digital coexistence of different norms in shared cross-border online spaces and to preserve the transnational nature of the Internet, it facilitates [a neutral multi-stakeholder dialogue process](#), which brings together governments, civil society groups, major Internet platforms, technical operators and international organizations.

The first phase in 2012 allowed framing the challenge in a way that was accepted by all actors, which revealed a [shared concern](#): the lack of appropriate procedures to handle the increasing number of requests addressed directly by courts and public authorities to Internet platforms and operators in other jurisdictions regarding domain seizures, content takedowns and related access to user data.

This Progress Report documents work conducted in [the second phase of the Project](#) (2013-2014), in which the participating stakeholders worked together to define “interoperable procedural interfaces” to ensure transparency, due process and respect of human rights.

Numerous meetings and the supporting work of the dedicated I&J Observatory progressively shaped a possible [transnational due process framework](#) via two successive stages:

- the identification of six fundamental building blocks
- the definition of a draft architecture based on two pillars:
how requests are submitted and how they are handled

After three years of intense deliberations, we hope that this report will allow readers to assess the benefits of a neutral dialogue space and the progress made thus far.

We strongly believe that solutions to the most pressing issues related to Internet governance can only emerge through close dialogue and cooperation among relevant actors. This pioneering effort explores new ways to produce the [innovative transnational arrangements](#) required by a revolutionary medium that now underpins almost all human activities.

We are encouraged by the ongoing commitment of major actors to the Internet & Jurisdiction process and their willingness to explore pragmatic avenues for enhanced cooperation.

Bertrand de LA CHAPELLE
Director

Paul FEHLINGER
Manager

HOW TO ADDRESS THE TENSION BETWEEN THE CROSS-BORDER INTERNET AND NATIONAL JURISDICTIONS?

FRAMING THE CHALLENGE

THE FIRST PHASE OF THE I&J PROJECT IN 2012 WAS DEVOTED TO IDENTIFYING ISSUES OF COMMON CONCERN AMONG ALL STAKEHOLDER GROUPS REGARDING THE GROWING TENSION BETWEEN THE CROSS-BORDER INTERNET AND NATIONAL JURISDICTIONS. CONSULTATIONS AND A SERIES OF MEETINGS ALLOWED DEFINING THE SCOPE, KEY OBJECTIVES AND METHODOLOGY OF THE GLOBAL PROCESS.

THE CHALLENGE: THE RISE OF TRANSNATIONAL REQUESTS

The Internet is transnational. Traditional modes of inter-state legal cooperation are not adapted to the realities of online interactions that involve Internet platforms, technical operators, servers and users that are physically based in different jurisdictions. Mutual Legal Assistance Treaties (MLATs), when they exist, are limited in scope and scalability, while a global harmonization of content-related national laws appears unworkable.

While certain agreed procedures for conflicts regarding copyright (including the DMCA model) or trademarks in domain-names (UDRP) exist today, none are available for requests related to user-generated content and speech issues. As a consequence, requests by courts and authorities for domain seizures, content takedowns and related access to user data are increasingly sent directly, i.e. transnationally, to Internet platforms or operators in other countries. The present solution currently lacks clear standards, procedures and transparency.

A COMMON OBJECTIVE: TRANSNATIONAL DUE PROCESS AND TRANSPARENCY

During 2012, the I&J Project led consultations with the different stakeholder groups on how to address this challenge. A meeting in Stanford gathered six of the world's largest Internet platforms and major civil society groups. In addition, two workshops were organized at the Internet Governance Forum 2012 with high-level representatives from international organizations, business and civil society.

Participants identified the need for a transnational multi-stakeholder framework to ensure due process, transparency and accountability for such transborder requests: commonly agreed "procedural interfaces" are necessary between states, Internet platforms and operators, as well as users to enable the coexistence of diverse laws in shared cyberspaces.

THE METHOD: A MULTI-STAKEHOLDER DIALOGUE PROCESS

To develop such a transnational due process framework, the I&J Project provides since 2012 a neutral platform to facilitate a global multi-stakeholder dialogue process. It involves key actors from governments, business, civil society, the technical community, academia and international organizations in the elaboration of a common policy standard. To ensure that this global dialogue process is firmly based on evidence, the I&J Observatory network was established to track global trends and to provide expert input.

TIMELINE

2013

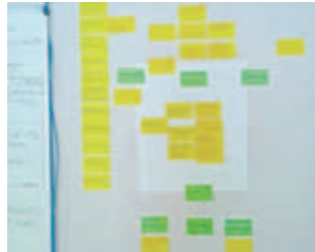
APRIL

I&J Observatory Meeting at the Centre Pompidou



JULY

I&J Regional Meeting in Paris



OCTOBER

I&J Regional Meeting in Washington DC



Pre-Event and Workshop at the Internet Governance Forum 2013



MAY

I&J Regional Meeting in Rio de Janeiro



SEPTEMBER

I&J Regional Meeting in New Delhi



2014

MARCH

Workshop at RightsCon



I&J Global Kick-Start Meeting in Paris



MAY

I&J Observatory Meeting in Berlin



APRIL

Workshop at Freedom Online Coalition Meeting



SEPTEMBER

Workshop and Flash Update Session at the Internet Governance Forum 2014



PHASE II

The second phase of the I&J Project (2013-2014) enabled an iterative dialogue between the participating stakeholders that progressively fostered consensus on a possible common framework, presented at major public events, in particular at the Internet Governance Forums (IGF) in Bali and Istanbul.

The process increased its regional and sector diversity in line with the multi-stakeholder approach and succeeded in engaging a critical mass of actors.

DIALOGUE PROCESS

Regional I&J meetings in 2013 (in Rio de Janeiro, Paris, New Delhi and Washington DC) led to a global kick-start meeting in 2014, followed by an intense series of direct exchanges with the different stakeholder groups. These meetings held under the Chatham House rule allowed frank and constructive exchanges.

Participants from more than 70 different entities were involved in the various meetings and interactions. The facilitation team also presented ongoing work at numerous conferences around the world and to international organizations (Council of Europe, European Commission, OECD, Interpol, UNESCO).

EVIDENCE-BASED APPROACH

The I&J Observatory established itself as a recognized information source on emerging trends and provides expert input into the dialogue process. Its monthly newsletter Retrospect has more than 800 subscribers.

It welcomed new members in that period and is composed today of more than 30 leading international experts from 15 countries, coming from institutions such as Harvard, Stanford, Oxford, HIIG Berlin, ITS Rio and the National Law University in Delhi.

Two annual meetings in Paris (2013) and Berlin (2014) scientifically reviewed the process' results and defined specific topics for joint supporting research for the next phase of the I&J Project.

DUE PROCESS FRAMEWORK

Work in 2013 led to the endorsement of six fundamental building blocks for a possible framework. These were further developed collaboratively during 2014. The outcome was a general draft architecture, which was presented at the annual Internet Governance Forum in September 2014.

The due process framework that emerged from the process could be built on two complementary pillars: a Request Submission System (including a Common Request Format and a series of mutualized databases) and Request Handling Procedures (including norms, criteria and dispute management mechanisms).

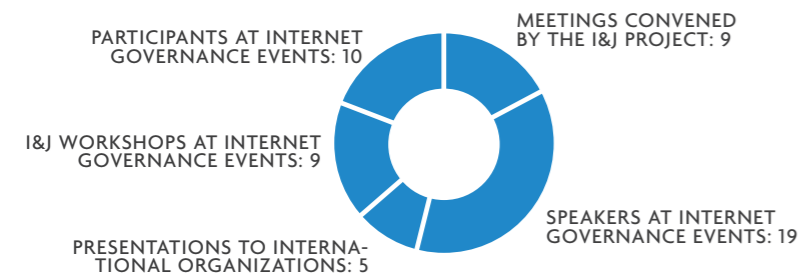
A GLOBAL MULTI-STAKEHOLDER DIALOGUE PROCESS

52 EVENTS IN 19 COUNTRIES ON 5 CONTINENTS

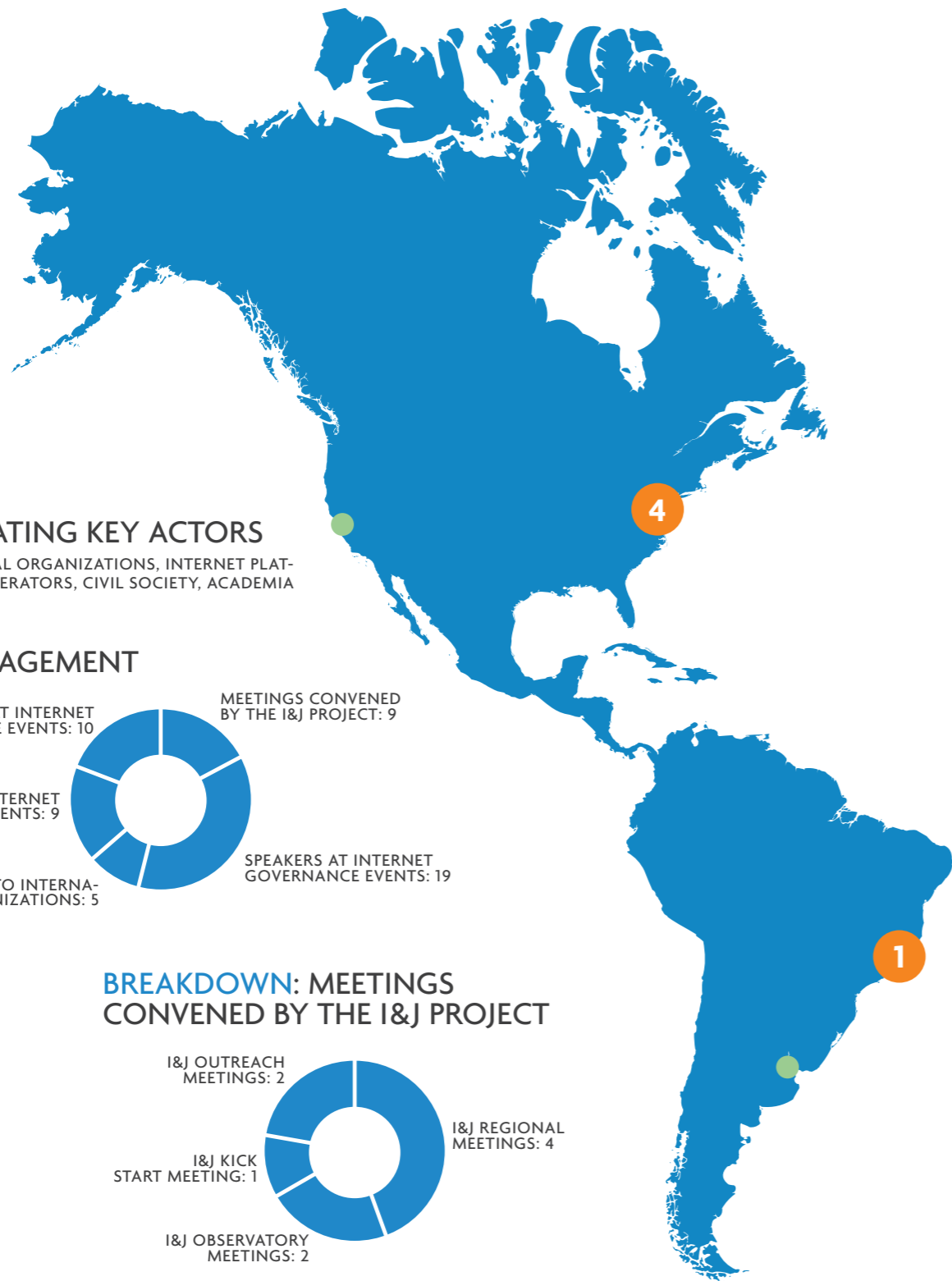
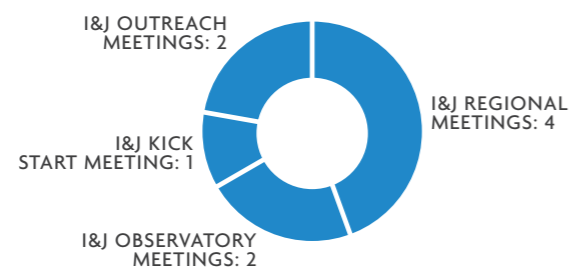
THE I&J PROJECT ENGAGES STAKEHOLDERS AROUND THE WORLD BY PROVIDING A NEUTRAL DIALOGUE PLATFORM, IT ENABLES THE COLLABORATIVE DEVELOPMENT OF A TRANSNATIONAL DUE PROCESS FRAMEWORK.

70+ PARTICIPATING KEY ACTORS
STATES, INTERNATIONAL ORGANIZATIONS, INTERNET PLATFORMS, TECHNICAL OPERATORS, CIVIL SOCIETY, ACADEMIA

GLOBAL ENGAGEMENT



BREAKDOWN: MEETINGS CONVENED BY THE I&J PROJECT



- 1 – RIO DE JANEIRO
- 2 – PARIS
- 3 – NEW DELHI
- 4 – WASHINGTON, D.C.

2013

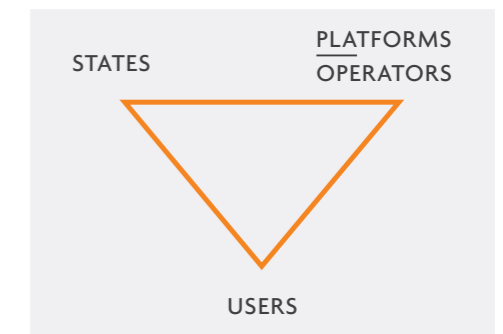
HOW TO DEVELOP A DUE PROCESS FRAMEWORK FOR DIGITAL COEXISTENCE?

SIX BUILDING BLOCKS

THE SECOND PHASE OF THE I&J PROJECT STARTED IN 2013 WITH A SERIES OF FOUR REGIONAL MULTI-STAKEHOLDER MEETINGS. SIX BUILDING BLOCKS EMERGED FROM IN-DEPTH CONSULTATIONS AROUND THE WORLD TO STRUCTURE FURTHER DISCUSSIONS.

INTEROPERABILITY AMONG HETEROGENEOUS ACTORS

A shared due process framework is needed to enable interoperability between heterogeneous stakeholders and normative orders in order to prevent a fragmentation of cyberspaces along national borders.



THREE AREAS FOR COOPERATION

States, international organizations, business and civil society participating in the dialogue process agreed to focus on three concrete areas for transnational cooperation:

DOMAIN SEIZURES | CONTENT TAKEDOWN | ACCESS TO SUBSCRIBER DATA

DUE PROCESS BY DESIGN

To ensure due process by design, mutual trust, accountability and interoperability, the participants in the I&J dialogue process identified six building blocks. They form a mutually agreed basis for the development of a transnational framework.

AUTHENTICATION: "credentialing" to verify the identity and authority of request senders and receivers

TRANSMISSION: standardized submission formats and routing mechanisms

TRACEABILITY: production of transparency reports, logging of requests for potential audits

DETERMINATION: criteria for compliance with requests and role of neutral third-party validations

SAFEGUARDS: user notification, right of response and appeal mechanisms

EXECUTION: implementation modalities to avoid unintended consequences and guarantee proportionality

FOUR REGIONAL MEETINGS

In 2013, the I&J Project organised four meetings in different regions of the world. The two-day workshops elaborated the building blocks for a due process framework that can scale. Key actors from the various stakeholder groups gathered in a neutral setting and on an equal footing under the Chatham House rule. Participants came from the following organizations:

1 RIO DE JANEIRO, BRAZIL (MAY 28-29, 2013)

ASSOCIATION FOR PROGRESSIVE COMMUNICATIONS (APC)
 BRAZILIAN FEDERAL PUBLIC MINISTRY
 BRAZILIAN MINISTRY OF JUSTICE
 BRAZILIAN MINISTRY OF EXTERNAL RELATIONS
 BRAZILIAN INTERNET STEERING COMMITTEE (CGI.BR)
 GETULIO VARGAS FOUNDATION –
 CENTER FOR TECHNOLOGY AND SOCIETY
 GOBIERNO DIGITAL, ECUADOR
 GOOGLE BRAZIL
 LATIN AMERICA AND CARIBBEAN NETWORK INFORMATION CENTRE (LACNIC)
 UNIVERSITY OF STRATHCLYDE –
 CENTRE FOR INTERNET LAW AND POLICY
 UNIVERSO ONLINE (UOL)

2 PARIS, FRANCE (JULY 1-2, 2013)

CELE UNIVERSITY OF PALERMO /
 OPEN SOCIETY FOUNDATION
 COUNCIL OF EUROPE
 EUROPEAN COMMISSION
 EUROPEAN DIGITAL RIGHTS (EDRI)
 EUROPOL
 FACEBOOK EUROPE
 FRENCH MINISTRY OF FOREIGN AFFAIRS
 INTERNATIONAL CHAMBER OF COMMERCE (ICC)
 LONDON INTERNET EXCHANGE /
 EUROPEAN ISP ASSOCIATION (EUROISPA)
 MICROSOFT EUROPE
 ORGANISATION FOR ECONOMIC COOPERATION AND DEVELOPMENT (OECD)
 PRIVACY INTERNATIONAL
 SWISS FEDERAL OFFICE OF COMMUNICATIONS
 UK SERIOUS ORGANISED CRIME AGENCY
 UNIVERSITY OF AARHUS
 YAHOO EUROPE

3 NEW DELHI, INDIA (SEPTEMBER 16-17, 2013)

CELLULAR ASSOCIATION OF INDIA
 CENTRE FOR INTERNET AND SOCIETY INDIA (CIS)
 DATA SECURITY COUNCIL OF INDIA (NASSCOM)
 FACEBOOK INDIA
 GOOGLE INDIA
 INDIAN CENTRAL BUREAU OF INVESTIGATION /
 INTERPOL GLOBAL COMPLEX FOR INNOVATION
 INDIAN MINISTRY OF COMMUNICATIONS AND IT
 INTERNET AND MOBILE ASSOCIATION OF INDIA
 INTERNET DEMOCRACY PROJECT
 MICROSOFT INDIA
 NATIONAL INTERNET EXCHANGE OF INDIA
 NATIONAL LAW UNIVERSITY DELHI –
 CENTER FOR COMMUNICATION GOVERNANCE (CCG)
 PUBLIC INTEREST REGISTRY
 YAHOO INDIA

4 WASHINGTON DC, USA (OCTOBER 1-2, 2013)*

ACCESS NOW
 CENTER FOR DEMOCRACY & TECHNOLOGY (CDT)
 FACEBOOK
 FLETCHER HEALD & HILDRETH, PLC
 GEORGETOWN UNIVERSITY
 GOOGLE
 INTERNET SOCIETY (ISOC)
 MICROSOFT
 NEW AMERICA FOUNDATION
 PALAGE CONSULTING
 STANFORD UNIVERSITY – CENTER FOR INTERNET AND SOCIETY
 TEMPLE UNIVERSITY – BEASLEY SCHOOL OF LAW
 UK SERIOUS ORGANISED CRIME AGENCY
 UNIVERSITY OF TORONTO – CITIZEN LAB
 US COUNCIL FOR INTERNATIONAL BUSINESS (USCIB)
 VERISIGN
 VERIZON
 WALT DISNEY COMPANY
 WILEY REIN LLP
 YAHOO

*CONFIRMED BUT UNABLE TO PARTICIPATE DUE TO US GOVERNMENT SHUTDOWN:

THE WHITE HOUSE – OFFICE OF SCIENCE AND TECHNOLOGY POLICY
 US STATE DEPARTMENT

US DEPARTMENT OF COMMERCE
 US FEDERAL TRADE COMMISSION
 US FEDERAL BUREAU OF INVESTIGATION

INTERNET GOVERNANCE FORUM 2013

WORKSHOP "FRAMEWORK(S) FOR CROSS-BORDER ONLINE SPACES" OCTOBER 22, 2013, BALI (INDONESIA)

At the Internet Governance Forum 2013, the I&J Project presented the six building blocks to the broad public during a dedicated workshop. The discussions stressed the need for pragmatic solutions to the growing tension around direct transnational requests. High-level representatives from states, international organizations, business and civil society agreed that principles should be incorporated in an operational framework to handle the growing number of daily requests.

The participating stakeholders re-confirmed their strong support for the issue-based and evidence-informed methodology of the I&J Project, as well as their

commitment to continue participating in the global multi-stakeholder process. They agreed to move forward on the basis of the preliminary outcomes – in particular the six identified building blocks – and expressed their willingness to jointly develop the architecture of the due process framework in 2014.

Following the workshop, several bilateral meetings generated the engagement of additional key actors in the dialogue process. They also confirmed broad-based support for the I&J approach of facilitating enhanced cooperation between the different stakeholder groups.

SUNIL ABRAHAM
 EXECUTIVE DIRECTOR,
 CENTER FOR INTERNET AND SOCIETY, INDIA



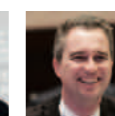
PATRICK RYAN
 SENIOR POLICY COUNSEL,
 OPEN INTERNET, GOOGLE

FIONA ALEXANDER
 ASSOCIATE ADMINISTRATOR FOR INTERNATIONAL AFFAIRS, NTIA, US DEPARTMENT OF COMMERCE



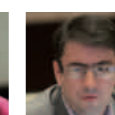
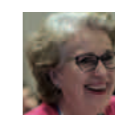
ANKHI DAS,
 DIRECTOR OF PUBLIC POLICY INDIA
 AND SOUTH ASIA, FACEBOOK

ANNE CARBLANC
 HEAD OF DIVISION, DIRECTORATE FOR SCIENCE,
 TECHNOLOGY AND INDUSTRY, OECD



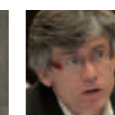
DAVID MARTINON
 SPECIAL REPRESENTATIVE,
 FRENCH MINISTRY OF FOREIGN AFFAIRS

LINDA CORUGEDO STENEBERG
 DIRECTOR FOR COOPERATION,
 DG CONNECT, EUROPEAN COMMISSION



CARLOS AFFONSO PEREIRA DE SOUZA
 DIRECTOR,
 RIO INSTITUTE FOR TECHNOLOGY & SOCIETY

ANRIETTE ESTERHUYSEN
 EXECUTIVE DIRECTOR,
 ASSOCIATION FOR PROGRESSIVE COMMUNICATIONS



JAN MALINOWSKI
 HEAD OF INFORMATION SOCIETY DEPARTMENT,
 COUNCIL OF EUROPE



“THIS ISSUE IS REALLY DIFFICULT TO SOLVE. WE ARE GLAD YOU’RE TACKLING THIS CHALLENGE AND HAPPY TO BE INVOLVED AND SUPPORTIVE.”

PATRICK RYAN, SENIOR POLICY COUNSEL, OPEN INTERNET, GOOGLE

2014

AN EMERGING DRAFT ARCHITECTURE

TWO PILLARS

ON THE BASIS OF THE SIX BUILDING BLOCKS, THE DIALOGUE PROCESS MOVED FORWARD IN 2014 TO IDENTIFY OPERATIONAL COMPONENTS FOR SUCH A REGIME. FOLLOWING A GLOBAL KICK-START MEETING IN MARCH, INTENSE CONSULTATIONS WITH STAKEHOLDERS AROUND THE WORLD PRODUCED A DRAFT ARCHITECTURE BASED ON TWO PILLARS: REQUEST SUBMISSION AND REQUEST HANDLING.

REQUEST SUBMISSION

Participants focused on the key objective of a common standard for the submission of transnational requests that would allow interoperability and ensure transparency and due process by design. This could be achieved through two complementary components:

STANDARDIZED FORMAT

A set of shared markup tags to structure the requests, specifying among others:

- origin and destination of requests
- request type and category
- national legal basis and relevant procedures
- request details and justifications for necessity and proportionality

MUTUALIZED DATABASES

Automatically collecting elements from requests to allow:

- authentication of senders and recipients
- transparency reports production by multiple actors (open data statistics)
- progressive cataloguing of relevant national laws and procedures
- request logging

REQUEST HANDLING

Next to the technical submission system, participants have explored how to further enhance the way requests are processed and how potential tensions across jurisdictions could be handled:

PROCESS PREDICTABILITY

The decision-making workflow could be improved through:

- common procedural norms and standards
- shared sets of evaluation criteria
- recourse to neutral expert groups or advisory panels for individual requests

DISPUTE MANAGEMENT

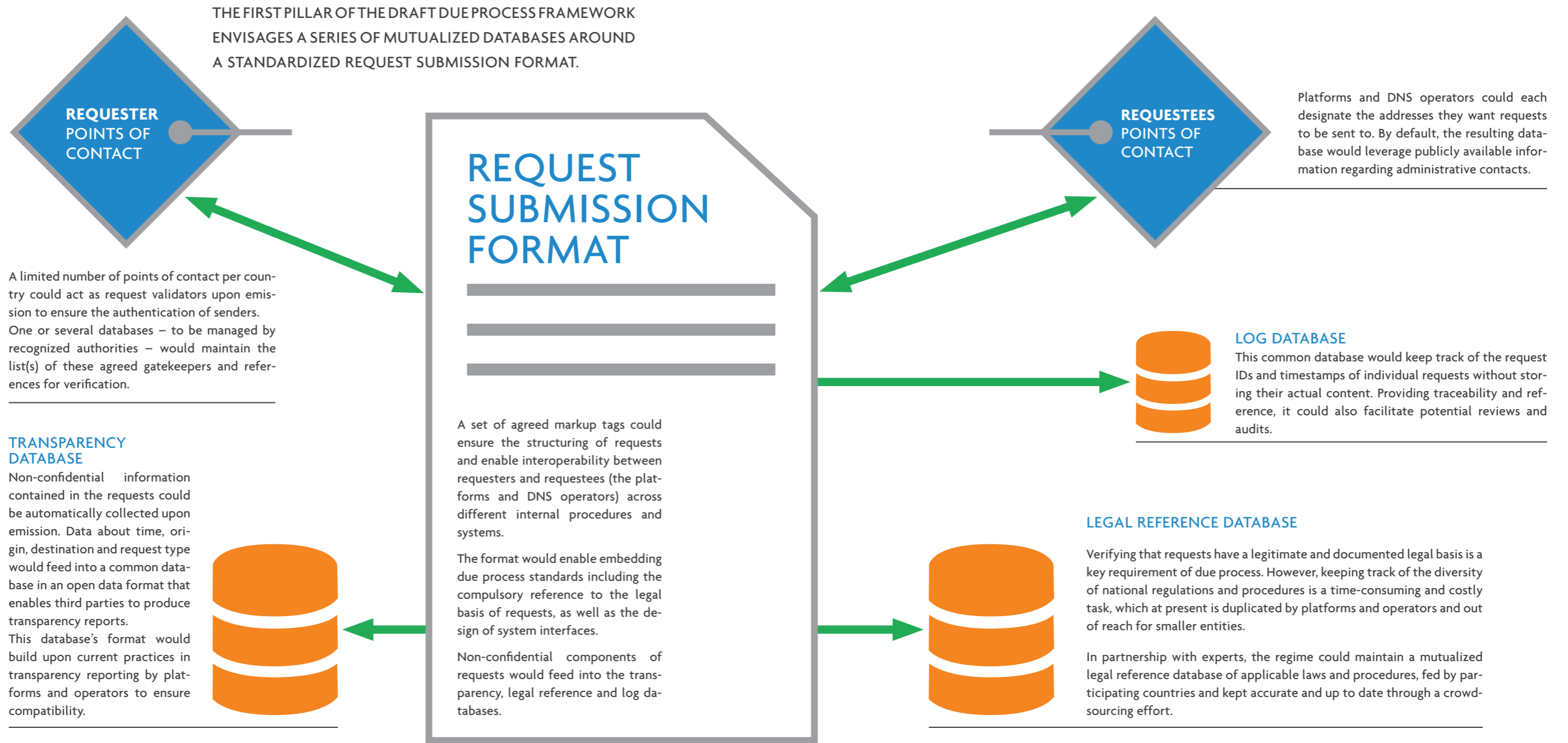
Transnational mechanisms could safeguard users' rights and diffuse tensions through:

- user notification by default
- contradictory procedures
- procedural appeals
- pre-established mechanisms to foster dialogue

The specifications of the Request Submission System and the Request Handling Procedures will be further discussed and validated in 2015 with the goal to progressively prepare an operational pilot version. The current state of the draft framework is visualised on the next page.

PILLAR 1

REQUEST SUBMISSION SYSTEM



PILLAR 2

REQUEST HANDLING PROCEDURES

PROCESS PREDICTABILITY

PROCEDURAL NORMS AND CRITERIA

In the past years, some best practices, procedural norms and decision-making criteria have implicitly or explicitly been the basis of actions by various requesters, requestees and courts.

With the help of background work from the I&J Observatory, participants in the Project intend to jointly document these emerging trends to provide a common basis of mutually agreed references to enhance the predictability and procedures of the transnational request-handling process.

ADVICE AND EXPERT GROUP

Based upon the identified procedural norms and transnational criteria, panels could provide, upon request, non-binding advice to requestees on individual cases in situations of uncertainty.

An expert group could be created to help document further the joint set of procedural norms and criteria and steer discussions to update them as needed.

DISPUTE MANAGEMENT

APPEALS

In addition to the ex-ante notification of users, the existence of appeal mechanisms is a key component of due process. Without suppressing the right of recourse to national courts, a transnational appeal system could provide easier and less costly avenues for redress in cases of procedural and substantive complaints.

Further work within the dialogue process will be devoted to developing precise modalities of such appeals.

DIALOGUE MECHANISMS

There is currently no mechanism to handle situations where non-acceptance of a request leads to significant cross-border tensions, the blocking of entire platforms or domains and even diplomatic conflicts.

Pre-established channels of communication and the availability of mutually agreed facilitators providing non-binding advice could significantly reduce escalation risks and progressively build confidence between actors across borders.

GLOBAL KICK-START MEETING

DIGITAL COEXISTENCE – TOWARDS AN OPERATIONAL FRAMEWORK
MARCH 11-12, 2014, PARIS (FRANCE)

Based on the encouragements received during the global preparatory process and the IGF 2013 in Bali, the I&J Project kicked off the development of the framework's architecture in March 2014 with an international two-day session in Paris. This event brought together stakeholders who had participated in the different meetings convened by the Project around the world in 2012 and 2013. It marked the transition of the global process into a more operational phase. Participants came from the following organizations:

- ACCESS NOW
- AFILIAS
- CENTER FOR DEMOCRACY & TECHNOLOGY
- COUNCIL OF EUROPE
- EUROPEAN COMMISSION
- EUROPOL
- FACEBOOK
- FGV – CENTER FOR TECHNOLOGY AND SOCIETY
- FRANCE – MINISTRY OF FOREIGN AFFAIRS
- GERMANY – FEDERAL FOREIGN OFFICE
- GLOBAL PARTNERS DIGITAL
- GOOGLE
- HUMBOLDT INSTITUTE FOR INTERNET AND SOCIETY (HIIG)
- INTERNET SOCIETY (ISOC)
- INTERPOL
- LONDON INTERNET EXCHANGE
- MILATHAN
- NATIONAL LAW UNIVERSITY DELHI – CENTRE FOR COMMUNICATION GOVERNANCE
- PRIVACY INTERNATIONAL
- RIO INSTITUTE FOR TECHNOLOGY & SOCIETY
- SWITZERLAND – FEDERAL OFFICE OF COMMUNICATION (OFCOM)
- TELEFONICA
- TUNISIA – TUNISIAN INTERNET AGENCY
- UNITED KINGDOM – NATIONAL CRIME AGENCY
- UNITED STATES – DEPARTMENT OF COMMERCE (NTIA)
- URUGUAY – AGENCY FOR ELECTRONIC GOVERNMENT AND THE INFORMATION SOCIETY (AGESIC)
- YAHOO
- VERISIGN



INTERNET GOVERNANCE FORUM 2014

PRESENTATION OF THE DRAFT ARCHITECTURE
SEPTEMBER 2, 2014, ISTANBUL (TURKEY)

The Flash Session of the I&J Project at the 9th IGF was an opportunity to present and discuss with the global Internet Governance community the emerging transnational due process framework emerging from the global multi-stakeholder process.

Discussions during the session and several bilateral meetings with key actors confirmed a broad acceptance of the draft architecture as an appropriate structure to move the dialogue process to the next level towards operationalizing the framework.



“THIS INITIATIVE HAS A GREAT ROLE TO PLAY BECAUSE IT FOCUSES ON COOPERATIVE MECHANISMS BETWEEN THE ACTORS RATHER THAN TRADITIONAL LEGAL APPROACHES, WHICH ARE TOO COMPLEX.”

GUY BERGER, DIRECTOR FOR FREEDOM OF EXPRESSION AND MEDIA DEVELOPMENT, UNESCO



INTERNET GOVERNANCE FORUM 2014

WORKSHOP “WILL CYBERSPACE FRAGMENT ALONG NATIONAL JURISDICTIONS?”
 SEPTEMBER 4, 2014, ISTANBUL (TURKEY)

While existing modes of legal cooperation struggle to cope with new digital realities, an increasingly complex transnational web of different national norms, laws and private guidelines emerged. The participants in the workshop affirmed the need for enhanced legal interoperability between the different actors to prevent a fragmentation of cyberspaces. This could be done through procedural standards across borders.

The draft architecture emerging from the I&J process was considered as a significant step in that direction.

In particular, its potential to limit legal tensions and increase due process, transparency and predictability regarding transnational requests was recognized. The I&J Project was moreover regarded as a contribution to the fulfillment of the objective of Section IV of the NETmundial Roadmap on jurisdiction issues.

The workshop was part of the IGF 2014 Track on the risk of cyberspace fragmentation, which was jointly organized by the I&J Project, the Internet Society and the Global Commission on Internet Governance.

ANKHI DAS
 DIRECTOR OF PUBLIC POLICY INDIA
 AND SOUTH ASIA, FACEBOOK



KATHY BROWN
 PRESIDENT AND CEO, INTERNET SOCIETY

BENEDICTO FONSECA FILHO
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ELVANA THACI
 ADMINISTRATOR, INFORMATION SOCIETY
 DIVISION, COUNCIL OF EUROPE



NORBERT RIEDEL
 COMMISSIONER FOR INTERNATIONAL CYBER
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GUY BERGER
 DIRECTOR FOR FREEDOM OF EXPRESSION
 AND MEDIA DEVELOPMENT, UNESCO



VINT CERF
 VICE PRESIDENT, GOOGLE

JOANA VARON FERRAZ
 INDEPENDENT CONSULTANT ON
 DIGITAL RIGHTS, BRAZIL



INCLUSION AND GLOBAL OUTREACH

STAKEHOLDER ENGAGEMENT

THE SUCCESS OF THE I&J PROJECT DEPENDS UPON ACTIVELY INVOLVING A CRITICAL MASS OF KEY ACTORS FROM THE DIFFERENT STAKEHOLDER GROUPS AND ENSURING GEOGRAPHIC INCLUSION. TO ACHIEVE THIS, THE I&J PROJECT IS IN CONSTANT CONTACT WITH THE DIFFERENT CONSTITUENCIES AND REGULARLY PRESENTS PRELIMINARY OUTCOMES AT HIGH-LEVEL INTERNET GOVERNANCE EVENTS TO TRIGGER FEEDBACK AND DISCUSSIONS.

REGIONS AND STAKEHOLDER GROUPS

During its second phase, the I&J Project engaged stakeholders on two tracks. In 2013, four regional meetings allowed local stakeholders and their networks to identify the objectives and building blocks of a transnational framework that could solve local challenges and scale geographically. After having identified a structur-

al basis for the framework, the I&J Project conducted intensive consultations with the different stakeholder groups and individual actors throughout 2014 to help sketch the emerging draft architecture and to ensure that it corresponds to the needs and concerns of all participating stakeholders.

INTERNATIONAL VISIBILITY

The I&J Project increasingly gains a broad visibility in the Internet Governance field. The facilitation team actively participated in major governance events including NETmundial, the IGF and ICANN meetings to engage stakeholders and receive feedback on the current state of the process. The I&J Project made a specific effort to directly engage governments and, inter alia, hosted a workshop at the Freedom Online Coalition meeting in Tallinn. International Organizations such as the Council

of Europe, the European Commission, Interpol, OECD or UNESCO invited the I&J Project to present its work to their respective member states and policy divisions. To reach out to international civil society groups and involve new actors from different regions, the I&J Project participated amongst others in RightsCon in San Francisco. In addition to major Internet platforms, the process also involved actors from the registries and registrar community more closely.

OVERVIEW OF SELECTED EVENTS 2013 – 2014

In addition to the meetings described in more detail in other sections of this report, the facilitation team actively participated in over 35 events in 19 countries in our effort to engage actors around the world. These events included:

PLENARY MEETING OF THE COUNCIL OF EUROPE COMMITTEE ON LEGAL CO-OPERATION
OCTOBER 31, 2014, STRASBOURG (FRANCE)
Presentation of I&J Project to the members of the Committee.

COUNCIL OF EUROPE COMMITTEE OF EXPERTS (DRAFT RECOMMENDATION ON INTERNET FREEDOM)
OCTOBER 23-24, 2014, STRASBOURG (FRANCE)
I&J Project team participated in the drafting of the recommendation.

FUTURE OF INTERNET GOVERNANCE SESSION AT ICANN L.A. MEETING
OCTOBER 15, 2014, LOS ANGELES (USA)
Intervention on multi-stakeholder governance.

NETWORK OF CENTERS MEETING ON THE EVOLUTION OF THE INTERNET GOVERNANCE ECOSYSTEM
OCTOBER 2, 2014, TURIN (ITALY)
Participation in the conference to reach out to the academic community.

GOOGLE RIGHT TO BE DE-INDEXED – ADVISORY COUNCIL HEARING
SEPTEMBER 25, 2014, PARIS (FRANCE)
I&J Project presented insights on procedural interfaces and due process approaches that could be replicated.

GERMANY'S WORKSHOP ON A "VÖLKERRECHT DES NETZES" (GLOBAL INTERNET LAW)
SEPTEMBER 8, 2014, BERLIN (GERMANY)
Presentation of the I&J Project as an innovative approach to Internet law to four German ministries and other external stakeholders.

COUNCIL OF EUROPE COMMITTEE OF EXPERTS (DRAFT RECOMMENDATION ON CROSS-BORDER FLOW OF INTERNET TRAFFIC)
JULY 4, 2014, STRASBOURG (FRANCE)
I&J Project team participated in the drafting of the recommendation.

GLOBAL COMMISSION ON INTERNET GOVERNANCE RAN MEETING
JUNE 26, 2014, PARIS (FRANCE)
Participation in the first meeting of the Commission's Research Advisory Network.

OECD COMMITTEE ON DIGITAL ECONOMIC POLICY
JUNE 20, 2014, PARIS (FRANCE)
Presentation of the I&J Project to member states of the OECD.

EUROPEAN DIALOGUE ON INTERNET GOVERNANCE (EuroDIG)
JUNE 12-13, 2014, BERLIN (GERMANY)
Co-organization of the plenary on the rule of law in a cross-border environment.

CENTR JAMBOREE
JUNE 4, 2014, PARIS (FRANCE)
Presentation of the I&J Project to over 50 cc-TLD registries.

INTERPOL EURASIAN WORKING GROUP ON CYBERCRIME
MAY 28-30, 2014, ISTANBUL (TURKEY)
Presentation of the I&J Project to heads of national police cyber-units.

OECD FORUM IDEA FACTORY
MAY 8, 2014, PARIS (FRANCE)
Invited to take part in the brainstorming session on the future of the Internet.

UNESCO'S COMPREHENSIVE STUDY ON THE INTERNET
MAY 6, 2014, PARIS (FRANCE)
Panelist on future Internet Governance, along with Council of Europe, Article 19, OSCE, Media Foundation for West Africa, Albanian Media Institute, Sorbonne and ISOC.

FREEDOM ONLINE COALITION
APRIL 28-29, 2014, TALLINN (ESTONIA)
I&J Project workshop with panelists from German Ministry of Foreign Affairs, US State Department, Swedish Ministry of Foreign Affairs, University of Palermo, Global Partners, ISOC and FGV.

NETMUNDIAL
APRIL 22-23, 2014, SAO PAULO (BRAZIL)
I&J Project participated in the conference and released the contribution on "Jurisdiction and Internet Governance – Elements for a Roadmap".

BRAZIL GERMANY NETMUNDIAL PRE-EVENT
APRIL 21, 2014, SAO PAULO (BRAZIL)
The I&J Project participated in the Brazil-Germany pre-event and intervened on NETMundial principles on a panel with HIIG, FGV, Harvard, Google and the Swedish Ministry of Foreign Affairs.

RIGHTSCON
MARCH 3-5, 2014, SAN FRANCISCO (USA)
I&J Project workshop on "How can heterogeneous national laws coexist in cyberspace?" with panelists from Rio ITS, CIS India, Dutch Ministry of Foreign Affairs, New America Foundation and Access.





German-Brazilian NETMundial Pre-Event: Vint Cerf, Google/Bertrand de La Chapelle, I&J Project/Ronaldo Lemos, ITS Rio/Urs Gasser, Harvard/Jeanette Hoffman, HIIG/Olof Ehrenkrona, Swedish Ministry of Foreign Affairs

HIGH-LEVEL PANEL ON GLOBAL INTERNET COOPERATION AND GOVERNANCE MECHANISMS

DECEMBER 13, 2013, LONDON (UK)
Presentation to the Panel on challenges related to legitimacy, global participation and inclusion.

SNIS GLOBAL INTERNET GOVERNANCE CONFERENCE

DECEMBER 6-7, 2013, BERN (SWITZERLAND)
Intervention on "The Institutionalization of Global Internet Governance: Multistakeholderism, Multilateralism and Beyond" with Oxford University and University of Zurich.

HIGH LEVEL GROUP ON INTERNET GOVERNANCE (HLIG)

DECEMBER 3, 2013, BRUSSELS (BELGIUM)
Presentation of the I&J Project to EU Member States.

CHATHAM HOUSE – POWER AND COMMERCE IN THE INTERNET AGE

NOVEMBER 25-27, 2013, LONDON (UK)
Speaker on "Fractured Stewardship: Prospects for the Future of Internet" with ITU, Open Rights Group and the Russian Ministry of Foreign Affairs.

NETWORK OF INTERNET & SOCIETY RESEARCH CENTERS MEETING

NOVEMBER 23, 2013, BERLIN (GERMANY)
Presentation of the I&J Project and its Observatory to leading universities.

AUSTRALIAN IGF

OCTOBER 16-17, 2013, MELBOURNE (AUSTRALIA)
Speaker on the role of the Internet in breaking down national, social and cultural borders with APNIC and auDA.

COUNCIL OF EUROPE – TRANSPARENCY TO PROTECT INTERNET FREEDOM

SEPTEMBER 24-25, 2013, STRASBOURG (FRANCE)
Speaker on Internet freedom, transnational requests and transparency reporting, along with European Commission, Swiss OFCOM, Communications Regulator of Bosnia and Herzegovina, EUROISPA and the European Audiovisual Observatory.

PRESENTATION TO EUROPEAN COMMISSION DGs

JULY 9, 2013, BRUSSELS (BELGIUM)
Presentation of the I&J Project to European Commission departments working on jurisdiction and the Internet.

EUROPEAN DIALOGUE ON INTERNET GOVERNANCE (EURODIG)

JUNE 20-21, 2013, LISBON (PORTUGAL)
Organizer of a plenary session on jurisdiction and moderator of a workshop on online defamation.

FREEDOM ONLINE COALITION MEETING

JUNE 17-18, 2013, TUNIS (TUNISIA)
Speaker on transparency reporting: private and public sector roles and responsibilities along with Google, New America Foundation and CIS India.

STOCKHOLM INTERNET FORUM

MAY 22, 2013, STOCKHOLM (SWEDEN)
Moderator of a session on transnational requests and the need for a principled multi-stakeholder framework with panelists from Citizen Lab, OSCE, Facebook, ISOC and Privacy International.

RUSSIAN INTERNET GOVERNANCE FORUM

APRIL 25, 2013, MOSCOW (RUSSIA)
Speaker on the Internet and its legal aspects, along with Council of Europe, Russian Ministry of Foreign Affairs, ISOC and Microsoft.

WORLD SUMMIT ON THE INFORMATION SOCIETY (WSIS) +10 REVIEW EVENT

FEBRUARY 25-27, 2013, PARIS (FRANCE)
Speaker on multi-stakeholder principles for Internet Governance, along with Brazilian Ministry of Foreign Affairs, Portuguese Department of Information Society, University of Aarhus and Verizon.

INTERNATIONAL CYBERSECURITY FORUM

JANUARY 28-29, 2013, LILLE (FRANCE)
Speaker on sovereignty on the cross-border Internet and Internet governance, along with French Ministry of Foreign Affairs, Quadrature du Net and OSCE.

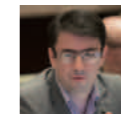
EVENTS SPOTLIGHTS

RIGHTSCON SILICON VALLEY HUMAN RIGHTS CONFERENCE

I&J WORKSHOP "HOW CAN HETEROGENEOUS NATIONAL LAWS COEXIST IN CYBERSPACE?"
MARCH 4, 2014, SAN FRANCISCO (USA)

The I&J workshop explored how specific transnational procedures can operationalize Human Rights and allow the coexistence of diverse national laws and norms in cyberspaces. The session allowed the I&J Project to reach out to civil society groups from around the world, present preliminary components of the due process framework in development, and solicit feedback.

CARLOS AFFONSO PEREIRA DE SOUZA
DIRECTOR, RIO DE JANEIRO INSTITUTE FOR TECHNOLOGY AND SOCIETY



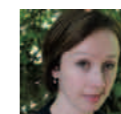
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POLICY DIRECTOR, CENTER FOR INTERNET AND SOCIETY INDIA

CAROLINA ROSSINI
PROJECT DIRECTOR, NEW AMERICA FOUNDATION



SIMONE HALINK
SENIOR POLICY ADVISOR INTERNET & HUMAN RIGHTS, DUTCH MINISTRY OF FOREIGN AFFAIRS

KATE WESTMORELAND
POLICY FELLOW, ACCESS NOW





FREEDOM ONLINE COALITION MEETING

I&J WORKSHOP “TOWARDS A MULTI-STAKEHOLDER COOPERATION FRAMEWORK TO HELP PREVENT A FRAGMENTATION OF CYBERSPACE”
 APRIL 29, 2014, TALLINN (ESTONIA)

The I&J Project workshop allowed participants to discuss the need for and benefits of collaborative multi-stakeholder regimes to diffuse tensions and protect freedom of expressions in a context of divergent national norms.

The session also updated the member states of the Freedom Online Coalition and other stakeholders about the state of the I&J process and its roadmap.

DIRK BRENGELMANN
 COMMISSIONER FOR
 INTERNATIONAL CYBER POLICY,
 GERMAN FEDERAL FOREIGN OFFICE

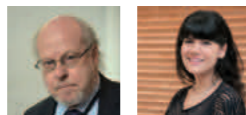


ANDREW PUDDEPHATT
 DIRECTOR, GLOBAL PARTNERS



CHRISTOPHER PAINTER
 COORDINATOR FOR CYBER
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NICOLAS SEIDLER
 POLICY ADVISOR, INTERNET SOCIETY



OLOF EHRENKRONA
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JOANA VARON FERRAZ
 PROJECT COORDINATOR,
 CTS GETULIO VARGAS FOUNDATION



EDUARDO BERTONI
 DIRECTOR, CENTER FOR STUDIES ON
 FREEDOM OF EXPRESSION AND ACCESS TO
 INFORMATION, PALERMO UNIVERSITY

ENABLING AN
 EVIDENCE-BASED
 DIALOGUE
 PROCESS

THE I&J OBSERVATORY

THE MEMBERS OF THE I&J OBSERVATORY NETWORK PROVIDE EXPERT INPUTS INTO THE GLOBAL MULTI-STAKEHOLDER DIALOGUE PROCESS AND HELP THE I&J PROJECT TO DETECT TRENDS RELATED TO THE TENSION BETWEEN THE CROSS-BORDER NATURE OF THE INTERNET AND NATIONAL JURISDICTIONS AROUND THE WORLD.

EXPERT NETWORK

The I&J Observatory was created in April 2012 to assure that the global multi-stakeholder dialogue process is firmly grounded on academic expertise. 34 selected international experts from 27 different institutions from 15 countries are part of the I&J Observatory. The interdisciplinary network is composed of both respected senior experts while leaving room for emerging talents.



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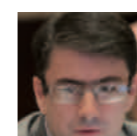
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NICOLO ZINGALES
University of Tilburg, Department of European and International Public Law, Netherlands

INCREASED RECOGNITION

The analytical monitoring of trends around the world by the I&J Project gains increasing recognition in the Internet Governance community and beyond. Retrospect has become an established information source. The European Commission referenced our trend detection work in its 2014 Internet Governance Strategy, the NYU GovLab recognizes our monitoring role in its efforts to design a NETmundial Solutions Map and the Global Commission on Internet Governance chaired by Swedish Foreign Minister Carl Bildt appointed the two founders of the I&J Project as members of its Research Advisory Network.

RETROSPECT NEWSLETTER

The I&J Observatory experts crowd-rank collected cases in the dedicated I&J Database via a progressive filtering process. The 20 most important cases are showcased in the monthly I&J Project newsletter Retrospect with concise summaries and links to relevant background information. It informs participants of the I&J process about the latest Internet and jurisdiction trends around the world. The newsletter is free of charge and all editions are openly available on our website. The majority of its over 800 subscribers are key influencers and multipliers from the different stakeholder groups.

CROWD-CURATION

I&J DATABASE

CATEGORIZED CASES FROM AROUND THE WORLD

CROWD-RANKING

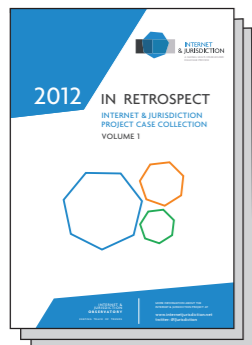
RETROSPECT

MONTHLY NEWSLETTER WITH TOP 20 CASES

DIALOGUE + ANALYSIS

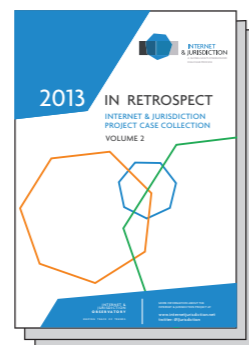
RETROSPECT CASE COLLECTIONS

The annual Retrospect Case Collection is a digital and print publication that contains all 240 top cases of a given year. It serves as an information source for research, education and policy innovation.



DOWNLOAD
2012 IN RETROSPECT

www.internetjurisdiction.net/observatory/2012-retrospect.pdf



DOWNLOAD
2013 IN RETROSPECT

www.internetjurisdiction.net/observatory/2013-retrospect.pdf



ANNUAL I&J OBSERVATORY MEETINGS

CENTRE POMPIDOU MEETING

APRIL 30, 2013, PARIS (FRANCE)

The first Observatory meeting took place in the Centre Pompidou, the French Museum for Modern Art with Vint Cerf, co-founder of the Internet, as the guest of honor. Discussions focused on scientific approaches to the geography of cyberspace and explored the latest trends from transnational studies in the realm of Internet and law to inform the identification of building blocks for a due process framework.

HUMBOLDT MEETING

MAY 12, 2014, BERLIN (GERMANY)

For the organization of the second annual Observatory meeting, the I&J Project teamed up with the Humboldt Institute for Internet and Society, the then acting coordinator of the global Network of Centers. The meeting allowed analyzing the emerging draft architecture. Existing transnational frameworks were examined closely to identify best practices for the I&J framework. The participants agreed to further develop the I&J Observatory network to provide cutting-edge expert input into the dialogue process. It was agreed to launch an international research project on emerging transnational norms and best practices, based on the monitoring work of the I&J Observatory since 2012. This project will be managed by two coordination hubs from the global North and South, namely: Stanford University's Center for Internet and Society and the Rio Institute for Technology and Society.



“TO ENSURE LEGAL INTEROPERABILITY ON THE INTERNET, WE NEED TO CREATE NOVEL INTERFACES AND NEW TYPES OF PROTOCOLS AMONG DIVERSE ACTORS AND VARIOUS PROCESSES – THIS PROJECT MAKES AN IMPORTANT CONTRIBUTION TOWARDS THIS END.”

URS GASSER, EXECUTIVE DIRECTOR, BERKMAN CENTER FOR INTERNET & SOCIETY, HARVARD LAW SCHOOL

IN THE MEDIA

FROM NEWSPAPERS AND ONLINE PORTALS TO RADIO AND TELEVISION BROADCASTERS, THE MEDIA INTEREST IN THE I&J PROJECT IS GROWING. BETWEEN 2013 AND 2014, ESTABLISHED MEDIA OUTLETS IN DIFFERENT COUNTRIES REPORTED ABOUT THE GLOBAL MULTI-STAKEHOLDER DIALOGUE PROCESS. THE COVERAGE RANGED FROM QUOTES AND INTERVIEWS TO OP-EDS AND FULL FEATURES ABOUT THE PROCESS.

Business Standard

CURRENT AFFAIRS, 26.12.2014
Why did India fail to discover the ISIS Twitter handle?
The Indian newspaper cites the work of the I&J Project.



FRANCE 24 – 27.9.2014
Droit à l'oubli : les questions qui chiffonnent Google
(Right to be forgotten: the questions that worry Google) – France's international broadcaster quotes the I&J Project on the right to be de-indexed.



DIGITAL NEWS ASIA – 5.9.2014
Post-Snowden revelations, action still a long way away
The technology news site quotes Bertrand de La Chapelle on data sovereignty and privacy.

l'Opinion

L'OPINION – 15.7.2014
Localisation des données : qui protège quoi?
(Data Localization: Who protects what?)
France's business newspaper quotes Bertrand de La Chapelle on the challenge of data localization.

Deutschlandfunk

DEUTSCHLANDFUNK – 15.6.2014
Manuskript: Metropolis und Moloch (Manuscript: Metropolis and Moloch) – Paul Fehlinger's comments on Internet Governance, jurisdiction and cyberspace fragmentation in a feature of the German public radio station.



INTERNET POLICY REVIEW – 17.4.2014
Cyberspace fragmentation: an Internet Governance debate beyond infrastructure – Days before NETmundial, the online journal publishes Paul Fehlinger's op-ed on the risk of fragmentation.

Deutschlandfunk

DEUTSCHLANDFUNK – 22.3.2014
Wer regiert demnächst das Internet? (Who will govern the Internet?) – Paul Fehlinger is interviewed on the future of Internet Governance.

la Croix

LA CROIX – 6.3.2014
Sur Internet, il faut penser l'innovation (We need to think in an innovative way about the Internet)
Bertrand de La Chapelle calls for innovation on Internet governance in the French newspaper.

Die Presse

DIE PRESSE – 18.2.2014
Datenschutz: Merkel will ein EU-„Internetz“ (Data Protection: Merkel wants a EU-Internet)
The Austrian newspaper quotes Paul Fehlinger on the idea of a European Internet and fragmentation.

Deutschlandfunk

DEUTSCHLANDFUNK – 18.2.2014
Die Zukunft des Internets (The future of the Internet) – The I&J Project is quoted on the future ecology of the Internet.



INTERNET POLICY REVIEW – 11.2.2014
Cooperation needed to avoid Internet fragmentation, says European Commission
Op-ed by Bertrand de la Chapelle on the EU Internet Governance Strategy.

DIE ZEIT

DIE ZEIT ONLINE – 11.2.2014
Staaten nehmen das "Inter" aus dem Internet (States remove the "Inter" from the Internet)
Germany's Die Zeit publishes a full feature about Paul Fehlinger, the work of the I&J Project and cyberspace fragmentation.

Neue Zürcher Zeitung

NEUE ZÜRCHER ZEITUNG AM SONNTAG – 9.2.2014
Das Ende des Internets – Staaten steigen aus dem Web aus (The end of the Internet – States exit the Web)
Front-page feature about Paul Fehlinger, the work of the I&J Project and cyberspace fragmentation.

l'Opinion

L'OPINION – 11.12.2013
Le débat sur la gouvernance d'Internet est trop manichéen (The debate about Internet Governance is too black and white) – Interview with Bertrand de la Chapelle on how to handle jurisdiction in cyberspace.



THE NEXT WEB – 30.8.2013
Tech pioneer Vint Cerf on the age of context and why you can't be a citizen of the Internet
Vint Cerf quotes Bertrand de la Chapelle on the question of sovereignty in a post-Westphalian environment.



INTERNET POLICY REVIEW – 11.4.2013
Time to Take Stock: Twelve Internet and Jurisdiction Trends in Retrospect
Paul Fehlinger decrypts major Internet jurisdiction trends based on the I&J Observatory work.

TV5MONDE

TV5 MONDE – 20.2.2013
Les réseaux sociaux, nouveaux terrains d'influence de la diplomatie (Social networks, new area of diplomatic influence).
Article quoting Bertrand de La Chapelle on digital coexistence in shared online spaces.

FUNDING

TO ENSURE ITS NEUTRALITY AND INDEPENDENCE, THE I&J PROJECT AIMS AT ESTABLISHING A BALANCED AND DIVERSIFIED FUNDING POOL THAT IS BASED UPON FOUR PILLARS: STATES, BUSINESS, OPERATORS, AS WELL AS NOT-FOR PROFIT ORGANIZATIONS OR FOUNDATIONS.

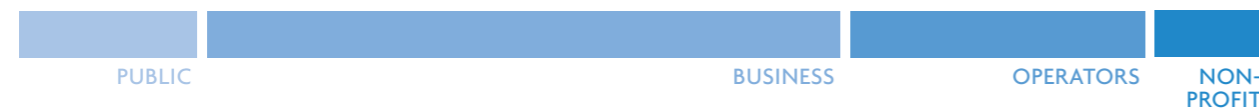
Since its inception, the I&J Project has been supported by a pool of 13 international actors from the different stakeholder groups. Launched as an Internet Governance startup, the I&J process achieved a high global visibility and impact in spite of limited available resources. The

budget mainly covered personnel costs and all expenses related to the organization of international meetings, research, publications and traveling to attend third party meetings.

FUNDING POOL

2012	2013	2014
<p>BUSINESS</p> <ul style="list-style-type: none"> Google Verizon <p>OPERATORS</p> <ul style="list-style-type: none"> AFNIC (France's cc-TLD .fr) auDA (Australia's cc-TLD .au) Brazilian Internet Steering Committee CGI.br/NIC.br (Brazil's cc-TLD .br) Public Interest Registry (Manager of .org) <p>NOT-FOR-PROFIT/ FOUNDATIONS</p> <ul style="list-style-type: none"> Internet Society (ISOC) 	<p>PUBLIC</p> <ul style="list-style-type: none"> Swiss Federal Office of Communications OFCOM <p>BUSINESS</p> <ul style="list-style-type: none"> Facebook Google Walt Disney Company <p>OPERATORS</p> <ul style="list-style-type: none"> AFNIC (France's cc-TLD .fr) auDA (Australia's cc-TLD .au) Brazilian Internet Steering Committee CGI.br/NIC.br (Brazil's cc-TLD .br) <p>NOT-FOR-PROFIT/ FOUNDATIONS</p> <ul style="list-style-type: none"> Internet Society (ISOC) 	<p>PUBLIC</p> <ul style="list-style-type: none"> German Federal Foreign Office Swiss Federal Office of Communications OFCOM <p>BUSINESS</p> <ul style="list-style-type: none"> Facebook Google Walt Disney Company <p>OPERATORS</p> <ul style="list-style-type: none"> CIRA (Canada's cc-TLD .ca) AFNIC (France's cc-TLD .fr) auDA (Australia's cc-TLD .au) Brazilian Internet Steering Committee CGI.br/NIC.br (Brazil's cc-TLD .br) <p>NOT-FOR-PROFIT/ FOUNDATIONS</p> <ul style="list-style-type: none"> Sigrid Rausing Trust

FUNDING COMPOSITION 2014



BUDGET OVERVIEW

(EUROS)	2012	2013	2014 (est.)
CONTRIBUTIONS RECEIVED	139.699	167.057	(245.000)
PERSONNEL	116.652	120.062	(169.000)
MEETINGS (event organization, travel, travel support, etc.)	12.563	25.244	(59.500)
OTHER EXPENSES (IT, design, printing, etc.)	10.484	21.751	(16.500)

Renewed efforts are being undertaken to bring the financial and human resources of the Project in line with the increased needs in the coming operationalizing phase.

We are grateful to all the partners who have allowed this initiative to develop since 2012. We encourage additional supporters to join the funding pool to maintain the balance between the different categories of stakeholders and help the project grow to address one of the most pressing issues in Internet Governance through dialogue, research and enhanced cooperation.



OUTLOOK

TO PRESERVE THE GLOBAL CHARACTER OF THE INTERNET, WE NEED TO COLLECTIVELY DEVELOP INNOVATIVE COOPERATION MECHANISMS THAT ARE AS TRANSNATIONAL AS THE NETWORK ITSELF.

Since the launch of the I&J Project in 2012, the “jurisdiction issue” has become a major topic in Internet Governance debates at global, regional and national levels. In line with the NETmundial principles and with a focus on concrete and actionable issues, participants in the I&J process strive to collaboratively produce a [pragmatic, operational solution](#) to one of the most pressing challenges of the digital age.

“Enhanced cooperation” requires the establishment of issue-based, multi-stakeholder governance networks and frameworks. Hopefully, the I&J Project can also serve as a methodological testbed for such efforts.

Based on the very positive feedback and strong endorsement that the I&J Project has received, the [third phase of this pioneering multi-stakeholder process](#) will further elaborate the draft framework to prepare for an operational pilot test, in order to establish due process at Internet speed and scale for cross-border requests.

The work ahead for the Internet & Jurisdiction dialogue process will be structured according to the two pillars of the emerging draft architecture:

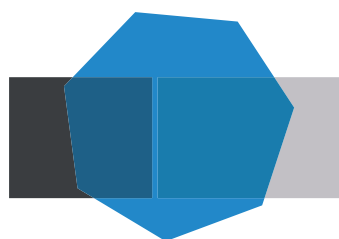
1. the technical specifications of an operational Request Submission System that guarantees interoperability, transparency and due process by design
2. the joint elaboration of Request Handling Procedures, including shared criteria, and dispute management mechanisms to alleviate tensions

The facilitation team continues to welcome inputs and proposals to help organize future work in the most efficient and inclusive manner.

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ABOUT

The Internet & Jurisdiction Project facilitates a global multi-stakeholder dialogue process to address the tension between the cross-border nature of the Internet and geographically defined national jurisdictions. It provides a neutral platform for states, business, civil society and international organizations to discuss the elaboration of a trans-national due process framework to handle the digital coexistence of diverse national laws in shared cross-border online spaces.



INTERNET & JURISDICTION

A GLOBAL MULTI-STAKEHOLDER
DIALOGUE PROCESS

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