PROGRESS REPORT
2021

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**INTERNET &
JURISDICTION**
POLICY NETWORK

ENABLING
MULTISTAKEHOLDER
COOPERATION

🐦 @IJurisdiction

**INTERNET &
JURISDICTION**
POLICY NETWORK

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> **"** I am very proud of the work of the I&JPN and it has been a privilege to be part of an organization that is so thoughtful, deliberate, and unbiased in how they approach work

BRIAN CIMBOLIC
Vice President and General Counsel, Public Interest Registry (.ORG)

> **"** Undertaking the African Union Regional Status Report with I&JPN will enable us to contribute to the broader continental project envisioned in the digital transformation strategy of the African Union Commission

ALISON GILLWALD
Executive Director, Research ICT Africa

> **"** The work of I&JPN demonstrates that we can take on challenges through rigorous applications of multistakeholder approach that looks at the role of stakeholders

ANRIETTE ESTERHUYSEN
Former Chair, UN Internet Governance Forum MAG, Senior Advisor, Association of Progressive Communications

> **"** I&JPN has, in my view the delicate, critical and very important mission of catalyzing the moment and trying to find the narrow path that leads us to the goals

DEMI GETSCHKO
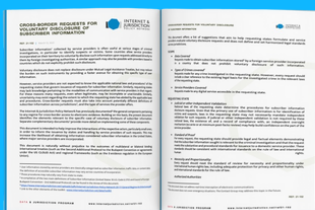Chairperson, Brazilian Network Information Center NIC.br

HIGHLIGHTS

Release of three practical Toolkits for policymakers and practitioners on concrete cross-border policy challenges.

On March 8, 2021 I&JPN released three Toolkits on **Cross-border Access to Electronic Evidence, Content Moderation and DNS Level Action to Address Abuses.**

I&JPN presented the Toolkits to a variety of relevant stakeholders at events including the **European Commission DG Connect, AfriSIG 2021, EURALO Roundtable, Registrar Stakeholders Group, EU High Level Group on Internet Governance, Asia-Pacific Launch in Partnership with APNIC.**

The I&JPN Toolkits were complimented by the development of **new I&JPN Outcomes** such as Voluntary Disclosure of Subscriber Information.
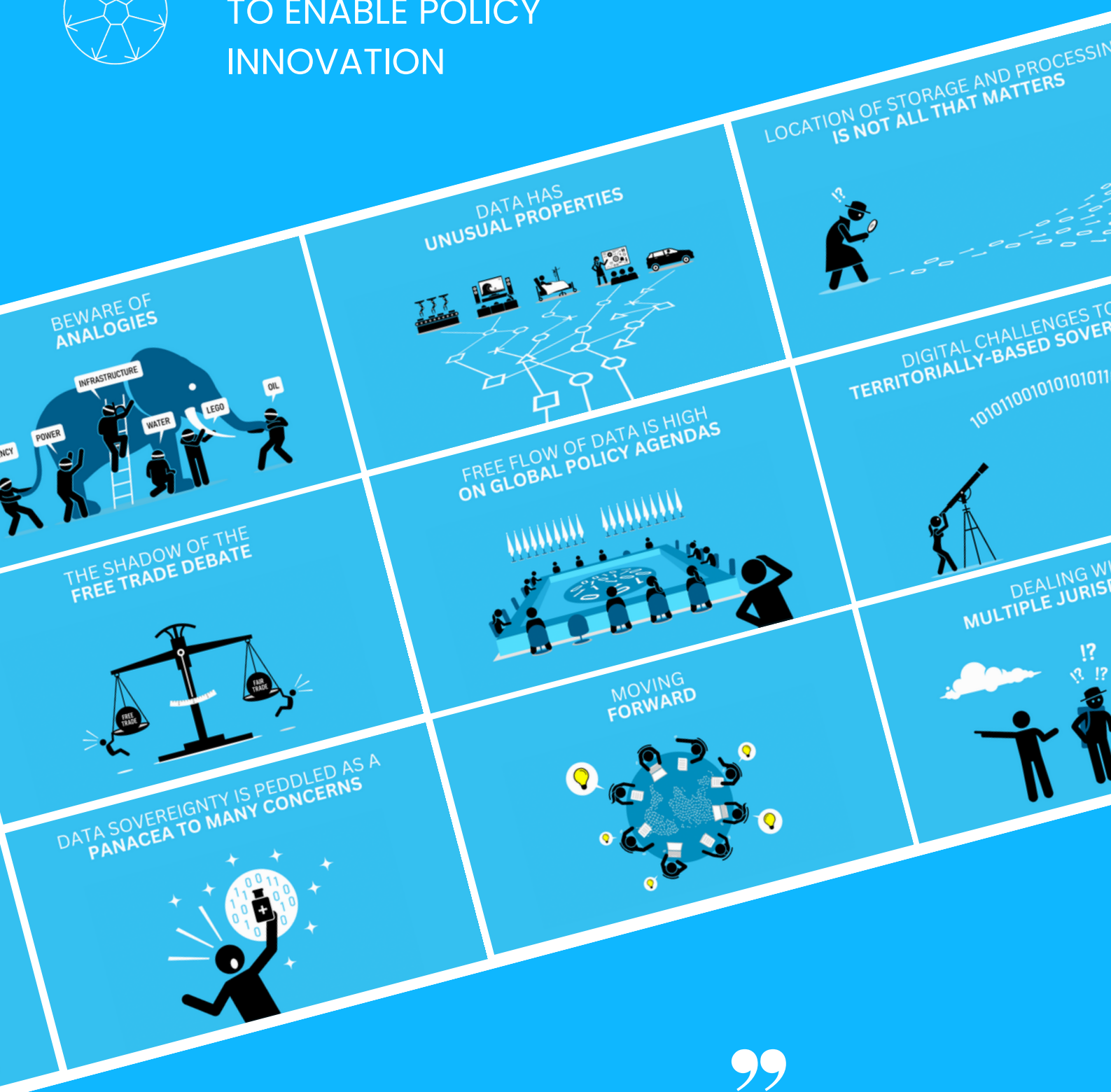

The Internet & Jurisdiction Policy Network launched a project with **German Cooperation and Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ)** to support the development of Cross-border Digital Policies for Africa.

The I&JPN launched the report **"We Need to Talk About Data: Framing the Debate Around the Free Flow of Data and Data Sovereignty"**, which started a new debate on data policy and the digital society we want to build through the "Datasphere".

INFORM THE DEBATES
TO ENABLE POLICY INNOVATION

BEWARE OF ANALOGIES

DATA HAS UNUSUAL PROPERTIES

LOCATION OF STORAGE AND PROCESSIN **IS NOT ALL THAT MATTERS**

THE SHADOW OF THE FREE TRADE DEBATE

FREE FLOW OF DATA IS HIGH ON GLOBAL POLICY AGENDAS

DIGITAL CHALLENGES TO TERRITORIALLY-BASED SOVER

DATA SOVEREIGNTY IS PEDDLED AS A PANACEA TO MANY CONCERNS

MOVING FORWARD

DEALING W MULTIPLE JURISE

I&JPN has been particularly mindful, to look at how important it is to bring in all types of stakeholders into discussions on data.

ANNE JOSEPHINE FLANAGAN
Data Policy and Governance Lead,
World Economic Forum

"We Need to Talk About Data: Framing the Debate Around the Free Flow of Data and Data Sovereignty"

On Tuesday, April 6, 2021, the Secretariat of the Internet & Jurisdiction Policy Network released a new Report "We Need to Talk About Data: Framing the Debate Around the Free Flow of Data and Data Sovereignty".

The Report was made possible by the support of Germany's Federal Ministry for Economic Affairs and Energy.

The Report presents concerns and perspectives around the current use of the concepts "Free Flow of Data" and "Data Sovereignty" and offers key recommendations on how to move forward to foster a collaborative discussion on how to organize our common Datasphere.

> 66 A free flow of data should be the default for countries to enjoy the full benefits of the Internet; efforts to impose data sovereignty should be justified and targeted. This report is an important step for understanding and addressing these seemingly polar approaches to data, the key driver of the digital economy.

MICHAEL KENDE
Digital development Specialist, IFC Senior Advisor, Analysys Mason

> 66 One of the report's findings that we find particularly salient is that people have different understandings of what data sovereignty or the free flow of data means. They put them oftentimes in opposition, with one another and, what is needed is a common vocabulary, in order to work together towards a common objective.

SASHA RUBEL
Program Specialist, UNESCO

Cross-border Digital Policies for Africa: Project kick-off

The Internet & Jurisdiction Policy Network hosted a virtual event "Cross-border Digital Policies for Africa: Project kick-off" on November 4, 2021. The goal of this meeting was to launch a process from 2021-2023 which seeks to address and research Cross-border Digital Policies for Africa through the development of a regional status report that frames, maps and addresses these issues.

The project proposes to complement existing regional mechanisms for stakeholders from the African continent to share knowledge, consult each other, interact with stakeholders around the world, and develop a shared understanding of and capacity on cross-border digital policy issues.

The 1st Cross-Border Digital Policies for Africa Knowledge Dialogue Workshop took place in December 2021 with identified policy practitioners to discuss key policy themes and issues important for Africa. Participants underscored the way in which the unfolding COVID-19 pandemic has accelerated the adoption of technology by those with access to it, but has exacerbated digital inequality, with compounding effects on those unable to access digital substitutes for work, schooling, business, financial access, and social relief.

Outlook 2022

- Incubated by the Internet & Jurisdiction Policy Network as an outcome of the "We Need to Talk About Data: Framing the Debate Around the Free Flow of Data and Data Sovereignty" report, the Datasphere Initiative will gather increased intelligence and develop further policy resources on data through publications such as the Datasphere Governance Atlas and the Sandboxes for data report.
- The project Cross-border Digital Policies for Africa will organize a workshop in 2022 to gather feedback and expertise from policy practitioners in the region, which will be followed by a data collection event to gather input to the report under production by Research ICT Africa.

CONNECT STAKEHOLDERS
TO BUILD TRUST AND
COORDINATION

99

Contact groups have different perspectives and have debates on different scenarios. They come together and share their views. The spirit of solving problems together is great.

WOLFGANG SCHULZ
Director, Alexander von Humboldt,
Institute for Internet and Society

In 2021 I&JPN held a variety of events to connect stakeholders across regions to discuss cross-border digital policy challenges and common objectives and projects.

Launch of I&JPN Toolkits at a Conference on Digital Cooperation

The Virtual Conference organized on March 18, 2021, provided an opportunity for key global stakeholders to discuss concrete challenges to digital cooperation and outlined potential opportunities towards better coordination.

▶ Watch the recording of the Conference

I&JPN and METI Conference on Governance Innovation for Cross-border Data Flows

The event held on April 6, 2021 provided an opportunity for stakeholders to discuss the findings of two reports, addressing the need for innovative governance approaches to enable the cross-border data flows critical for digital transformation, economic growth, and well-being for all. It stimulated a holistic discussion on emerging approaches and engaged key global actors in a much-needed multistakeholder, and cross-sectoral debate that fed into follow-up activities of the Internet & Jurisdiction Policy Network on the future of cross-border data flows.

▶ Watch the recording of the Conference

I&JPN and ICC Conference on A Digital Market in LAC: Digitalization and SMEs

The event held on April 29, 2021 provided an opportunity for stakeholders to discuss findings from the I&J and ECLAC Regional Status Report 2020 and identify key opportunities and challenges towards a Digital Single Market in Latin America and the Caribbean. Focusing on the key barriers to entry faced by small and medium enterprises, the event mapped concrete pathways to digitalization that is inclusive and sustainable.

▶ Watch the recording of the Conference

The I&JPN Secretariat was able to share the work of stakeholders at key events during 2021 including:

February 2021

I&JPN presented LAC Regional Status Report at one of Brazil's largest Telecommunications Conferences
The Telecommunications Policy Seminar convened policymakers, regulators, academics, and executives from strategic-regulatory areas. The panel on regulatory innovation addressed how to implement an innovative regulatory approach in Brazil to answer to market dynamics and societal demands, while mapping international and regional good practices, such as those related to regulatory sandboxes.

June 2021

I&JPN and CTEI Webinar: Data Disrupts Trade: Exploring Innovative Solutions
The session outlined the current challenges that demonstrate the limits of existing frameworks. Significant innovation is therefore needed, regarding both the tools and the institutional mechanisms.

June 2021

I&JPN Director presented at EURALO Roundtable
Director of the Domains & Jurisdiction Program, Elizabeth Behsudi, participated in a EURALO roundtable on Developing Regional Policy measures in the field of Domain Name System (DNS) Abuse. The cross-community session discussed various approaches to DNS Abuse measurement and policy approaches.

June 2021

I&JPN Secretariat Presents Outcomes to USCIB ICT Policy Committee
The I&JPN Presentations underscored the practical outcomes produced in the form of Policy Toolkits for policymakers and practitioners seeking to develop better policies for the digital era.

June 2021

I&JPN invited to present at Nominet Member Webinar
Ms. Behsudi presented key resources from the I&JPN Toolkit, which provides information on preserving the internet's technical layer when applying DNS level action to address abuses.

June 2021

I&JPN Director presents Toolkit to Registrar Stakeholders Group
The I&JPN Toolkit provides information on preserving the internet's technical layer when applying DNS level action to address abuses.

June 2021

I&JPN contribution to the Debate on EU Digital Services Act at the European Internet Forum
The debate "Digital Services Act: creating effective rules for content moderation in the EU", discussed diverse perspectives on the Commission's proposal for a Digital Services Act and how to best create a comprehensive, workable and effective set of rules for digital services in Europe.

July 2021

I&JPN spoke at European Commission DG Connect - DNS Abuse Workshop
The workshop focused on DNS Abuse with an emphasis on its magnitude and efforts undertaken to measure and address abuse within the DNS. It brought together representatives from law, academia, governments, law enforcement, DNS technical operators and international organizations.

October 2021

I&JPN Secretariat Presented Toolkits to AfriSIG 2021
The session "Working through the I&JPN Policy Network Toolkits on cross-border access to electronic evidence and content moderation", provided an opportunity for participants to learn about the concrete policy challenges the Toolkits address as well as analyze the resources and their implementation.

November 2021

Lorrayne Porciuncula, Executive Director, Datasphere Initiative spoke at Webinar on the governance of the data driven economy
The webinar discussed two key questions: what are the most important issues that countries face in the governance of the data-driven economy? And how can the voices and concerns of developing countries be best reflected in the development of global governance of data and cross-border data flows?

I&JPN Hosted a Town Hall and Workshop at IGF 2021

It provided stakeholders with an update on the work of the Policy Network in 2021, in particular the release of I&JPN Toolkits, the knowledge mapping efforts of the Network including the Internet & Jurisdiction and ECLAC Regional Status Report 2020 and activities in Africa.

Bertrand de La Chapelle spoke at SIRIUS Conference 2021: E-Evidence Across Borders

The SIRIUS Conference 2021 took place in an online format, with law enforcement and judicial authorities joining from all 27 EU Member States. Mr. de La Chapelle presented the I&JPN Toolkit on Cross-border Access to Electronic Evidence, which outlines the ways in which data flows and privacy can be reconciled with lawful access requirements to address crime.

I&JPN Director speaks at IGF workshop on Right to safe medicines: Managing competing interests online

The workshop, co-organized by Governance Primer and ONR Consulting, Inc. discussed the steps the Internet Governance community should take to facilitate solutions to issues that depend on the balancing of competing interests, such as is the case of the sale of medicines online and emphasized that online access to non-narcotic maintenance medicines is a critical need.

I&JPN hosted a Workshop on Leveraging Sustainable Digital Transformation at IGF 2021

The workshop gathered regional stakeholders from the Global South to share initiatives leveraging sustainable digital transformation. Participants discussed how to advance global digital cooperation as well as the different instruments and tools stakeholders need to effectively cooperate around internet governance challenges.

December 2021

I&JPN hosted a Workshop at AfIGF-2021 on Cross-border Digital Policies for Africa

The Workshop provided an opportunity to share engagement opportunities around the new I&JPN Project to develop a Regional Status Report on Cross-border Digital Policies in Africa, which will be produced to help frame, map, and address cross-border digital policies across the African continent.

Outlook 2022

- The Internet & Jurisdiction Policy Network will continue to connect stakeholders in its multistakeholder contact groups to develop common resources and share knowledge.
- The Cross-border Digital Policies for Africa project provides an opportunity to connect stakeholders from Africa and amplify their knowledge and positions towards the global north.
- The Internet & Jurisdiction Policy Network will launch the Datasphere Initiative as a new organization with a mission to responsibly unlock the value of data for all in an event alongside a G7 multistakeholder conference in Berlin.

ADVANCE SOLUTIONS
TOWARDS LEGAL INTEROPERABILITY

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The Toolkits are illustrative of actions that we can discuss, to take in order, and to make parallel jurisdictions, compatible and interoperable.

VINT CERF
Co-inventor of the Internet,
Vice President, Google

Three I&JPN Toolkits were released in March 2021, providing resources for policymakers and practitioners seeking to develop better policies for the digital era.

100 stakeholders

244 contact group members

25+ countries

7000+ community hours

DATA & JURISDICTION PROGRAM

How can transnational data flows and the protection of privacy be reconciled with lawful access requirements to address crime?

Outcomes produced in 2021:

- Toolkit: Cross-border Access to Electronic Evidence
- Cross-border Requests for Voluntary Disclosure of Subscriber Information (REF:21-102)

> 66 At the I&JPN we have developed practical resources. The Cross-border Access to Electronic Evidence Toolkit provides useful pieces to ensure due prospects standards as regimes for cross-border access to electronic evidence are developed.

ROBERT YOUNG
Legal Affairs Branch, Canada's International Legal Team

CONTENT & JURISDICTION PROGRAM

How can we manage globally-available content in light of the diversity of local laws and norms applicable on the internet?

Outcome produced in 2021:

- Toolkit: Cross-Border Content Moderation

> 66 The Content & Jurisdiction contact group is critical for exploring collective solutions to these problems, internationally and across sectors.
>
> **HAWLEY JOHNSON**
> Associate Director, Columbia Global Freedom of Expression

DOMAINS & JURISDICTION PROGRAM

How can the neutrality of the internet's technical layer be preserved when national laws are applied to the Domain Name System?

Outcomes produced in 2021:

- Toolkit: DNS Level Action to Address Abuses

> 66 To me the work of the I&JPN domains contact group has been critically important in advancing discussion and important topics in meaningful way.
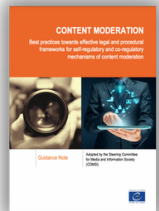>
> **BRIAN CIMBOLIC**
> Vice President and General Counsel, Public Interest Registry

In 2021 the policy work of I&JPN was referenced by several major policy initiatives:

I&JPN has been referred to by the G7 Ministerial. The Declaration of the G7 Digital and Technology Ministers' meeting was organized to build evidence to inform future multilateral and plurilateral discussions on data free flow with trust and data localization measures.

The Council of Europe Guidance Note "Best practices towards effective legal and procedural frameworks for self-regulatory and co-regulatory mechanisms of content moderation" references the I&J Outcomes: "Mappings of Key Elements of Content Moderation".

The Internet Corporation for Assigned Names and Numbers (ICANN). Registries Stakeholder Group referenced an I&JPN resource on Domain Name System (DNS) Technical Abuse: Choice of Action (I&JPN REF: 20-114).

DNS Abuse Institute mentioned I&JPN as an industry supporter. The institute was incorporated to bring together leaders in the anti-abuse space to fund research, publish recommended practices, and share data.

Outlook 2022

- The I&JPN Policy Programs will continue to develop resources to support stakeholders dealing with Cross-border Access to Electronic Evidence, Cross-border Content Moderation, and DNS Level Action to Address Abuses. Key areas of work will surround: Categories of Electronic Evidence, Meaningful Transparency, and Trusted Notifiers.
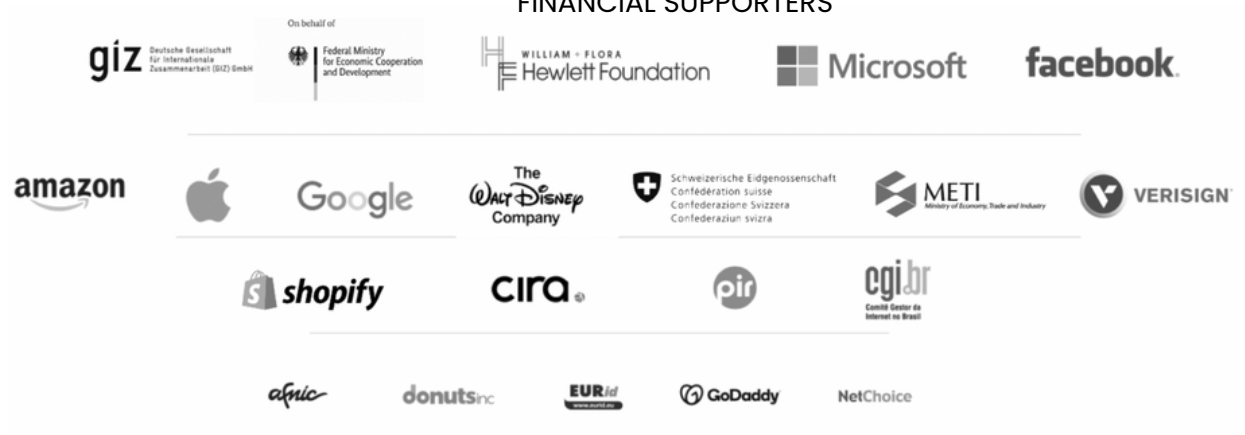
SUPPORTERS

The work of the organization has been made possible thanks to the support by the following leading entities from all stakeholder groups in 2021.

GLOBAL CONFERENCE SUPPORTERS

FINANCIAL SUPPORTERS

GLOBAL CONFERENCE PARTNERS

FINANCES

The Secretariat of the Internet & Jurisdiction Policy Network is non-profit and neutral, financed through a multistakeholder funding pool.

BUDGET OVERVIEW IN EURO	2021
Contributions Received	1 140 446
Personnel	789 978
Events and Travel	20 305
Other Expenses	341 277

The Internet & Jurisdiction Policy Network is the multistakeholder organization addressing the tension between the cross-border nature of the internet and national jurisdictions.

Its Secretariat facilitates a global policy process between key stakeholders to enable transnational cooperation and policy coherence. Participants in the Policy Network work together to preserve the cross-border nature of the internet, protect human rights, fight abuses, and enable the global digital economy. Since 2012, the Internet & Jurisdiction Policy Network has engaged more than 400 key entities from different stakeholder groups around the world, including governments, the world's largest internet companies, the technical community, civil society groups, leading universities and international organizations.