Lessons from BRICS: Developing an Indian strategy on global internet governance

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BRICS countries have tried to move internet governance debates by taking strong stands at the global level. India too, has flirted with the idea, time and again. If nothing else, the biggest takeaway from this grouping needs to be the commitment to putting across new ideas to the global community.

In between headlines of a BRICS bank and other successes at Fortaleza, Brazil in July 2014, there was another aspect to India's Prime Minister Narendra Modi's speech that had special relevance to cyber analysts. Addressing the conference, he said, "?while cyber space is a source of great opportunity, cyber security has become a major concern. BRICS countries, should take the lead in preserving Cyber Space, as a global common good. I am happy we are cooperating on this through our National Security Advisors."

For India, this might be the first public occasion when its new Prime Minister, Narendra Modi, has officially mentioned cyber issues, although, quite squarely from the prism of security. In the arena of cyber security, India has already committed itself to bilaterals with countries like the US, UK, Australia and Japan, and seems to have a keen focus on beefing up cyber security to protect both its critical infrastructure as well as its IT industry and service sector. The same was revealed in last year's National Cyber Security Policy 2013, which also aimed to train about 500,000 cyber security experts over the ensuing five years. However, India's official policy towards cyber governance, on the other hand, has been difficult to read.

Presently, the governance architecture of the internet is divided between various platforms - separated into layers (as characterized by Vint Cerf) of infrastructural- logical (ITU, ICANN, IEEE etc), content (WIPO, WTO, OECD, IGF) and social (HR Council and UNESCO). There are also conferences such as Netmundial, held in Brazil in April 2014 in the aftermath of the Snowden revelations, which sought to build a consensus in the international community about the attitude towards values prescribed to the internet and also global governance mechanisms. India's stand has varied in language, but the sentiment has indicated that it is not comfortable with the current Western-dominated structure of internet governance, especially given the fact that the West seeks to encourage commercial interests by keeping the internet a free trade zone, while developing countries like India are still struggling with baser questions of access and inclusion. Therefore, India is keen to retain a system that is government-led and not market-led. In fact, in a speech by an Indian official at Netmundial in April 2014, the term "equinet" was used to denote the quality being

ascribed to the purpose of the internet. These competing philosophies, while moving towards the aim of keeping the internet "free" and a "global common good", have often put India at odds with the US, Europe and other countries at global internet governance meets.

It would then also be fair to say that members of the BRICS grouping are also in the same boat as India - they do not align themselves completely with the multi-stakeholder internet governance structures the West promotes. In fact, given that the BRICS members are divided between these two differing views of internet governance, it is interesting to see civil society actors express hope that perhaps the BRICS could provide a new model of internet governance to the world. A statement released by the JustNet coalition, an association of organizations that seeks to bolster the view from the Global South states that, "to ensure a just and effective distribution globally of the rewards and benefits of the digital economy". The demands include a number of action points, including ensuring that the internet's critical resources are developed in the global public interest, the digital domain is subject to 'legitimate' political authority and not private (read: corporate) law, human rights abuses by multinational corporations are reined in, and finally open internet platforms and tools are promoted.

A wish-list from a coalition aside, it is interesting to note the internal dynamics of internet governance in the BRICS countries. China, quite famously, has strongly indicated that it believes in the internet being subject to its national laws, as was indicated in a White Paper released in 2010. China's People's Daily newspaper has carried articles that seek to explain this view further. They seem to stress that cyberspace should essentially be under different domestic spheres and not subject as a whole to international values. It seems China would look to build an international consensus on this idea, especially "defining cyberspace boundaries and rules of conduct." In particular, China has been critical of the US using its technological advantages to conduct cyber espionage and attacks. However, China's distinct worldview has not hindered it from making some interesting moves on the international world stage when it comes to internet governance. At the Internet Corporation for Assigned Names and Numbers (ICANN) - 50 held at London, in June 2014, China's Minister for Cyberspace Affairs, Lu Wei, addressed the gathering, showing China's willingness to engage with the organization. However, at the same meeting, he made China's position quite clear, which involved countries adhering to certain principles of internet governance that included 'equal and open' internet, which in turn means respecting the sovereignty of each country's network, the right to develop that network, network management rights, and the right to participate in internet governance. Some panellists have read the speech as China asking for 'intergovernmental supervision of ICANN', ironically at one of the largest multi-stakeholder meetings.

Meanwhile, the Russian approach to international governance has also been critical of the current dominant governance paradigm. After the Netmundial meeting in April 2014, the Russians revealed the various facets of internet governance they objected to: the first had to do with surveillance. Referring to the Netmundial outcome statement, Russia stated that "these documents actually confirm the right of intelligence services of the countries, in which the basic units of Internet traffic exchange are located, for uncontrolled collection of information about individuals from around the world." There was also disappointment expressed that this document did not refer to the roles of the UN, ITU and other core internet bodies. Since the Russian government felt that the Netmundial document largely ignored the view of states and NGOs, it feels it cannot be used as an internationally approved document. Russian President Vladimir Putin has also famously called the internet a "CIA project".

Brazil, of course, has been much in the news because of its President, Dilma Rousseff's highly vocal reaction to the Snowden revelations of extensive US spying on international citizens. The very idea of

Netmundial came up because of this, and at the time even Edward Snowden has indicated he wanted to seek asylum in Brazil. However, events following the announcement of this conference clearly indicated that the US and Brazil had reconciled. Brazil denied that Snowden had requested asylum. Netmundial moved its focus away from US espionage programs; the term 'surveillance' was used in the outcome document, instead of the world 'espionage'. At the same time, moving away from its former position of 2012, in which Brazil had joined China and Russia to call for a government-led internet, the country squarely put its weight behind the multi-stakeholder system. However, there can be no doubt that by taking the lead on the global stage in the aftermath of the Snowden revelations, and hosting a conference that the world felt invested in, Brazil has catapulted itself to the status of a leading nation in the sphere of global internet governance.

South Africa had also put its weight behind a government-led internet governance system in 2011, after an India-Brazil-South Africa (IBSA) meeting. This proposal, tabled by India at the UN, had signalled a move away from multi-stakeholder platforms like the ICANN and IGF to an UN-led system.

The United Nations Committee for Internet관 Related Policies (CIRP) was to be a 50 member body - based on geographical representation -- that would meet for two working weeks in Geneva to discuss internet issues, and would take inputs from Advisory Groups through the year. The proposal was dismissed by most media as trying to put an archaic, bureaucratic, controlling system on something as free, open and dynamic as the internet. Though the suggestion has been tempered over time (even India no longer believes the body necessarily needs to be under UN aegis), the sentiment has remained. More recently, South Africa was also part of the group of governments that co-hosted Netmundial.

Therefore, the BRICS grouping, aside from Brazil, which seems to have moved closer to the US position, share a certain affinity in their view of the global governance system, but for vastly different reasons. In fact, within the countries there is a huge divide in the way the internet is regulated. In China and Russia, content is highly regulated. Brazil has just signed into law the Marco Civil Bill that is aimed at guaranteeing some principles in the use of the internet like privacy and open government among others. Indeed, internet is a tool for democracy and it has become indispensible to the exercise of civil rights. India and South Africa both guarantee the right to free expression, with reasonable restrictions, in their respective Constitutions. How difficult it would be to come up with a joint "values" based approach is evident in another civil society appeal to the BRICS countries, this time from Brazil's Association for Progressive Communications (APC). The group has called for the BRICS countries to address a number of issues including, "the commitment of BRICS countries to promote and protect human rights online and to implement their obligations from international agreements?" and "the inclusion of civil society in democratic, inclusive, transparent, and multi-stakeholder processes on internet-related public policy at a national, regional and global level."

This lofty goal might not be in reach, but there are learnings from the individual positions of the BRICS nations. Most have engaged with the international system in a deep manner, even if they were in disagreement with it. Some have even proposed new ideas and philosophies to guide any global consensus. India too, must develop some of the ideas it has alluded to on the international stage, and present them to the world as workable alternatives - or complimentary ideas - to the current dominant governance structures. At Netmundial, India called for the development of 'cyber jurisprudence' to institutionalize safeguards against misuse of the internet and ensure free flow of information. A detailed report on how this could be achieved would help India further this debate. Another policy challenge India has often highlighted is the inability of the current internet governance structures to respond to some of the core and strategic concerns of member states, and this includes, very much, the management of critical internet resources. India has mentioned broad

basing these institutions. However, no concrete proposal has arisen from the country. Further research must flow into developing these ideas. For example, France has suggested in a [report released by the French Senate](#), the idea that internet governance should evolve by an international treaty open to all states and that ICANN be reformed into the 'World ICANN' or WICANN, where it would adhere not to US law but the international or Swiss law.

Ultimately, if not together, but individually, the BRICS countries have tried to move internet governance debates by taking strong stands at the global level. India too, has flirted with the idea, time and again. If nothing else, the biggest takeaway from this grouping needs to be the commitment to putting across new ideas to the global community. Only then can India hope to assume the mantle of one of the more significant players in international internet governance, a status befitting its heavy internet user base.

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