Freedom Online Coalition Strategy and Coordination Meeting

Freedom Online Conference 2016, San José, Costa Rica
16 October 2016

Attending: Argentina, Australia, Austria, Canada, Costa Rica, Estonia, Finland, Germany, Ghana, Ireland, Netherlands, Norway, Spain, Sweden, Tunisia, UK, US; Support Unit

Apologies: The Czech Republic, France, Georgia, Japan, Kenya, Latvia, Lithuania, The Maldives, Mexico, Moldova, Mongolia, New Zealand, Poland

MINUTES

Housekeeping

- UK/US presented the outcomes and recommendations from the Strategic Review Working Group (SRWG)
  - The Review signalled a re-commitment of members to the principles of the Coalition and its work along with a desire to make it more effective
  - The cross-regional nature of the Coalition was valued, and this element folded into the multistakeholder element of the Coalition's work
  - It was found the Coalition valued being able to remain flexible and respond to changing needs, but there remained a disconnect between the actions of the Coalition, and expectations of external stakeholders.
  - Analysis showed the Coalition had 3 main priorities (in order of importance), with multistakeholder engagement coming in as the fourth priority:
    - Global norm setting (including via joint statements)
    - Annual Conference
    - Diplomatic coordination
- US summarised the San José Statement and highlighted its actionable items as presented in the Work Plan
  - The Work Plan which accompanies the San José Statement is geared towards updating the Nairobi Terms of Reference which guides the operations of the FOC. This is expected to answer outstanding questions not resolved within the Review including:
    - The role and capacities of the Support Unit
    - The significance and modalities of the Working Groups
    - Mechanisms for multistakeholder engagement
  - The Work Plan outlined the creation of two Working Groups which would hold calls once a month, or more as needed, and feed into Friends of the Chair calls.
    - Funding Coordination Group (FCG)

- Aim is to make sense of a sustainable funding model for the Coalition and will continue as permanent fixture to make finance more stable and long-term
- Met on 18 October at FO2016 for an informal face to face meeting
  - Terms of Reference Working Group (TORWG)
    - To set mandate for Coalition which would then inform the FCG
    - Consult with external stakeholders at FO2016 and at IGF2016
    - Limited in time scope till May 2016 (culminate in meeting at Stockholm Internet Forum
- The Netherlands raised the need to design some form of accountability mechanism internally to underline commitment to principles. This would increase the Coalition's credibility, impact, and relevance
- The SRWG co-chairs reported that there was support from the survey for an internal accountability mechanism without a burdensome reporting process, and support for capacity building of states struggling with Internet freedom issues should be taken into account
  - Members agreed that goals 1.3 and 1.4 of the Work Plan allowed space to look into these issues
- Members discussed expressions of interest for the next FOC Chair
  - Friends of the Chair will continue to act as administrative focus of the Coalition until the new Chair is confirmed
  - Members suggested considering separating chairing duties from hosting of Annual Conference
- Members discussed composition of Friends of the Chair Group for 2016-17
  - Currently 9 members: Canada, Costa Rica, Estonia, Germany, Mongolia, Netherlands, Norway, UK, US; apart from Mongolia, all current members would stay in the group
  - Positions will stay open if any members wish to join
  - Costa Rica expressed thanks to the Friends for their support over the past year
- Members discussed financial situation of the FOC and the Support Unit (SU)

Action Point >> TORWG to consider suggestion to separate Chair duties from hosting of Annual Conference, as well as replacing the annual FOC meeting with shorter meetings held adjacent to other international meetings such as SIF or the IGF.

Action Point >> Any additional expressions of interest to join Friends of the Chair, TORWG, and FCG to be sent to the Support Unit **by COB Wednesday, November 2nd**.

Action Point >> Funding Coordination Group to look into financial situation of the Support Unit.

Outreach
- Members/SU gave updates on outreach activities.

Coordination
- Members discussed ways to raise emerging issues that require policy debate in the FOC
- Members discussed need to utilise the FOC network better for diplomatic coordination
  - Elements of this are reflected in the TORWG's mandate to look into the Coalition's global norm setting function - members agreed to look into this issue there
- Costa Rica proposed creation of calendar of scheduled meetings on the margins of relevant FOC activities/events
  - Costa Rica explained that while face to face meetings are very important for making progress on Coalition activities, members face financial constraints when there is not predictability

Action Point >> SU to identify specific meetings throughout the year and send round to Coalition (e.g. RightsCon, IGF, Human Rights Council Sessions).

<u>Joint Activities</u>
- Members discussed response to letter regarding situation of network shutdowns in Kashmir
    - Members agreed that the issue of network shutdowns was important, and agreed to look into possibility of drafting a joint statement on the issue

Action Point >> US to create first draft of joint statement and circulate to Friends of the Chair.

<u>Updates on Working Groups</u>
- SU gave updates on the Working Groups:
    - WG1: the Group has been working over the last two years on developing recommendations for human rights respecting approaches to cybersecurity policy. These recommendations have been launched at FO2016, after a fruitful face to face meeting the day before. The Coalition has issued a statement of support for these recommendations, and the Group is keen to increase awareness of the recommendations and keep engaging with Coalition members as an important part of their work.
    - WG2: the Group met at FO2016 to discuss their work which focuses on the intersection of the digital development and the rule of law. They have created a blog series around particular challenges around the rule of law and the internet, and drafted an output document which was refined during discussions at FO2016. This outlines the Group's key priorities and aims to bridge the gap between the rule of law community and internet freedom community. The group aims to engage much more in the future with the Council of Europe, Venice Commission and regional courts to further this aim.
    - WG3: The Group met at FO2016 to discuss their work focusing on privacy and transparency online. The Group has created several reports, and has recently set a people centred standard for transparency online, outlining what good practice is for law enforcement and content restriction. This document is aimed at companies and governments and outlines why transparency is important from the human rights perspective. The Group is now looking into ways to get this standard implemented through collaboration with the Open Government Partnership's national action plan framework.
- Members discussed the future of the Working Groups
    - The future of the Working Groups was decided to be addressed within the mandate of the TORWG, under goal 3.1 of the San José Work Plan.
    - Discussions here need to consider how best to use the expertise of the Working Groups, and maintain the link between the Groups (including the wider multi-stakeholder community) and the Coalition. The TORWG should look at how the WGs can most effectively form part of the multistakeholder dimension of the Coalition's work considering the large amount of support currently needed from the SU and the co-Chairs for running the Groups.
    - Members agreed that the WGs could self-define how long their work would take, with the date of the Stockholm Internet Forum as the final horizon for their mandates to coincide with the finalization of the TORWG's activities.
    - Members agreed this issue could be discussed at a Strategy and Coordination meeting at the Stockholm Internet Forum (SIF)

<u>AOB</u>
- The SU invited members to a breakfast meeting between governments and businesses on Day 2 of FO2016 for a discussion on business and human rights issues

- Members committed to hosting a Strategy and Coordination meeting at SIF, and Sweden offered to help formalise arrangements.
- Coalition will be hosting an Open Forum at the upcoming IGF in Guadalajara (IGF2016)
- Estonia flagged that their capital Tallinn is going to host the 10th anniversary of EuroDIG in June 2017. As EuroDIG is European IGF that delivers its messages at the global IGF every year, the FOC could consider hosting a side-event or engage with in 2017. The call for issues (the discussion topics) to be addressed at EuroDIG 2017 is now open on its website: https://www.eurodig.org/ and will remain open until December 31, 2016.
- Members discussed the SU's term
  - A decision was made to extend the current Support Unit arrangements until the next Annual Conference

Action Point >> SU to send a doodle to determine interest to hold FOC meeting on the margins of IGF2016.

Action Point >> Members to let SU know of any upcoming events to include in the November edition of the FOC newsletter.