

**Briefing update on the proposed approach for implementation of the IGF
Multistakeholder High-level Body (MHLB)
14 June 2021**

Summary report

Key points

- ☐ Some stakeholders expressed support for a MHLB that would strengthen the IGF and act as a bridge between debates and decisions on Internet governance issues. Others reiterated their opposition to the creation of a new body seen as contrary to the bottom-up spirit of the IGF. There were also some concerns regarding the legitimacy of the body and the risk that it could be used as a source of soft law.
- ☐ There were multiple requests for more clarity and transparency regarding the mandate and functions of the MHLB.
- ☐ Calls were made for more clarity regarding the non-overlapping but complementary roles of the MAG and of the MHLB, and the coordination and synergies between the two bodies. Some stakeholders criticised what they understood to be an intention to create the MHLB outside of the MAG. While some arguments were brought in favour of having the MHLB functions situated within the MAG (e.g. avoiding duplication, respecting the bottom-up nature of the IGF), it was also noted that this would require some changes to ensure that the MAG is more effective, efficient and high-level.
- ☐ Several concerns were raised regarding the envisioned high-level composition of the MHLB: as ministers, CEOs and other high-level representatives would likely find it difficult to commit the necessary time, it might be more appropriate to lower the level of representation.
- ☐ More clarity was required regarding the composition of the MHLB in terms of diversity (e.g. regional, gender) and number of members. A need to include youth and representatives of underdeveloped and developing countries was highlighted. It was also said that the MHLB would need to be designed in such a way as to address potential risks of capture or dominance by a particular group of stakeholders.
- ☐ There were concerns regarding the intention for MHLB meetings to be held under the Chatham House Rule, seen as contrary to the open and transparent character of the IGF.
- ☐ Attention was drawn to the challenges of ensuring the adequate resources for the MHLB, considering that the IGF is already working with limited resources. Requests were made for a cost-benefit analysis of creating the MHLB, the estimated budget required for the body, and a fundraising plan. Another point raised was that the allocation of resources to the MHLB should not come at the expense of building more capacity within the IGF itself to be truly inclusive and to foster relationships with various stakeholders. There were also stakeholders noting that any new resources should be allocated to the Secretariat, instead of a new body.

1. On 14 June an online briefing session was held to provide an overview of the proposed approach for the IGF Multistakeholder High-level Body (MHLB). The discussions were moderated by Mr. Chengetai Masango, IGF Secretariat and Ms. Yu Ping Chan, Office of the Secretary-General's Envoy on Technology.

Overview of the proposed MHLB approach

2. The [proposed approach for the MHLB](#) was presented; it was explained that it takes into account the various written inputs received and online consultations held to date, as it seeks to implement paragraph 93(a) of the Secretary-General's Roadmap for Digital Cooperation. The final decision and determination of the body's attributes will be made by the Secretary-General.

Paragraph 93(a): Creating a strategic and empowered multi-stakeholder high-level body, building on the experience of the existing multi-stakeholder advisory group, which would address urgent issues, coordinate follow-up action on Forum discussions and relay proposed policy approaches and recommendations from the Forum to the appropriate normative and decision-making forums.

See the [Proposed approach for the MHLB](#).

Overall comments

3. Several stakeholders expressed support for the goal of making the IGF more effective and focused. They noted that the MHLB could contribute to this goal by adding weight and visibility to the IGF, and strengthening the forum as the central space for discussions on Internet governance issues among all stakeholders. Moreover, the body could improve international digital cooperation and act as a bridge between debates and decisions on Internet governance issues.

4. Other stakeholders reiterated their opposition to the idea of creating a MHLB as a new body. Some saw the MHLB as a top-down structure, opposite to the spirit of the IGF, and argued that, instead of creating a new body, the functions assigned to it could be fulfilled by the MAG, as long as it has the resources and the support to execute them. Others understood the MHLB as performing more complex functions (including in terms of issuing recommendations and/or making decisions on policy issues) and raised concerns regarding the democratic legitimacy of the body and the risk that it could be used as a source of soft law.

Relations between the MHLB and the Multistakeholder Advisory Group (MAG)

5. Commenting on the relations between the MHLB and the MAG, some stakeholders noted that the MAG must retain a central role within the IGF ecosystem and be institutionally connected with the MHLB. There were calls for more clarity regarding the non-overlapping but complementary roles of the MAG and of the MHLB, and the coordination and synergies

between the two bodies. It was noted, for instance, that strengthening the profile of the IGF can only happen if the MHLB and the MAG work closely together.

6. Some stakeholders criticised what they understood to be an intention to create the MHLB outside of the MAG; recalling that the summary of the previous consultations said that ‘the option that seemed to have received the most support is to create the MHLB within the MAG’, they asked for a justification of the decision to go contrary to this option.

7. Some arguments were brought in favour of having the MHLB functions situated within the MAG, for instance in the context of an Executive Committee. This would avoid duplication and ensure adherence to the bottom-up nature of the IGF. It was also said that establishing a body that is seen as separate from the MAG could lead to the role of the MAG being perceived as less important than in fact it is. Other stakeholders, however, noted that, should the MAG take over the functions envisions for the MHLB, some changes would need to be made to ensure that the group is more effective and efficient (e.g. in terms of number of members), more high-level and more empowered to assist in making the IGF more influential.

Composition

8. Several stakeholders expressed concerns regarding the proposed approach in which the MHLB is composed of high-level representatives from governments, the private sector, technical community and civil society (e.g. ministers, CEOs or deputies, etc.). It was noted that such high-profile individuals will likely find it difficult to commit to the work envisioned for the MHLB. Instead, they suggested it would be more appropriate for the body to be composed of senior level officials and representatives who would be able to dedicate the necessary time to contribute to the success of the body.

9. Another comment related to the proposed composition of the MHLB was that, with ministers and CEOs not able to devote the time needed to actively participate in the work, this would fall on the Secretariat, meaning that it would be the UN bureaucracy the one that would represent the IGF, and not the various stakeholders.

10. Calls were made for more clarity regarding the MHLB membership in terms of (a) the number of members, including per stakeholder group, and (b) diversity (e.g. regional and gender diversity). There were also calls for the inclusion of youth and of representatives of underdeveloped and developing countries.

11. Some concerns were raised regarding the stakeholder representation within the MHLB. Some participants cautioned that the body may be dominated by big corporations and/or by governments (considering that the representatives of IGF host countries are also envisioned to be ex-officio members of the body, in addition to other governmental representatives). As such, they noted that the MHLB would need to be designed in such a way as to address potential risks of capture or dominance by a particular group of stakeholders.

Functions

12. Several comments were made in support of having more clarity and transparency regarding the mandate and functions of the MHLB.

13. Multiple stakeholder supported the idea that the MHLB acts to (a) convey the outcomes of IGF discussions to bodies and actors that are involved in concrete policymaking processes, and (b) bring to the IGF table big Internet governance decision-makers (be they companies, states, regions, etc) to discuss policies with the multistakeholder community. Moreover, it was said that the body may act as a bridge within the UN system and help member states be more open towards multistakeholderism engagement.

14. It was noted that the MHLB must not change the fundamental character of the existing Internet governance ecosystem and not act as an independent agenda-setting body of a top-down nature. Instead, its outputs should remain bottom-up and non-binding.

15. A point was made that there may be an overlap in, or sharing of, functions between the MHLB, the IGF Secretariat, the MAG, and/or the Office of the Tech Envoy, and, as such, it would be helpful to have more clarity on how the functions are delineated and how the MHLB will work in conjunction with the existing structures, without adding further complexity.

16. A few comments were made regarding a potential relation between the MHLB and regional and national initiatives. For instance, it was said that national initiatives could have a briefing role for members of the MHLB. It was also suggested that the body could be used to amplify the outputs of various regional and national initiatives into the IGF. There were also questions regarding a potential relationship between the MHLB and IGF intersessional activities (Best Practice Forums, Dynamic Coalitions, etc.): whether the body would be in a position to provide advice on intersessional work to be carried out on emerging topics, and whether and how such activities would have access to the group's deliberations.

17. A request was made to clarify the advisory role of the MHLB in relation to the development of the IGF's multi-year strategic planning and whether the body would help steer and endorse the IGF strategy.

Work modalities

18. Several concerns were expressed regarding the intention for MHLB meetings to be held under the Chatham House rule. It was noted that, unlike the openness of MAG meetings, such an approach would reduce transparency. Instead, MHLB meetings should be public and accessible to anyone interested, in line with the open, bottom-up and transparent character of the IGF. Should the Chatham House rule be preserved, a strong commitment to transparency was suggested, for instance through regular publication of unattributed summary reports of MHLB work.

19. A comment was made that it would be essential to ensure that the MHLB can drive its own agenda, rather than having it set by the Secretary-General, the Secretariat, its chair or others.

Resources

20. Several concerns were expressed with regard to the resources that would be required to support the MHLB. Since the intention is for the body to be supported by the IGF Secretariat and funded out of the IGF Trust Fund, it was noted that this would place further strains on the already limited resources. One suggestion was to have a fundraising plan to accompany the MHLB proposal, to provide clarity on how the resources issue will be addressed.

Questions were also raised regarding (a) a cost-benefit analysis on the implementation of the MHLB (APC), (b) the estimate budget required for the MHLB, and (c) whether the MHLB will only be implemented once the necessary funds are raised.

21. Another point raised was that the allocation of resources to the MHLB should not come at the expense of building more capacity within the IGF itself to be truly inclusive and to foster relationships with various stakeholders. It was noted that the MHLB would not be able to build relationships and communicate effectively with decision-makers from various stakeholder groups on its own; this is why the institutional capacity of the IGF will have to be strengthened to support these functions as well.

22. There were some concerns that the MHLB would be supported by private resources, and that there could be a conflict of interest if members of the MHLB are, on the one hand, seeking to raise resources for the body, and, on the other hand, developing opinions and recommendations. It was argued that there is a potential for one set of activities to strongly influence the other.

23. A point raised in the context of opposition to the creation of the MHLB was that any new funding should be devoted to the IGF Secretariat to support existing functions.

Implementation

24. A call was made for the timeline and the work plan related to the creation of the MHLB to be shared with the IGF community for input.

Next steps

25. In response to some of the points raised, it was noted that the MHLB's main goal is to support the work that the IGF and the MAG are already doing. The body is intended to make the IGF more impactful, more relevant, and more responsive, and to bring more stakeholders (including those with decision-making power) into the IGF. On the issue of funding, it was clarified that the body would be funded through the IGF Trust Fund, which includes contributions from various stakeholders (governments, international organisations, the private sector, etc). Key points raised during the discussion around issues such as functions and role, relations with the MAG, the bottom-up nature, transparency and resources will be carefully reviewed with a view to strengthening some elements of the MHLB approach.