

October 25, 2010

His Excellency  
Mr. Sha Zukang  
Under-Secretary-General for Economic and Social Affairs United Nations  
3 United Nations Plaza  
New York, NY 10017

Dear Mr. Sha,

Thank you for your open letter of 7 October 2010, addressed to civil society and private sector stakeholders, in which you invite them to participate in consultations in New York on 14th December.

Quoting resolution 2010/2 of the Economic and Social Council, the letter explains that these are meant as "open and inclusive consultations involving all Member States and other stakeholders with a view to assisting the process of enhanced cooperation ...in respect of international public policy issues pertaining to the Internet ... through a balanced participation of all stakeholders in their respective roles and responsibilities."

In this context we are concerned that the consultation scheduled for 14 December in New York is not in fact as open and inclusive as the ECOSOC resolution requires. Specifically, we were surprised that non-governmental stakeholders were invited only to give written contributions, and to nominate a single representative of each stakeholder group (civil society, Internet technical community and business) to speak during the consultations to summarize the contributions of that non-governmental stakeholder group.

In our respectful view this does not amount to the open and inclusive consultation called for by ECOSOC, but rather is effectively an intergovernmental consultation with constrained participation by the other stakeholders who are critical to the continued development of the Information Society. This runs counter to the principle established at the World Summit on the Information Society (WSIS) including that "The international management of the Internet should be multilateral, transparent and democratic, with the full involvement of governments, the private sector, civil society and international organizations." In addition, paragraph 71 recognizes enhanced cooperation involves all stakeholders in their respective roles and responsibilities.

We understand that limits that have been placed upon the participation of civil society, business and the Internet technical community stakeholders in this consultation are said to be as a result of space constraints at the United Nations complex in New York.

Might we suggest, then, that due to the importance of securing wide and inclusive participation of all stakeholders in this consultation, the date and venue be changed to the Palais des Nations in Geneva, perhaps following the open consultations of the Internet

Governance Forum (IGF) that are already scheduled for 22 November 2010 or that a larger venue be found at the UN in New York.

Thank you for your ongoing support of the multi-stakeholder process of Internet governance, and for considering the important concerns we have raised above. We look forward to receiving your response in due course.

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Signed by

The Internet Governance Caucus, the Internet Society (ISOC) and the International Chamber of Commerce (ICC)