

Diplomatic services and emerging multidisciplinary issues, such as Internet Governance

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THIS CHAPTER TAKES THE EVOLUTION OF TRADITIONAL, 'BEHIND CLOSED doors' diplomacy to public diplomacy as a starting point and aims to explore how new forms of multi-stakeholder cooperation and new Information and Communication Technologies (ICTs) affect multilateral diplomacy. The Internet in this context is both a tool and an object of multilateral cooperation.

This chapter makes the case that there is no clear-cut distinction between the 'old' and the 'new'. Traditional diplomacy coexists with public and cyber-diplomacy. Metternich and Talleyrand would still feel at home in many meetings of various multilateral fora. However, the process of democratization that has taken place since the Congress of Vienna has led to an increased transparency and openness in the conduct of diplomatic negotiations. Secret negotiations do not fit any more into a modern democracy where voters want to exercise ultimate control over those who negotiate treaties. The increased interaction between governments and voters has made secret diplomacy increasingly difficult. Governments had to explain what they were doing if they wanted their projects to be approved. Negotiations behind closed doors would have been counterproductive if at the end parliaments or voters were not happy with the outcome. Switzerland is a case in point: in 1909, a deal negotiated by the government with Germany over the use of the St. Gotthard railway tunnel triggered popular resistance and led to a referendum in which Swiss voters gave themselves the last word in foreign relations. Ever since

then, major treaties have been subject to a vote. Swiss voters rejected joining the European Economic Area, but approved joining the World Bank, the International Monetary Fund and the United Nations as well as various bilateral treaties with the European Union (EU). The democratization of foreign policy has also taken place in other countries. In particular, voting on treaties within the EU and on the EU's relationship with other countries has become widespread. In some cases, voters refused what their governments had proposed: Norway voted twice on joining the European Union and twice said no to the government proposals, while voters in France and the Netherlands forced the European Union to rethink its project of a European Constitution.

Thus, secret diplomacy has gradually turned into public diplomacy. This development has been enhanced by the increasingly important role of television as the main vehicle of communication. The establishment of global news channels facilitates virtual negotiations. A press conference in Washington can be watched simultaneously all over the world by whoever has an interest at stake. World leaders therefore have taken to the use of TV as a tool to conduct diplomacy.

The Internet has led to yet another quantum leap. It has both become a tool for cooperation and also the subject of negotiation. The Internet, as a network of networks, has a long tradition of bottom-up cooperation and multi-stakeholder involvement. It was developed with government financing, but outside government interference. First, it was used by the academic and scientific communities before it was opened to commercial use in the 1990s.

Non-government actors were the first to spot the potential that the new medium offered. It facilitated the networking of advocacy groups and led to coalitions of NGOs who manifested themselves as actors on the global scene, who have to be taken seriously. The United Nations Conference on Environment and Development, held in Rio de Janeiro in 1992, was this first significant milestone in this regard. By then, the Internet had moved from being a tool for a few academics to a global communication facility. During the 1990s, much of the energy of civil society focused on resistance to globalization. The capacity to mobilize global resistance became particularly visible around conferences of the World Trade Organization (WTO). At the Third Ministerial Meeting of the WTO in Seattle in 1999, the anti-globalization movement was well prepared and managed to attract a broad coalition of various, sometimes

bizarre, advocacy groups which managed to impose their agenda and force negotiators to abandon their project of launching a new round of global trade negotiations. Without the Internet, the anti-globalization movement would not have been able to establish itself as a force to be reckoned with. It would not have been able to stage the violent protests against the G8 Summits in Genoa and Evian, and the World Economic Forum (WEF) in Davos. The WEF itself is a powerful example of informal networking and interaction between business and government, while the World Social Forum in Porto Alegre illustrates the capability of civil society to contribute peacefully to the shaping of a global policy dialogue.

Thus, the emergence of new actors on the global scene was intimately linked to the new role of the Internet as a main backbone of global communication. It was therefore not surprising that the World Summit on the Information Society (WSIS) raised high expectations among non-government actors. The relevant Resolution of the United Nations General Assembly (A/Res/56/183, adopted on 21 December 2001) specifically invited NGOs, civil society, and the private sector 'to actively participate in the inter-governmental preparatory process of the Summit and the Summit itself'. Many non-state representatives interpreted this resolution to mean that they would participate as equals. However, reality soon set in. The rules of procedure adopted by the WSIS Preparatory Committee in June 2003 reflected the international consensus on how to allow civil society and private sectors to participate. They made it clear that governments remained in charge. However, it was interesting to note that in the course of the various preparatory conferences leading up to the Summit in 2003 these rules were interpreted more and more liberally. At the first phase of the Summit in 2003, when a compromise seemed almost impossible, governments decided to revert to their old practices. They locked out all non-government actors and negotiated behind closed doors. By so doing, they finally managed to reach compromise solutions. After the Geneva phase of the Summit, the multi-stakeholder cooperation within the WSIS framework evolved further and the different stakeholders began to trust each other. In the end, at the second phase of the Summit in Tunis in 2005, the non-government stakeholders were not locked out anymore during the final phase of the negotiations.

The first phase of WSIS in Geneva in 2003 also saw the beginning of a debate on a new issue on the international agenda—Internet governance. In the context of discussions on global governance, Governments have

been confronted with other stakeholders requesting to be allowed to participate in decision-making arrangements. The debate on Internet governance followed an opposite pattern. Here, Governments wanted to obtain a say in the running of the Internet, which has developed outside a classical intergovernmental framework. The Internet's infrastructure has been managed in an informal but effective collaboration between various institutions, with private businesses, civil society, and the academic and technical communities taking the lead. For historical reasons, the United States has the ultimate authority over some of its core resources. This situation has led to some political friction, as many countries hold the view that this authority should be shared with the international community, preferably in a traditional intergovernmental setting.

The final WSIS documents—*The Tunis Agenda for the Information Society*—asks the United Nations Secretary-General to create a new multi-stakeholder place for a policy dialogue—the Internet Governance Forum (IGF). The debate started by WSIS is not conclusive, but it marked the beginning of a process that can be described as a dialogue between the world of governments and the Internet community—the group of scientists, engineers, and entrepreneurs who developed and deployed the Internet. In the context of the debate on Internet governance, the Internet professionals, technicians, engineers, and institutions, the 'Internet community' reaffirmed their claim as a fourth category of stakeholders. This new Forum is in the early stages. Multi-stakeholder cooperation will be its hallmark and also its main challenge.

The recognition of the merits of multi-stakeholder cooperation should not blur the distinction between the different roles and responsibilities of each stakeholder group. There is an emerging common understanding that not all stakeholders have to participate on an equal footing in all bodies, or that their role varies according to the function of the process concerned. However, this is part of an ongoing debate. Some government representatives hold the view that national sovereignty and international law must remain the keystone of any international governance system, while civil society in particular argues that on the global level we have to go beyond that thinking in terms of national sovereignty and the nation state. They argue that international cooperation should be interpreted in a new and broader environment and include players with different legal status. This emerging new multi-stakeholder approach, involving governments, the private sector, civil society, and the Internet community,

would suggest the need for a new conceptual framework which is on the one hand embedded in the existing system of international law, but goes on the other hand beyond this, bringing other type of norms (for example, non-binding 'soft governance' or self-regulation) to global governance concepts.

This chapter concludes that the emergence of non-government actors on the multilateral scene will require diplomats to interact with people with a variety of backgrounds and adapt to new technologies. Like most professional groups, diplomats quite naturally prefer to be among themselves. Often they have more in common with colleagues in the service of other governments than their own countrymen from a different walk of life. Diplomats understand each other and know their own behavioral codes and protocols. An interaction with other stakeholders requires an adaptation to a different professional culture. However, diplomats are well equipped for this challenge, as their background, especially the experience acquired in bilateral postings, makes them sensitive to cultural differences. The WSIS experience showed that non-government actors appreciated diplomatic skills. Ultimately, all participants in the dialogue between government and non-government actors agreed that they learned from each other.

The Internet presents a challenge of a different kind. Civil society and the Internet community are both extremely well equipped for online discussions—this is their daily bread. Government representatives, however, have to adapt to the new tools that the Internet has to offer. To conduct negotiations online presents different challenges from traditional face-to-face negotiations. The opportunities are there for the diplomat or government official who is able to form coalitions with non-governmental actors and who is quick at developing his or her thoughts in an online discussion. The challenge is to defend an official position without getting too personal or too spontaneous in a discussion with other stakeholders, as there is always the risk of a breach of confidentiality.

Furthermore, the Internet with its distributed structure and its bottom-up approach to any form of governance is diametrically opposed to the traditional pyramid structures of government. The Internet empowers individuals and not structures. There is ample evidence from economic studies that those companies which adapted their management structures to the flat hierarchies of the Internet were the ones who benefited most from this new medium. While the business of government is different

from the business of doing business, there may nevertheless be some merit in looking at successful models.

Diplomatic services therefore will have to think on three tracks on how to adapt themselves to these new challenges: how to train diplomats to interact with new actors; how to make the best possible use of the Internet; and also how to adapt their own structures to benefit most from the Internet. There is no simple solution to these challenges. Training diplomats may be easier than adapting structures.