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Introduction

Can emerging democracies from the global south provide new inspiration for the gradual democratisation of the global system? The largely undemocratic nature of the global system is certainly one decisive reason for the collective failure to find far-reaching and sustainable answers to global challenges such as the regulation of the Internet.[1] Several scholars suggest that more democratic forms of cooperation need to be designed as a potential alternative to the current practices of intergovernmental decision-making processes on the global stage.[2]

But how to democratise a system which is known for its unjust, unequal and undemocratic nature? Many scholars have advocated a reform of important intergovernmental organisations,[3] an increased role for civil society organisations,[4] transnational companies[5] or governance networks[6]. In a particularly Western-centred debate,[7] few scholars have spent their time exploring what emerging democracies from the global south may contribute to these democratisation efforts. By focusing on Brazil's[8] organisation of the 2014 NETmundial Global Stakeholder Meeting on the Future of the Internet, this article argues that we may learn one or two things from Brazil on how to move forward this debate in global Internet governance.

The Brazilian organisers of the NETmundial Meeting were inspired by the development of Brazil's own Regulatory Framework for the Internet which established minimum conditions such as civil rights, duties, and principles for the use of the internet in Brazil.[9] Its fundamental principles refer to guaranteeing privacy and the protection of personal data, net neutrality (web contents and users are treated equally without limiting or blocking the access to particular websites, contents or applications), freedom of expression, etc.[10] The Framework was praised as an inspiring model for countries worldwide by transnational civil society organisations and renowned internet experts like Vint Cerf, Tim Berners-Lee or Steve Crocker for establishing rules for the use of the Internet and the protection of Internet users.[11]

This article argues that Brazil's innovative and democratic organisation of the 2014 NETmundial Multi-stakeholder Meeting breathed new life into the debates on how to move forward on regulating the global use of the Internet in a democratic fashion. The remaining chapters are organised as follows. First, I briefly introduce the multi-stakeholder model and its shortcomings in the global governance of the Internet. Then, I present three democratic elements (the promotion of human rights, participation and accountability) widely discussed in the literature on normative democratic theory and global democracy, which are essential for multi-stakeholder models to turn into efficient and democratic decision-making processes. Thereafter, I examine Brazil's organisation of the NETmundial Meeting and analyse to which extent the Meeting can be regarded a democratic and successful stakeholder process.

Advancing democratic processes in the global governance of the Internet

The global system is essentially polycentric with different centres of control and influence, fragmented without a central coordinating authority and lacking a global dêmos with political boundaries which would clearly delineate the institutions and mechanisms of the democratic process.[12] In this highly decentralised environment, political processes evolve increasingly around issue-areas rather than territorial boundaries.[13] Issues like the global regulation of the Internet do not respect the boundaries of nation-states. In a context where many issues are no longer associated with a particular territory, intergovernmentalism may not be an adequate model to effectively deal with these issues.

The multi-stakeholder approach represents a potential alternative to the sole coordination of states and intergovernmental organisations. According to Terry Macdonald, "the fact that the multi-stakeholder model represents individuals by issue-area rather than by

territorial location or nationality ensures that it is better equipped than the nation-state model to accommodate the empirical reality of territorially dispersed interests within global society".[14] As such, in a multi-stakeholder approach, all those stakeholders affected by a particular political decision should be involved in the decision-making process including various actors from civil society, the private sector, individuals and the states. In the multi-stakeholder approach the states, which are the principal actors in the global system, form just one group of many and are required to treat other stakeholders as equal partners.[15]

The multi-stakeholder model is not a panacea to deficits and shortcomings in global cooperation efforts. Based on its objective to reach consensus among its stakeholders, the model completely relies upon deliberative processes. But what if consensus is hard to reach in some circumstances? Then the model may get marginalised and sidelined by influential actors.[16] Or if the equal access of different stakeholders, which naturally differ in terms of resources, cannot be guaranteed?.[17] Then, less influential actors may abandon the model undermining the legitimacy of the whole approach. While the inclusion of other non-state actors in global decision-making processes seems to be a sensible idea, many doubts exist about its effectiveness and its role in the democratisation of global governance processes. The global governance of the Internet provides an insightful example of how challenging it is to make the multi-stakeholder approach work.

In the global governance of the Internet, stakeholder approaches are a fundamental element of decision-making processes, alongside intergovernmental approaches. One of the leading bodies in Internet governance, the Internet Corporation for Assigned Names and Numbers (ICANN), is governed by several stakeholders. A private non-profit organisation based in the US (California), ICANN coordinates the allocation of domain names and root server computers.[18] Given its status as a private actor dealing with very technical issues,

government representatives, for instance, are not allowed to sit on ICANN's principal decision-making board.[19]

Between 2002 and 2005, the UN organised the UN World Summit on the Information Society (WSIS) process, which should clarify fundamental issues in Internet governance, among them the role of ICANN, non-state actors and intergovernmental cooperation.[20] Although several thousand people from governments, civil society, the private sector and other stakeholder groups were present to talk about new ways to govern the Internet, the summit process was characterised as a failure.[21] It was overall ineffective in producing any worthwhile documents which could have served as a basis for all stakeholders involved on how to proceed in the global governance of the Internet.[22]

While failing to produce actual outcomes, WSIS shifted the spotlight to non-state actors and came up with a definition of Internet governance conceding an important role to non-state actors, while still upholding the dominance of the states:

> Internet governance is the development and application by Governments, the private sector and civil society, in their respective roles, of shared principles, norms, rules, decision-making procedures, and programmes that shape the evolution and use of the Internet.[23]

Another outcome of this process was the creation of a global multi-stakeholder forum which was to become the Internet Governance Forum (IGF).[24] The IGF, however, turned into a hollow mechanism without any real decision-making power and has been unable to produce real progress on how to move forward in Internet governance.[25] It is striking that in Internet governance, where ICANN as one of its principal organisations is governed by several stakeholders, multi-stakeholder models have failed to effectively democratise decision-making processes.

In the face of these failures, this article argues that multi-stakeholder processes need to reinforce three democratic elements prominent in the literature on normative democratic theory and global democracy to promote democratic and efficient decision-making processes. These elements are (1) the promotion of human rights, (2) the creation of mechanisms for the (full) participation of non-state actors and (3) the establishment of mechanisms of authorisation and accountability.[26]

The Promotion of Human Rights

Activities directed towards promoting and progressively realising human rights constitute one important element of more democratic processes at the global level. Although disagreement exists about how to exactly advance global democratic processes, numerous scholars do agree on the importance of human rights for those processes.[27] Goodhart, for instance, argues that a focus on human rights "shifts the focus away from institutions, mechanisms, and procedures and back to the core values underlying them"[28]. Any system, which can be realistically called democratic, is founded on a range of basic values such as freedom and equality and has to live up to these very same values.[29] Human rights "include the absence of constraints such as threats to bodily security, or restrictions on liberty (including freedom from domination), as well as a set of enabling material and social conditions, such as means of subsistence and health care"[30].

In this sense, human rights are essential in their constraining and enabling functions, that is, in their capacity to restrain the power of some actors and/or institutions and at the same time enable agency of other actors.[31]

> Constraining rights are those rights necessary for limiting power, such as fairness rights (for example, due process, nondiscrimination, equal treatment) and rights protecting individual liberty and security (freedom of thought, physical integrity, and the like). Enabling rights are those that make effective agency possible, including civil and

political rights (petition, assembly, expression) and social and economic rights (education, health care, subsistence).[32] [emphasis in the original]

Human rights in their expression as constraining and enabling rights are vital for democratic processes:[33] First, they apply, in theory, universally regardless of jurisdictions, persons or places. Second, they are supposed to be binding for state and non-state actors alike. Third, their implementation can rely on multiple governance mechanisms, as is the case in global governance, and is not restricted to one singular political framework. Fourth, they can be viewed as normative aims describing what state and non-state actors should achieve. In this view, human rights obligations extend to all actors in global governance, including states, civil society actors and transnational companies, with the aim to create "ethical standards for legitimate governance at all levels"[34].

Participation

No less essential for advancing democratic processes is the creation of mechanisms which facilitate the meaningful participation of actors other than the state in decision-making processes. Given the essential role of actors from the private sector and civil society in Internet governance, ways need to be found to include these new voices in decision-making processes. Many scholars emphasise the importance of civil society actors in this regard.[35] They are very often predisposed to advocating the promotion of human rights and global public goods by exercising pressure on the states and mobilising against powerful state and private interests. A higher participation of non-state actors in global decision-making processes potentially benefits the emergence of new ideas, perspectives and approaches to global challenges.[36]

Although more participation of non-state actors may benefit the democratisation of global processes, it would be misleading to assume that their mere participation will make global processes automatically more democratic. In the complex realm of civil society actors,

we very often encounter similar hierarchies and power imbalances as in the realm of states with those from the rich countries in the global north exercising more influence in global governance mechanisms than those from the developing countries in the global south.[37]

Effective participation of these non-state actors in decision-making processes is still an exception and very often does not extend beyond a complementary role in agenda-setting, implementation and enforcement.[38] Consequently, different degrees of participation exist. Passive participation (observer status or consultation) can still be considered the norm for the participation of civil society actors in global decision-making mechanisms. Active participation (presenting information, making statements in the decision-making body or contributing to the implementation of policies) is always quite common. Yet, the most powerful degree of participation, full participation (voting rights and agenda-setting power), remains an exception and its promotion is the key to more democratic global governance mechanisms.[39]

Accountability

The creation of accountability mechanisms constitutes a third prominent element in the democratisation of global processes. Accountability basically means "that some actors have the right to hold other actors to a set of standards, to assess whether they have fulfilled their responsibilities in the light of these standards, and to impose sanctions if they find that these responsibilities have not been met"[40]. Accountability may be established through voting procedures, monitoring and policy review activities.[41]

Civil society actors have played a significant role in advancing the accountability of global decision-making processes:[42] They have called for more transparency and comprehensibility of decision-making processes so make these complex processes not only more transparent but also more comprehensible to the common citizen. They have been active in monitoring and review activities, naming and shaming of governments in the case of rights

violations or other wrong-doing. Civil society actors have organised campaigns to create formal accountability mechanisms of international organisations. Civil society actors, however, only appear as serious actors in their advocacy and campaign efforts if they can guarantee the accountability of their own structures.[43]

In democratic societies, these two democratic elements, participation and accountability, fuse in the form of elections. On the one hand, elections are an instrument to hold politicians accountable to certain standards and their own campaign promises. On the other hand, elections provide an instrument for the common citizen to participate in the political process. Given the polycentric and highly fragmented nature of the global system, elections, as carried out in democratic nation-states, are difficult to establish, since non-state actors such as NGOs or corporations do not rely on clearly delineated constituencies nor are these organisations elected by any citizens to represent their interests.[44] Given these obstacles, non-electoral mechanisms of authorisation and accountability are much easier to establish and, when viewed in conjunction, do bear a potential for democratising global processes.[45]

> Mechanisms of authorization and accountability are institutionally distinct but mutually complementary means of regulating the power relationships between rulers and ruled. More specifically, they are mechanisms for distributing power between stakeholders and public political agents in such a way as to ensure that the power exercised by public political agents remains subordinate, in some significant respects, to the power of stakeholders [emphasis in the original].[46]

While authorisation entails "the giving of authority to act", accountability involves "the holding to account of representatives for their actions"[47]. How these mechanisms work together is best exemplified by elections. When citizens vote for candidates they are able to authorise particular public representatives to pursue a particular political agenda and, if unsatisfied with their performance, hold them to account and deny these public representatives the vote so that they lose their office.[48] In this respect, elections are just one example, and a very powerful one indeed, of mechanisms of authorisation and accountability.[49] And it is these two complementary

mechanisms which are at the root of ensuring more democratic processes. In the global sphere state and non-state actors need to join forces to create a similar set of complementary mechanisms.

But what may these mechanisms look like in detail? Mechanisms of authorisation involve, first of all, mechanisms of delegation, the process of transferring responsibility to certain representatives.[50] Second, mechanisms of authorisation also involve mechanisms of empowerment, the process of transferring power to the delegated representatives to take part in decision-making.[51] To work democratically, "empowerment processes must always be contingent upon prior processes of democratic delegation"[52] [emphasis in the original]. Mechanisms of accountability, on the other hand, involve mechanisms of transparency and disempowerment.[53] Transparency "can often be achieved through measures such as provision of public access to the minutes of key decision-making meetings, details of evidence presented to these meetings, internal performance evaluation reports, and so on"[54]. Meaningful transparency, however, should go beyond making information public and should also include the obligation of the participating actors to provide reasons for their decisions.[55] The second mechanism of accountability refers to disempowerment, the possibility to delegitimise public representatives through sanctions or other methods.[56]

We need to keep in mind that this is a rather stylised account of mechanisms of authorisation and accountability which cannot be transferred identically and uniformly to global processes due to "the absence of stable and centralized frameworks of public political power"[57]. Nevertheless, both mechanisms are able to contribute to democratising global processes if established in a complementary way, making decision-making processes more inclusive and increasing the control of stakeholders over public representatives.[58]

Brazil's organisation of the NETmundial Meeting

After Edward Snowden had made public the NSA spy scandal in the summer of 2013 and it had become clear that several heads of state had been spied on by the National Security Agency (NSA), among them Brazilian president Dilma Rousseff, the Brazilian president took bold action.[59] Rousseff condemned the actions of the NSA and cancelled a scheduled state visit to the US.[60] In September 2013 at the annual meeting of the UN General Assembly, Rousseff spoke out against the NSA practices and promised that Brazil would "present proposals for the establishment of a civilian multilateral framework for the governance and use of the Internet and […] ensure the effective protection of data that travels through the web".[61] In October 2013, after talks with the CEO of the Internet Corporation for Assigned Names and Numbers (ICANN), Fadi Chehadé, Rousseff announced that the Brazilian government would organise a world meeting in São Paulo to develop proposals in this regard.[62] This world meeting, the NETmundial Global Stakeholder Meeting on the Future of the Internet, took place in São Paulo on the 23rd and 24th of April 2014 with more than 1,200 participants from the most relevant stakeholder groups in Internet governance (governments, civil society, private sector and academic/technical community).[63] The meeting was organised by Brazil's Steering Committee CGI.br together with the Brazilian government, several International Organisations, ICANN and the I* organisations.[64] [65]

Brazil's Internet Steering Committee CGI.br is the responsible body for coordinating the Internet in Brazil which involved the development of the Regulatory Framework for the Internet in Brazil. It is striking that this Committee works with a multi-stakeholder mindset involving actors from all relevant sectors relevant for the governance of the Internet in Brazil. The Committee is composed of nine government representatives from different ministries and government agencies, four representatives from the private sector, four representatives from the non-profit sector, three representatives from the scientific and technical community and one

representative with notable knowledge in issues concerning the Internet, resulting in 21 members. Although the government forms the largest group with nine representatives, it does not hold a majority as a single group. Instead, the Steering Committee comprises representatives from four different groups which have a stake in issues concerning the Internet.[66]

The promotion of human rights

Similar to Brazil's Regulatory Framework, the NETmundial document establishes a catalogue of human rights which can be seen as ethical standards to be respected and implemented by all state and non-state actors in global Internet governance. The future implementation of these standards in multiple governance frameworks would allow for more legitimate governance of the Internet. The human rights emphasised by the NETmundial document include freedom of expression, freedom of association, the right to privacy, the right to full access of online resources, freedom of information and access to information, the right to development via the Internet.[67] The stakeholder groups also agreed on principles for the Internet governance process which "should be built on democratic, multistakeholder processes, ensuring the meaningful and accountable participation of all stakeholders, including governments, the private sector, civil society, the technical community, the academic community and users"[68].

In the second part of the document, the roadmap for future Internet governance, the stakeholder groups agreed on improving the stakeholder process by guaranteeing its open, participative and transparent character, improving existing institutional structures in Internet governance and engaging in discussion about particular points such as net neutrality (non-discrimination of data on the Internet) which were controversial at NETmundial and could not be included directly in the final document.[69] However, the document indirectly emphasises the principle of net neutrality by referring to the concept of an open internet and stating the right to freedom of expression and information.[70]

The constraining rights (right to privacy, net neutrality, etc.) establish aims to be achieved among all state and non-state actors to limit the power (or the abuse of power) of governments and private corporations vis-à-vis Internet users. The enabling rights aim to guarantee the protection and an expansion of political agency in global Internet governance. The protection of political agency refers to the rights of Internet users to freedom of expression, freedom of information, access to information, etc., whereas the expansion of political agency is based on the agreement to establish more participatory governance processes for the better involvement of non-state actors.

Although the final NETmundial declaration is not legally binding, it can be characterised as a hallmark of global Internet governance. Wolfgang Kleinwächter, an expert on global Internet governance and active participant of NETmundial, argues that the NETmundial document might be compared with the Universal Declaration of Human Rights (UDHR) of 1948, also legally non-binding, for "[n]ever before in the history of Internet governance had there been a document with such broad political support both from governments and nongovernmental stakeholders"[71]. The NETmundial document directly refers to the UDHR by stating: "Human rights are universal as reflected in the Universal Declaration of Human Rights and that should underpin Internet governance principles. Rights that people have offline must also be protected online, in accordance with international human rights legal obligations […]"[72].

Full participation of non-state actors

The whole meeting was chaired by Virgílio Fernandes Almeida, a member of CGI.br and secretary of the IT department of the Brazilian Ministry of Science, Technology and Innovation.[73] The objective of the organisers was to develop a charter of principles and a roadmap for future action in global Internet governance. The preparation of these documents

was modelled on the positive experiences made in the elaboration of Brazil's Regulatory Framework. The organisers prepared a zero draft text which was made public and could be accessed by governments, private sector organisations, civil society and the technical and academic community for comments and suggestions.[74] The consultation process was, as in the case of the Regulatory Framework, divided into two rounds.[75] From 14 February to 08 March, the NETmundial organisers received content contributions via its NETmundial website. Based on these contributions, the Brazilian Steering Committee CGI.br prepared a draft of the document text at its meeting on 31 March and 01 April in São Paulo, which was then made public on 11 April for the second round of comments.[76] In the first round, the NETmundial organisers received 188 suggestions from 46 countries and 158 institutions, while in the second round the organisers counted 1,370 contributions which constituted the basis for the draft text presented at the NETmundial Meeting.[77]

The organisers used the commenting tool "Commentpress", an open-source WordPress plug-in for social texts, which allowed every participant to track every single comment made. Unlike during the public consultations for the Regulatory Framework, users were not required to register with a user account. However, they needed to provide their full name, an email address and identify with one of the stakeholder groups.[78] The NETmundial organisers achieved to create a similar environment as during the elaboration of the Brazilian Regulatory Framework allowing users "to engage in an online debate and critique on each and every paragraph, ultimately turning the document into an interactive conversation with a wide variety of stakeholders across the globe"[79].

Theoretically, the Meeting was open to everyone interested in Internet governance. However, due to the limitations of the venue in São Paulo to around 900 people, the organisers needed to be selective in the 869 applications received by civil society and the private sector.[80] The executive committee selected 500 applicants based on achieving a balance of gender,

geography and multi-stakeholder groups.[81] The governments sent their applications to Brazil's Ministry of Foreign Affairs so that in the end 933 participants from all four different stakeholder groups were selected to attend the Meeting.[82] According to the organisers, governments were represented by 39 per cent, civil society by 17.1 per cent, the private sector by 15.1 per cent, the technical community by 11.7 per cent, academia by 9.3 per cent, International Organisations by 4.4 per cent and others, such as normal citizens, by 3.3 per cent.[83]

In addition to the participants in São Paulo, CGI.br went to great lengths to assure that other citizens and organisations interested in the NETmundial meeting were able to take part. CGI.br provided the logistical material for 33 hubs in 30 cities and 28 countries worldwide, which guaranteed real-time interaction with NETmundial's plenary sessions in São Paulo and commenting on the draft text.[84] These hubs[85] were organised by the local Internet community in the respective cities and countries.[86] ARENA-NETmundial represents one example of such a hub in Brazil where the organisers interacted with Brazilian citizens in São Paulo, sharing knowledge on Internet governance and stimulating citizens to take part in writing comments and voting on particular parts of the draft document.[87] Notwithstanding these efforts, Virgilio Almeida feared that the issues discussed at NETmundial "have [not] resonated with many people beyond those directly involved or interested in the subject"[88].

The meeting itself including the public consultations in the weeks prior to the meeting was coordinated and planned by a multi-stakeholder board which created four committees. All these committees were composed of representatives from the different stakeholder groups.[89] The plenary meetings were also organised in an innovative way respecting the balance of the stakeholder groups. The organisers installed four microphones, one for each stakeholder group (governments, civil society, private sector and academic/technical community), and limited comments and interventions to two minutes.[90] Participants had to queue up behind the respective microphone of their group. Due to the real-time connections with the remote hubs,

one full round of comments consisted of six slots, the first four slots for the respective stakeholder groups at the Plenary Session in São Paulo, and after them, two slots were reserved for comments and contributions from the hubs.[91] The discussions were divided into two parts. On the first day of the meeting the discussion concentrated on the fundamental principles, whereas on the second day the discussion revolved around governance issues.[92]

The Brazilian Internet Steering Committee was able to create an environment which allowed all stakeholder groups active and full participation in the development of the outcome document. Although the governments were still in the majority vis-à-vis other stakeholder groups, they were stripped of their traditional privilege of being the only actors with final decision-making power. Instead, the negotiation of the final document was truly participatory considering the involvement of all stakeholder groups with equal rights of full participation in the public consultations in the two months prior to the meeting and the organisation of the actual meeting.

But not everything was sunshine and roses. The whole process can definitely be improved. Powerful corporations, for instance, tried to take advantage of the huge influence they have on governments and achieve a more favourable language through lobbying efforts. Governments fell back into diplomatic horse trading and civil society actors were not happy at all with the language on net neutrality, the most controversial issue of the meeting which could not be turned into one of the Internet principles.[93] Even in the adoption of Brazil's Regulatory Framework net neutrality had been one of the most controversial issues. In the end, however, it could be included in the Regulatory Framework.[94] Although representatives from civil society organisations were disappointed that NETmundial did not significantly change the existing balance of power which clearly favours the powerful states and corporations, they conceded that the organisation of the meeting was in many respects highly innovative and original, pointing to an alternative, more inclusive, way of generating international norms as opposed to

a government-led approach.[95] Deborah Brown from the civil society organisation Access Now remarked that "NetMundial was an example of a meeting in which all stakeholders were ostensibly on equal footing"[96]. Gabrielle Guillemin from the organisation Article 19 emphasised that "[u]nlike traditional international fora such as the UN Human Rights Council, NETmundial gave an opportunity to civil society, private actors, governments and Internet users to express their views and concerns in a highly open and transparent manner"[97]. And Deborah Donahoe from Human Rights Watch underlined that the Netmundial Meeting represented "a far more inclusive and transparent approach than any process where only governments have a seat at the table"[98]. Notwithstanding criticism from civil society (regarding net neutrality), the private sector (regarding privacy) and governments like Russia, China, India and Cuba, the final document was approved by all stakeholder groups, which speaks in favour of the strong legitimacy of a document jointly developed through the full participation of all participants having a stake in the issue.[99]

Mechanisms of authorisation and accountability

In terms of transparency, the NETmundial Meeting was in many respects exemplary. Not only was it possible for all participants, either those at the summit location or those at the hubs, to comment on the documents in process and track comments and changes made by other participants. All these comments and track changes made during the consultation process can still be followed up on the official website of NETmundial (netmundial.br/references). In addition, the very same website provides public access to the web interface of the NETMundial document where all comments made can be tracked paragraph by paragraph including the name of the commenting person and her/his stakeholder group (civil society, academia, government and private sector). A separate document prepared by the Executive Secretariat provides information about the comments received throughout the whole consultation process and

various tables detailing the comments' origins (stakeholder groups), specifying the exact days the comments were made and to which section in the document the comments were dedicated. Apart from these meticulous efforts in providing a transparent consultation process, the same report explains the Secretariat's formatting approach and how to read the entire document with comments, track changes and the Secretariat's summaries and recommendations for the final text.[100]

The same website also provides access to a spreadsheet including a list of all comments made and the exchanges of arguments during the consultation process, a list with information about all participants (including the websites and contact information of every single hub) and additional documents such as document proposals by various governments, policy briefs and other contributions from private sector, civil society and academic organisations to enrich the debate on the development of the outcome document. If all this were not enough, the website also provides transcriptions of the various sessions taking place during the two days of the NETmundial meeting and complete videos, in several languages (English and multilingual), of the morning and afternoon sessions of the two days which amount to more than 20 hours of video footage of the meeting still accessible as Youtube videos.

This effort in holding the various stakeholder groups accountable to each other through a highly transparent meeting was complementary with the mechanisms of authorisation established by the NETmundial organisers. They selected around 900 representatives from various stakeholders and established a setting in which all representatives, independent of their filiation, confronted one another on an equal footing. In this setting, representatives of non-state actors were given the authority to speak and comment on behalf of their respective organisation (delegation) which considerably empowered them in contributing to the development of the outcome document (empowerment). At the same time, these representatives found themselves on an equal footing with government representatives. This mechanism of authorisation

(delegation and empowerment) was also extended to representatives from civil society, academia and the private sector from all around the world who convened at the hubs and were allowed to intervene with their comments during the meeting. Through a transparent decision-making process in which all stakeholders had access to documents and minutes of the meetings and could track the contributions and comments of the others all participants were mutually held to account. Everyone was allowed to comment on the contributions of the other, including participants from the 33 hubs established all around the world.

Conclusion

Brazil, embodied by its Internet Steering Committee, demonstrated how to organise a global multi-stakeholder meeting on a democratic basis which achieved to develop, for the first time in Internet governance, an Internet human rights framework with non-binding Internet principles. The organisers achieved to create a democratic setting in which all stakeholders had equal rights and were allowed to equally contribute to the final document. Brazil's Internet Steering Committee designed a truly global public consultation process which, facilitated by the latest Internet communication tools, allowed the global internet community to participate in the Meeting and share ideas on how to improve the final document for the benefit of the whole global internet community. In other words, Brazil's specific contribution to the gradual democratisation of global Internet governance lies in the following idea: that all relevant stakeholders need to be included as equal partners in the global decision-making process to find rights-based solutions to global challenges.

However, the NETmundial experience was not without deficiencies. Here, two points are of particular relevance. First, the relatively low participation rate in online public consultations is a major preoccupation for policy-makers and scholars alike.[101] The second

point refers to the selection mechanisms of stakeholders. From their experiences of organising NETmundial Almeida et al. enumerated a number of elements which still need improving. Among them the question of how to identify an adequate set of stakeholders for a particular issue, which mechanisms and criteria should be used for a better selection of stakeholder representatives, how to guarantee a fair power balance between powerful NGOs and private actors and those which are much less influential.[102] An online public consultation process, as carried out by NETmundial, definitely provides the opportunity for all possible stakeholders interested in a particular issue to participate. The online process eliminates many barriers and obstacles to participation which exist in the offline world, as, for instance, when it comes to selecting a small number of stakeholder representatives for the venue of a physical meeting such as NETmundial. Here again, the organisers were creative and established 33 hubs all around the world for those who were not able to participate in the meeting in São Paulo. Of the more than 800 applications received from civil society and the private sector, the organisers selected more than half of them based on a balance of gender, geography and stakeholder group.

While the NETmundial meeting was regarded a resounding success, it is fundamental to take advantage of the momentum and implement the Internet principles on a global scale. Otherwise, the credibility of this Internet Human Rights Charter and the innovative organisation of the whole meeting could be seriously damaged. Since Brazil's Regulatory Framework, the guiding example for the Brazilian organisers of the NETmundial, was adopted in 2014, its regulation and implementation have been slow and, in some parts, non-existent which puts in danger the credibility of the whole framework.[103]

With authoritarian countries like China and Russia clamping down on internet freedoms, the broadened surveillance culture in Western countries and the unchecked power of big US-based corporations like Google or Facebook, it will be an extraordinary challenge to implement the new Internet principles. At least, with these global principles in place civil society actors and progressive states have an additional tool at their disposal to exercise

pressure, promote Internet freedoms and hold other actors accountable. And Brazil can be considered a progressive state here. In the UN Human Rights Council in late 2014, a Brazilian-German initiative was responsible for the creation of the post of a Special Rapporteur on the Right to Privacy in the Digital Age with the mission to collect information on the situation of digital privacy around the world.[104] This initiative is certainly a first step forward in the implementation of the Internet Human Rights Charter. Within Brazil, the Regulatory Framework and the NETmundial Principles serve civil society actors as convenient tools to keep their pressure high and name and shame the government for inaction or false promises which may be very damaging to the government's international prestige gained from the adoption of its Regulatory Framework and the organisation of the NETmundial meeting.

Notes

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