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**IRIS Recommendations for NGOs Participation**

The legitimacy of NGOs participation is multiform. An active and equitable participation of NGOs is desirable considering the specific principles of legitimacy they can refer to: expertise, practical experience, raising awareness capacity, defense of “public interest” principles, and so on. IRIS suggests in this document minimal guiding principles, then practical ways for their implementation, for an the purpose of active and equitable participation of NGOs to the WSIS.

**I. Guiding principles**

NGOs participation should at least meet the following conditions:

**1/ Accreditation procedure must be replaced by simple registration.**

NGOs registration to the WSIS must be automatically accepted, i.e. without prior agreement of any Government or other entity. Hence, the very concept of “accreditation” must be replaced by that of “registration”. If a Government or any other entity asks for the exclusion of an NGO, it should publicly explain the reasons of this request which should eventually be refused or accepted by the other NGOs according to duly detailed reasons.

**2/ Full transparency in the access to information should be guaranteed.**

The conditions of access and dissemination of the documents related to the WSIS should be clearly defined by the adoption of explicit and precise directives, in close cooperation and with the explicit agreement of the NGOs. Those must in particular stipulate that all information related to the WSIS must be published, except in duly justified, exceptional cases.

**3/ NGOs involvement in the WSIS process should be maximal, except for voting rights.**

The active participation of NGOs should result in a direct implication in the definition of the issues, the formulation of proposals and the control of the application of the decisions. On the other hand, this participation should by no mean be justified by an attempt from the NGOs to shrink the prerogatives of the States for their own benefit and a fortiori for that of the private sector. Hence, the NGOS as well as the private sector should not be allowed to be part of the decision making process.

**4/ NGOs endorsement of any final resolution should be subject to their explicit agreement.**

The absence of formal capacity in the decision making process entails in return that the NGO delegates should not necessarily have to officially endorse the statement of principles and action plan of the WSIS, which should eventually rest with the single responsibility of the States which are the only ones having the required legitimacy to decide in the name of and to be accountable to their population.

**5/ Any idea of “representativeness of civil society” should absolutely be banished.**

Since the participants of the civil society cannot take advantage of any kind of legitimacy in terms of representativity, the use of the expression “representatives of the civil society” should imperatively be banished. One should use expressions like “participants of the civil society”, “members of the civil society”, or “actors of the civil society”.

## **6/ The public interests must prevail over the private interests.**

As for the participation of the private sector, it always must be accompanied by the recall of this famous quotation of Adam Smith: *“The proposal of any new law or regulation of commerce which comes from this order [The merchants and manufacturers], ought always to be listened to with great precaution, and ought never to be adopted till after having been long and carefully examined, not only with the most scrupulous, but with the most suspicious attention. It comes from an order of men, whose interest is never exactly the same with that of the public, who have generally an interest to deceive and even to oppress the public, and who accordingly have, upon many occasions, both deceived and oppressed it.”*

## **II/ Practical ways of implementation**

Participation to the WSIS should automatically give the NGOs the possibility to:

1/ Define themselves the shape of their group and the criteria to be met to be part of it. For example, they should be able to exclude non-profit organizations explicitly representing the interests of the private sector as well as NGOs advocating values they consider as contrary to the Universal Declaration of Human Rights;

2/ Be systematically informed of the agenda, the course and the content of every meeting, plenary or specialized, formal or informal, for dialogue or negotiation;

3/ Receive the whole documentation related to the WSIS, before, during and after all the meetings in enough quantity, in one of the official languages of their choice and in a non-proprietary format in the case of electronic diffusion;

4/ Choose themselves their members who will actively participate on an equal footing with the States in every meeting, plenary or specialized, formal or informal, for dialogue or negotiation;

5/ Make oral statement in the plenary sessions and disseminate written statements in one of the official languages of their choice with automatic access to the diffusion and translation services of the WSIS in every meeting, plenary or specialized, formal or informal, for dialogue or negotiation;

6/ Chair and co-chair the aforementioned meetings and other working groups;

7/ Propose amendments, without having voting rights which must remain the prerogative of the States ultimately accountable for the final resolutions of the WSIS;

8/ Refuse the responsibility to officially endorse the final resolutions of the WSIS in the case, that cannot be ignored, they do not represent an acceptable compromise in spite of all the efforts made by everyone in finding a final consensus;

9/ Have access to a direct financial support managed by the Executive Secretariat of the WSIS according to transparent procedural rules, giving priority to NGOs from the South so as to allow them to take part in the WSIS in as far as possible the same conditions as the other NGOs. A financial support, supplied by the States of the North and the private sector in proportion to their respective budget, must be created for this purpose by the Secretariat. It also must function according to transparent rules of procedure.

## **Annex: About IRIS**

IRIS (Imaginons un réseau Internet solidaire) is a non profit French NGO founded in October 1997. IRIS objectives are the promotion of a public service infrastructure for permanent connectivity to the Internet, the action in favor of Free speech and privacy, and the promotion of a non-commercial Internet. In France, IRIS is a member of the DELIS coalition (Droits et libertés face à l'informatisation de la société: [www.delis.sgdg.org](http://www.delis.sgdg.org)), and of the R@S (Réseau associatif et syndical: [www.ras.eu.org](http://www.ras.eu.org)). At the European level, IRIS is a founding member of the EDRi federation (European Digital Rights: [www.edri.org](http://www.edri.org)). At the international level, IRIS is a member of the GILC coalition (Global Internet Liberty Campaign: [www.gilc.org](http://www.gilc.org)). IRIS is active at the national level (institutional hearings and consultations, raising awareness of NGOs and trade-unions with regards to political and social stakes of the Internet, publishing analyses and reports, participating in conferences,...), at the European level (working groups of the European Commission on illegal and harmful content and on cybercrime) and at the international level, mainly through the GILC coalition. More information are available on IRIS web site.