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A special edition of GISWatch, "Internet governance from the edges: NRIs in their own words", is being published as a companion edition to the 2017 GISWatch annual report. It looks at the history, challenges and achievements of NRIs, as recounted by their organisers. It is available at https://www.giswatch.org

SERBIA

NO CONNECTION

SHARE Foundation
Djordje Krivokapic, Andrej Petrovski and Bojan Perkov
shareconference.net

Introduction

The internet in Serbia is still relatively unregulated and free of restrictions – at least compared to other areas of regulation. But the vacuum when it comes to internet governance in the country needs to change: currently a candidate state negotiating for accession to the European Union (EU),[1] Serbia has the opportunity – even the necessity – to become involved in regional and global internet governance processes. Even though it seems that Serbia still has a long way to go to become a member of the EU, internet governance should not be left up to the dictates of the EU alone.

At the moment only a handful of civil society organisations and missions of international organisations to Serbia are dedicated to the global internet governance dialogue. Serbia generally lacks a long-term internet policy strategy, with the exception of the recent Strategy for Information Security 2017-2020, which was adopted in May 2017 without public consultations on the draft text.[2] Senior officials of government institutions are usually not present at Internet Governance Forums (IGFs), which gives the impression that these issues are not considered a priority in a country which still has to do a lot when it comes to the digitisation of society.

Policy and political background

Having started negotiations for membership in the EU, Serbia has a relatively clear future for its foreign policy dynamics. However, pressures on independent media, investigative journalists, government critics and members of opposition parties are still very much present. In this situation, with the exception of a few media outlets which are not that influential, the internet has become one of the few places where citizens and journalists can voice their criticism of the government. So far, the government has not taken any major steps towards controlling and censoring the internet, such as total internet shutdowns or blocking access to popular social media and communication platforms through technical means.

As far as the multistakeholder approach to internet policy and governance goes, the main actors promoting internet governance topics and working on policy recommendations are representatives of civil society – e.g. DiploFoundation,[3] the Serbian National Internet Domain Registry,[4] the Geneva Centre for the Democratic Control of Armed Forces[5] – and international organisations represented by their missions to Serbia, such as the Organization for Security and Co-operation in Europe (OSCE).[6] Both are mostly focused on cybersecurity and domain name system-related issues, but nevertheless play an important role in advancing the internet governance agenda not only in discussions with the government, but also at an international level.

Lack of governmental involvement in the internet governance dialogue

It should be noted that when it comes to international cooperation and forums related to internet governance, the lack of interest of the government can be seen in the lack of official representation of Serbia at these events, including the global IGF. The IGF in Guadalajara, Mexico[7] in December 2016 was one more example of an internet governance event that was practically neglected by the Serbian government. At a time when the future shape of the internet is being decided, it is more important than ever that governments not only discuss possible internet policies, but also work together on implementing them. On the path towards full EU membership, Serbia will need to adjust its policies related to internet governance and the information society in general to those of the EU. The readiness of the government to engage in internet governance

1 European Union. (2017). Candidate countries and potential candidates. www.ec.europa.eu/environment/enlarg/candidates

2 SHARE Foundation. (2017, 30 May). Strategy for Information Security adopted without a public discussion. Available in Serbian: www.shareconference.net/sh/vesti/strategija-informacione-bezbednosti-usvojena-bez-javne-rasprave

3 www.diplomacy.edu

4 www.rnids.rs/en

5 www.dcaf.ch

6 www.osce.org/mission-to-serbia

7 www.igf2016.mx

issues will also encourage other stakeholders in Serbia to get involved, such as the private information and communications technology (ICT) sector, which contributes significantly to the Serbian economy.

Government policy initiatives focused on internet governance in Serbia are usually related to the technical aspects of the internet and to cybersecurity, where the state institutions involved are the Ministry of Trade, Tourism and Telecommunications (MTTT)[8] and the Regulatory Agency for Electronic Communications and Postal Services (RATEL).[9] There is, moreover, little interaction between the different stakeholders on policy, apart from public consultations announced by state institutions when a draft law or policy document is available.

The Strategy for Information Security 2017-2020,[10] which was adopted by the government without any consultation with civil society, industry, academia and other actors, is an example of a strategic document being adopted with key stakeholders being left out of the process. The government of Serbia has six months to adopt the action plan which will be used for implementing the strategy, and it remains to be seen whether or not the action plan will be published for public consultations. SHARE Foundation has called upon the government to publish the draft text of the action plan and open it for public consultations in order to make the process more inclusive for all stakeholders. What is also interesting is the fact that the strategy was not used to push through a certain government agenda that could possibly undermine internet freedom, therefore making the exclusion of other stakeholders from the decision-making process even stranger.

Michael Oghia, an independent internet governance consultant and researcher currently working in Belgrade, the capital of Serbia, says that it is not that some stakeholders are excluded, but many in his view do not even want to join the conversation out of a lack of desire or interest. "They see such conversations as irrelevant outside of government, i.e. the [government's] lack of support for the multistakeholder model. There are a lot of power dynamics involved and politics of course, much of which is personal," he concluded.[11]

There are examples of good practices for discussion forums on internet governance and policy where the representatives of Serbian government institutions (such as the MTTT, RATEL and the Ministry of Interior) have participated with experts, civil society organisations and the tech industry. These include the Cyber Security Meetups[12] co-organised by SHARE Foundation. Three Meetups in total were held in Belgrade from November 2016 to May 2017, covering various topics on cybersecurity and other internet policy issues. The feedback was very positive, as the events attracted around 150 participants from the tech community, civil society, media, and business sector, as well as public institutions and regulatory bodies. Discussion in such a multistakeholder arena is important, given that Serbia has just recently created the legal framework for information security. As it is relatively "new territory" not just for the public sector, but also for private companies, Cyber Security Meetups proved to be a very inclusive forum for all stakeholders to voice their concerns and propose possible solutions to issues such as implementation of the Law on Information Security,[13] which was adopted in 2016.

At the moment, there is no official IGF being organised in Serbia, which also hinders the promotion of multistakeholder dialogue. However, as Vladimir Radunovic from DiploFoundation noted, Serbia was the official host of the European Dialogue on Internet Governance (EuroDIG)[14] in 2011. That same year, the Internet Dialogue of Serbia was organised, and, as Radunovic points out, served as the first and only national IGF in Serbia.[15]

There are a lot of interested actors with knowledge, expertise and good international connections, but it seems that at the moment no one is willing to take the internet governance discussion to the next level in Serbia. Experience from neighbouring countries and former republics of Yugoslavia (e.g. Bosnia and Herzegovina, Croatia, Slovenia)[16] that have organised IGFs can be useful for a future national IGF in Serbia. Even though there seem to be no big obstacles for cooperation between stakeholders on the national level, especially the government and civil society, we still do not have an IGF Serbia in

8 www.mtt.gov.rs/en

9 www.ratel.rs

10 The strategy is available in Serbian: www.srbija.gov.rs/extfile/sr/294088/strategija-razvoja-informacione-bezbednostio55_cyr.zip

11 Email interview with Michael Oghia, 28 August 2017.

12 For a report relating to one of the Meetups, see: SHARE Foundation. (2017, 21 February). Fines for breaching the Law on Information Security will go up to 2 million Serbian dinars. Available in Serbian: www.shareconference.net/sh/vesti/kazne-do-2-miliona-dinara-zbog-nepostovanja-zakona-o-informacionoj-bezbednosti

13 Available in Serbian: www.paragraf.rs/propisi/zakon_o_informacionoj_bezbednosti.html

14 EuroDIG 2011 Belgrade: www.eurodig.org/index.php?id=548

15 Email interview with Vladimir Radunovic, 31 August 2017.

16 For more information on national IGF initiatives in South Eastern Europe and the neighbouring area, see: www.seedig.net/national-igf-initiatives

sight. "Establishing a national IGF in Serbia has been a nightmare, but I haven't been directly involved with the planning and conversation, so I am not sure why or whom to blame," says Oghia. "However, SEEDIG [South Eastern European Dialogue on Internet Governance] in general has been a huge success, especially for the region in general. I know individuals in Serbia have participated and been actively involved, but I'm not sure how invested the government is," he added.[17]

SEEDIG[18] is a sub-regional space for dialogue on internet governance issues between stakeholders from South Eastern Europe and the neighbouring area, and is recognised by the global IGF. In 2017 the meeting was held in Ohrid, Macedonia, with representatives from a total of 24 countries. It is interesting to note that according to SEEDIG 2017 participant statistics, 33% of them were from governments, followed by civil society and the private sector.[19]

Regional reflection

Even though a national IGF still seems far away in Serbia, it is important to learn from the experience of events such as SEEDIG and national IGFs in the region. "The influence has mainly been to bring the various actors within the region together to have a common dialogue and avoid politics as much as possible. It's definitely been great for the different stakeholders to connect, and it's one of the few spaces where important internet-related issues are being discussed in South Eastern Europe," Oghia says.

For example, an important lesson from SEEDIG concerns cybersecurity. As cybersecurity laws and strategies differ from one country to another, it was suggested that engagement of different stakeholders in high-level discussions could be a solution, together with the synchronisation of national policies.[20] Unfortunately, governments in the region still have many political differences, which makes cooperation in internet governance matters harder to achieve; but as most of the countries in the region have taken a course towards joining the EU or are already EU member states, such as Croatia, the situation should improve.

Conclusions

Bearing in mind all that we have described, there are small branches of the Serbian government willing to take part in internet governance discussions with relevant stakeholders, but currently civil society and the tech community are the ones leading these processes. In order to make the process of negotiating internet governance and policy more inclusive, transparent and open, the government should learn from regional events such as SEEDIG and connect with relevant stakeholders from the region, particularly with other competent ministries and regulatory bodies. If Serbia is not adequately represented at these forums by its government officials, it might risk falling behind in developing strong policies to build a digital society. This is also very important because of the growth of the IT industry and e-government services in the country. The EU integration process also requires adapting national legislation and policies to a common framework, which cannot be achieved without the government as a whole playing an active role.

Action steps

Here are the possible action steps for civil society in advancing the discussion on internet governance in Serbia:

- Insist on public consultations for every law and policy document that the government drafts. These documents should be open for comments from all stakeholders, and relevant stakeholders should be included in working groups drafting laws and policy documents.
- Make a joint effort to have high-ranking state officials participate at events where internet governance topics relevant to Serbia are discussed.
- Make sure to educate government officials on the importance of participating at global and regional IGF events and representing Serbia.
- Work together with government institutions, the tech community, academia and the private sector on organising a national IGF in Serbia.

17 Email interview with Michael Oghia, 28 August 2017. RATEL representatives were present at SEEDIG.

18 www.seedig.net

19 SEEDIG 2017 attendance statistics: www.seedig.net/seedig-2017-attendance-statistics

20 South Eastern European Dialogue on Internet Governance. (2017). *Digital development: Turning challenges into opportunities – Annual report 2017*. www.seedig.net/wp-content/uploads/2017/09/SEEDIG_Annual_report_2017_final.pdf

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National and Regional Internet Governance Forum Initiatives (NRIs)

National and Regional Internet Governance Forum Initiatives (NRIs) are now widely recognised as a vital element of the Internet Governance Forum (IGF) process. In fact, they are seen to be the key to the sustainability and ongoing evolution of collaborative, inclusive and multistakeholder approaches to internet policy development and implementation.

A total of 54 reports on NRIs are gathered in this year's Global Information Society Watch (GISWatch). These include 40 country reports from contexts as diverse as the United States, the Democratic Republic of Congo, Bosnia and Herzegovina, Italy, Pakistan, the Republic of Korea and Colombia.

The country reports are rich in approach and style and highlight several challenges faced by activists organising and participating in national IGFs, including broadening stakeholder participation, capacity building, the unsettled role of governments, and impact.

Seven regional reports analyse the impact of regional IGFs, their evolution and challenges, and the risks they still need to take to shift governance to the next level, while seven thematic reports offer critical perspectives on NRIs as well as mapping initiatives globally.

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