



Looking Back; Looking Forward

On the first anniversary of our launch, the Global Network Initiative (GNI) marks this important milestone by reflecting on our progress to date and outlining our top priorities for the coming year.

Companies in the Information and Communications Technology (ICT) sector continue to face increasing government pressure to comply with domestic laws and policies that may conflict with the internationally recognized human rights of freedom of expression and privacy. The GNI has made important progress in its efforts to strengthen its collaborative approach and global multi-stakeholder engagement with these issues.

One year on, this summary provides a brief description of the progress made by the GNI during this time and sets out the key priorities for the coming months. This update is divided into five main parts:

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PART ONE:

A Brief History of the Global Network Initiative

In an effort to protect and advance the human rights of freedom of expression and privacy around the world, a diverse coalition of leading Information and Communications Technology (ICT) companies, academics, investors and NGOs launched the Global Network Initiative in October 2008.

The GNI was launched in the 60th Anniversary year of the Universal Declaration of Human Rights and was founded on the internationally recognized laws and standards for human rights on freedom of expression and privacy set out in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights. The GNI is based on three core foundational documents:

- The **GNI Principles** state the overarching commitment of the GNI's members to collaborate in the advancement of user rights to freedom of expression and privacy. The Principles provide high-level guidance to the ICT industry on how to respect, protect and advance freedom of expression and privacy, including when faced with government demands for censorship and disclosure of users' personal information.
<http://www.globalnetworkinitiative.org/principles/index.php>
- The **GNI Implementation Guidelines** provide more detailed guidance to ICT companies on how to put the Principles into practice, and also provide the framework for collaboration among companies, NGOs, investors and academics. The guidelines will be regularly reviewed and revised to take into account actual experience, evolving circumstances and stakeholder feedback.
<http://www.globalnetworkinitiative.org/implementationguidelines/index.php>
- The **GNI Governance, Accountability & Learning Framework** sets out a multi-stakeholder governance structure, goals for collaboration and a system of company accountability to support the Principles, maximize opportunities for learning and ensure the integrity and efficacy of the Initiative.
<http://www.globalnetworkinitiative.org/governanceframework/index.php>

The three founding member companies – Google, Microsoft and Yahoo! – are in the process of implementing their commitments under the GNI framework. The multi-stakeholder participants in the GNI have made progress establishing its organization and collaborating in an active public dialogue to advance the goals of the GNI.

PART TWO:

Shared Learning and Implementation Tools

A key commitment made by the members of the GNI has been to develop collaborative strategies that advance the Principles through shared learning and the creation of tools and approaches that help companies limit restrictions to freedom of expression and privacy.

Human Rights Impact Assessments

Over the past year the GNI has developed a Human Rights Impact Assessment (HRIA) tool designed to help companies identify circumstances where freedom of expression and privacy may be jeopardized or advanced, and, armed with this insight, develop appropriate risk mitigation strategies. This tool has taken as its foundation methodologies previously developed by other industries (such as mining or manufacturing) and tailored them for the specific circumstances and scenarios faced by ICT companies.

Specifically, the purpose of the HRIA tool is to enable a company to assess how a proposed activity might affect human rights before the activity occurs in order to mitigate negative impacts and enhance positive ones. The HRIA does this through a set of questions – written specifically for the ICT industry – that enable companies to better understand the human rights risks and opportunities of their business decisions. The HRIA has been developed with different business scenarios in mind since every company has its own unique range of products, services, technologies and locations.

The HRIA is a working document that will grow over time and expand with experience. Over the coming year the HRIA will be refined based on the experience of the GNI's member companies and may be expanded to suit the range of human rights scenarios faced by hardware, software and telecommunications companies. The HRIA is available on a Wiki for all members of the GNI to use.

Shared Learning

In addition to the HRIA, members of the GNI have been actively sharing approaches to the implementation of the Principles and discussing how to address live issues as they arise. During the past year, discussions have taken place among companies and stakeholders on the following topics:

- Real and potential restrictions to freedom of expression in multiple locations around the world, including Argentina, Australia, Thailand, Malaysia, Vietnam, China, Moldova, Russia, Egypt, Iran, Turkey, Korea, Zimbabwe and Italy.
- Approaches to collaboration with law enforcement agencies in multiple locations around the world, including Belgium, the USA, China and Argentina.
- The use of Internet and telecommunications services during the elections in Iran.
- The Green Dam/Youth Escort software proposals in China.

When news of the Chinese Government's directive requiring computer manufacturers to install the Green Dam/Youth Escort content control software on personal computers produced or sold in China emerged in June, the GNI swiftly responded. By actively monitoring developments and utilizing its multi-stakeholder framework to engage participants and external experts on the issue, the GNI was able to respond to the significant challenges raised for companies in the technology sector, who have a responsibility to respect human rights and user choice. Members shared information, leveraging the expertise of companies, who were on the frontlines of the mandate; human rights organizations, who were able to provide on-the-ground perspective on emerging developments and opportunities for pushback; academic institutions, who led a technical analysis of the software; and many others. The GNI published a collective statement on the issue (http://www.globalnetworkinitiative.org/issues/Manufacturing_and_Software.php) and participants expressed views independently within their specific areas of expertise.

Key outcomes of the GNI's collaboration on the issue were a web-based set of independent resources on the topic and extensive engagement with manufacturing and software companies (for whom the Principles are relevant) around policy and mitigation strategies. The Green Dam issue highlights the GNI's capacity to respond to emerging issues in a timely fashion and its ability to provide operational guidance on human rights issues in a collaborative setting. While we continue to monitor the situation closely, Chinese officials later announced that Green Dam installation would no longer be mandatory for general consumers.

In many instances this shared learning has led to both individual and collaborative efforts to promote the adoption of laws, policies and practices that protect, respect and fulfill freedom of expression and privacy in these locations. Our work has also led to the creation of public issue statements and briefs, some of which we are developing into more comprehensive learning and policy briefs.

Over the coming year, the GNI will continue to monitor live threats to freedom of expression and privacy, share perspectives, and develop strategic approaches to shared challenges.

PART THREE:

Public Dialogue and Outreach

The GNI is actively seeking to extend the number of organizations from around the world supporting the Principles and Implementation Guidelines so that these documents can take root as a global standard. With this goal in mind the GNI and its participants have undertaken a series of activities to raise the profile of the Principles and to promote approaches to public policy and lawmaking that support online freedom of expression and privacy.

Public Dialogue

The GNI has either hosted or participated in a large number of events designed to promote approaches consistent with its Principles. This has included:

- Holding panel-based dialogues at a number of influential venues and conferences, including
 - The International Seminar on Business and Human Rights, held to mark the 60th anniversary of the UDHR, http://www.globalnetworkinitiative.org/newsandevents/Global_Network_Initiative_Public_Forum.php,
 - A briefing to update members of the U.S. Congress on GNI's progress and multi-stakeholder approach,
 - The conference on "Soul of the New Machine: Human Rights, Technology & New Media" at the Human Rights Center at UC Berkeley, http://www.globalnetworkinitiative.org/newsandevents/Soul_of_the_New_Machine_Panel.php,
 - The Yahoo! Business and Human Rights Summit, http://www.globalnetworkinitiative.org/newsandevents/Yahoo_Summit.php, and
 - The 7th Chinese Internet Research Conference, hosted by the Annenberg School for Communication at the University of Pennsylvania, <http://www.globalnetworkinitiative.org/newsandevents/CIRC09.php>.
- Undertaken discussions to understand the synergy between the GNI's Principles and approaches taken by other prominent organizations on relevant topics, including the Council of Europe's Guidelines on Cooperation with Law Enforcement Agencies and the Family Online Safety Institute.

Public Statements

There are many organizations around the world that are increasingly looking to the GNI as an organization with thoughtful, principled and informed perspectives on threats to freedom of expression and privacy. For this reason, over the past year the GNI has issued public statements on the blocking of user generated content, the Green Dam/ Youth Escort proposals in China, and intermediary liability for carriers and publishers of user generated content.

New Member Outreach

For the GNI Principles to take root as the global standard for corporate responsibility with respect to freedom of expression and privacy, we need a much wider set of stakeholders adopting and implementing the Principles, both company and non-company. With this in mind, the GNI has undertaken a substantial program of outreach to introduce the GNI to companies from across the ICT industry, including Internet, telecommunications, equipment manufacturing and consumer electronics companies. In September 2009, the GNI held an Open House in Washington, DC and San Francisco to introduce the GNI to over twenty ICT companies, and undertook a similar event in Singapore in late 2009.

Adapting the Principles and Implementation Guidelines

While the GNI Principles and Implementation Guidelines apply in current form directly to companies across the ICT industry, there is also an opportunity to develop the GNI's guiding documents for aspects such as sales of equipment, software, or services to governments and in areas related to government mandates for the modification of equipment or the installation of software. For this reason the GNI is convening a working group to explore how the current GNI documents can be further developed to expand GNI participation and assist other companies in their efforts to protect freedom of expression and privacy.

PART FOUR:

Governance and Accountability

At the launch of the GNI, stakeholders emphasized the need for a multi-stakeholder governance structure and a system of accountability to support the Principles. A major activity during the first year of the GNI has been to draft and agree a formal Governance Charter to put this structure in place, as well as establishing other elements required for an effective organization capable of supporting the goals set out in the Principles and Implementation Guidelines.

Governance Charter

The GNI is on the verge of adopting and publishing a detailed Governance Charter that will set out the GNI's governance structure and key organizational elements. Key content areas include:

- Board composition and operating procedures
- GNI Staffing
- Roles and responsibilities of GNI participants
- How the independent assessment process will work, and how independent assessors will be selected
- A reporting framework

Executive Director

In parallel with the creation of a Governance Charter the GNI has been actively recruiting for an Executive Director to lead the work of the GNI and to be responsible for key tasks and milestones associated with the establishment and operation of the organization. A wide range of highly qualified candidates have applied and the GNI expects to make an announcement before the end of 2009.

Board

The GNI's Board will be composed of eight representatives from participating companies, four representatives from participating NGOs, two representatives from participating academic organizations, two representatives from participating investor organizations, and an independent Chair. The participating organizations are currently selecting their representatives and the Board will be seated before the end of 2009. The GNI is also actively recruiting the independent Chair to help shape the strategic vision of the organization.

PART FIVE:

Looking Ahead

These achievements notwithstanding, there remains a great deal of work ahead. As participating companies continue to implement the Principles, both companies and non-companies are preparing for the first round of independent assessments of their implementation of the GNI Principles and Implementation Guidelines in 2011. New member outreach is also a priority for the coming year. Achieving our core objective requires adoption and implementation of the Principles by many more company and non-company stakeholders alike.

In addition, participants will continue to leverage the GNI's platform for collaboration and collective action to participate in ongoing policy discussions and develop the GNI into a respected and leading voice on our issues around the world. Finally, we are continuing to develop the GNI's organizational structure and internal capacity in order to more fully achieve the Initiative's ambitious and far-reaching goals.

Through the implementation of the Principles, our learning program, and our governance and accountability action plan, we continue to sharpen and give life to the Principles themselves, and develop thoughtful perspectives – informed by our collective experience – on threats to freedom of expression and privacy. As we continue to expand our network and build our shared learning and public dialogue platforms, we welcome new members and continued engagement with all stakeholders who share the goal of protecting and advancing freedom of expression and privacy in the ICT sector around the globe.

Announcements List: <http://list.globalnetworkinitiative.org/>

Contact Us: <http://www.globalnetworkinitiative.org/contact/index.php>