

This document was developed in 2018 by the FOC-AN, and approved by the FOC Steering Committee [then Friends of the Chair], to establish the Terms of Reference of the FOC-AN. The document was updated in 2024 to reflect the revisions made in the FOC Terms of Reference, and elaborate on the FOC-AN elections criteria.

1. Introduction

The Freedom Online Coalition (FOC) is a group of countries (each a Member) committed to the human rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights and to upholding their respective obligations under the international human rights treaties to which they are a party. The FOC believes that the human rights that people have offline must also be protected online. The Coalition serves as a coordinating body that advances cross-regional diplomacy and commits to working together, and with all others who share these views, including through multistakeholder engagement, to support Internet freedom and protect human rights online worldwide.

The Members welcome the participation and contributions of non-state Internet stakeholders in the work of the FOC. Such participation will primarily be channeled through the **FOC Advisory Network (FOC-AN)**. The FOC-AN is a platform for multistakeholder dialogue which, independently of FOC members, provides advice on the work of the FOC, organizes multistakeholder collaboration around FOC activities and explores possibilities for cooperation. By joining the FOC-AN, its participants agree to abide by and support the goals and principles enshrined in FOC foundational documents¹. Participation in the FOC-AN is not a prerequisite for participation in FO Conferences and other events for non-state Internet stakeholders.

2. Mandate (as specified in the FOC Terms of Reference)

The objectives of the FOC-AN are:

- To serve as a mechanism for multistakeholder advice on the aims, objectives and activities of the FOC, and pertinent issues related to human rights online;
- To support the FOC's mission of advancing human rights online through stakeholder engagement;
- To be instrumental in ensuring multistakeholder engagement in the planning and organization of, and participate in FO Conferences, as well as other FOC events and meetings.

Specifically, as per the FOC Terms of Reference, the FOC-AN:

- Is encouraged to regularly collaborate with other FOC entities (section IV, FOCToR) and communicate with FOC Members.
- Is invited to provide advice and recommendations on any and all substantive issues, procedures, and other relevant matters within the FOC's mandate (section IV.e., FOC ToR).
- Is invited to contribute to and participate in FOC sub-entities that make recommendations to the FOC (section IV.f., FOC ToR).
- Can recommend topics for development of FOC statements, and will be offered an opportunity to provide input during the drafting process (section V.a.1., FOC ToR).
- Is invited to participate in FOC annual conferences/meetings/events (section V.b. ToR).
- Can assist with planning, organization, and dissemination of information on FO conferences, as well

¹ See **FOC Terms of Reference** for a list of FOC foundational documents and mission statement.



as other FOC events, meetings and processes, as appropriate (Section V.b.ToR).

3. Composition, Appointment and Term

The FOC-AN consists of (up to) 30 participants² representing non-state Internet stakeholders, including civil society, businesses, academics, technical organizations, and other experts seeking to promote and protect human rights and fundamental freedoms online.

The first FOC-AN cohort was selected by the FOC-AN Chartering Group³ through an open application process administered by the FOC Support Unit, guided by stakeholder group balance, gender balance, geographic balance, commitment to the values of the FOC and relevant expertise.

FOC-AN members shall initially serve for a two-year term, with the possibility of renewal.

FOC-AN cohorts are selected through a process based on criteria⁴ developed by the first FOC-AN cohort and the Steering Committee (formerly the Friends of the Chair). In addition to these criteria, the selection process will be in line with the Coalition's mission of promoting human rights, diversity, equity, inclusion, and accessibility, shall take into account the need to guarantee appropriate rotation and diversification of membership, and to enhance continuity and institutional memory through putting in place staggered membership terms. The FOC Steering Committee shall be notified of the outcome of the FOC-AN selection process.

The term limits and selection criteria for FOC-AN Members of subsequent cohorts are further elaborated in the FOC-AN Rules of Procedure⁵.

Membership of the FOC-AN will be published on the Coalition website. Members can terminate their membership through informing the co-Chairs and addressing the Support Unit with a short written statement.

4. Day to Day Management and Working Modalities

The FOC-AN shall function primarily through online means of communication and coordination.

The day-to-day management of the FOC-AN will be the responsibility of up to three (3) non-governmental co-Chairs. The FOC-AN co-Chairs will be elected for renewable annual terms by the FOC-AN. The co-Chairs shall be from different stakeholder groups and regions and their selection shall reflect gender balance and

² Participants will serve in either individual or organisational capacity, where one organisation counts as one participant.

³ To assist the Coalition in setting up the Advisory Network and developing its draft terms of reference, the FOC Steering Committee (formerly the Friends of the Chair) established an ad hoc Advisory Network Chartering Group (CG) comprised of Matthew Shears (former co-chair of FOC working Group 1), Katharine Kendrick (former co-chair of FOC Working Group 3), and the governments of Costa Rica, Finland and Germany.

⁴ The criteria are motivation, relevance of experience, and previous engagement with the FOC, while an additional score was given to candidates from global South countries.

⁵ The FOC-AN Rules of Procedure have been developed by the members of the FOC-AN as a complement to its Terms of Reference. Its aim is to provide guidance to FOC-AN members on the group's working modalities and internal protocols, and to help guide its interactions with other stakeholders.



aim at maximizing diversity. Any FOC-AN member can be nominated or self-nominate for the role of FOC-AN co-Chair.

The primary role of the co-Chairs is to act as neutral facilitators of the FOC-AN as a whole, ensuring that the diversity of views is duly solicited and reflected in any FOC-AN outcomes and outputs.

The co-Chairs shall, inter alia, perform the following functions:

- Facilitating the development of FOC-AN contributions, recommendations and advice;
- Convening and chairing FOC-AN meetings and calls, setting agendas, and summarizing outcomes of FOC-AN deliberations;
- Monitoring and encouraging engagement by all FOC-AN members;
- Managing the Joint FOC and FOC-AN Roundtables, including by setting agendas, chairing the calls, and helping summarize outcomes of deliberations.

Administrative support will be provided by the FOC Support Unit as needed.

5. Format of Contributions

The FOC-AN may provide two types of input in accordance with its mandate: 1) proactive advice and 2) advice by FOC request (reactive).

Proactive advice arrived at by consensus may be submitted to the FOC in writing at any time. Individual FOC-AN Members may share independent proactive input with the FOC during joint virtual and/or in-person meetings at FOC Strategy and Coordination Meetings, as well as on the sidelines of the FOConference or other international conferences (see Section 6).

An FOC request for advice shall clearly state the question, its scope and type of input requested, and state a clear deadline for input. The FOC-AN's response should be submitted in writing via the Support Unit, in form of concise text or in text comments. The FOC-AN may decide to submit a joint response or to facilitate input by individual members.

The advice provided by the FOC-AN shall be considered public unless otherwise specified by the FOC-AN or the Steering Committee. Should the subject of FOC-AN advice address or refer to FOC processes or discussions considered as internal or otherwise sensitive by the FOC, the respective FOC-AN advice shall assume the appropriate level of confidentiality. The relevant designation of confidentiality shall be provided by the FOC at the point when the respective information is first shared with the FOC-AN.

6. Relationship with the FOC

The FOC Chair, or another member of the Steering Committee, will be the primary contact point in questions relating to the functioning of the FOC-AN. The Support Unit will assist and facilitate where needed.

The primary means of coordination between the FOC-AN and the FOC will be joint FOC and FOC-AN meetings, open to all FOC-AN members. These meetings will be managed/facilitated by the FOC-AN co-Chairs and serve to exchange information, give and seek advice, and contribute to FOC activities. Where feasible, in-person meetings between the FOC and the FOC-AN shall be organised on the margins of international conferences/ events.

Any advice or recommendation made by the FOC-AN will be acknowledged within two working days of receipt and given due consideration. The outcome of the consideration will be communicated to the FOC-AN within a reasonable timeframe on behalf of FOC Members by the FOC Chair, Steering Committee,



or the Support Unit.

7. Member Roles & Responsibilities

Members are expected to play an active role in all FOC-AN communications. Members who cannot participate in a call or meeting, may nominate a substitute to participate in their stead.

Members who do not actively participate in meetings, emails, or other FOC-AN activities for a period of at least three months may be asked to step down by the FOC-AN co-Chairs and/or the Support Unit. A replacement will be found through an open application process developed and implemented by the FOC-AN, consistent with Section 3 above.

8. Amendments to the Terms of Reference

The FOC-AN Terms of Reference (ToR) can be reviewed by the FOC-AN as deemed appropriate. Suggested amendments to the FOC-AN ToR shall be agreed to by consensus by the FOC-AN and submitted to the FOC for consideration and sign off.

9. Funding

FOC-AN Members serve as non-remunerated volunteers. Reimbursement of FOC-AN members for any travel and lodging costs will be made on the basis of available funds and taking into account financial need. Funding allocation shall be administered by the FOC Support Unit.

