

THE WORLD SUMMIT ON THE INFORMATION SOCIETY

A MILESTONE IN THE NGO MOVEMENT

GENEVA
10-12 DECEMBER 2003

Rodrigo Osorio

GENEVA, MARCH 2004

Rodrigo Osorio, Assistant to the Legal Advisor at CASIN, prepared this report for the Programme on NGOs and Civil Society of the Centre for Applied Studies in International Negotiation.

The Programme on NGOs and Civil Society

Worldwide, the role of civil society has been increasing at rapid speed. Non-governmental organizations (NGOs) have become significant and influential players and generate much interest. Created in 1986, the Programme on Non-Governmental Organizations and Civil Society aims at contributing towards a better understanding of NGOs and the solutions of complex and conflictive societal problems involving NGOs.

Centre for Applied Studies in International Negotiations (CASIN)

Avenue de la Paix 7 bis,
P.O. Box 1340
1211 Geneva 1, Switzerland,
Tel. ++ 41/ 22 730 86 60; Fax. ++ 41/ 22 730 86 90
Email: casinfo@casin.ch / [http:// www.casin.ch](http://www.casin.ch)

The opinions expressed in this paper reflect only those of the author and not of the institutions to which he/she is or was affiliated.

Copyright CASIN, © March 2004

Introduction

Organised by the International Union of Telecommunications under the high patronage of the UN Secretary-General, the World Summit on the Information Society (WSIS) took place in Geneva from 10 to 12 December 2003.

The WSIS was proposed in 1998 by Tunisia and was convoked by General Assembly Resolution 56/183 in December 2001.

The aim of the first phase of the summit (the second one will take place from 16th to 18th November 2005 in Tunisia) was to bring together country leaders and encourage a political will to come up with a global plan to ensure everyone has access to information and communication technologies. It is meant to be a first step towards the narrowing of the digital divide between industrialised and developing countries.¹

The digital divide is not just a secondary manifestation of the economic and social differences between the North and the South. Information and knowledge is playing an increasingly important role in the 21st century society. The Summit brochure affirms that we are in the midst of “a revolution, perhaps the greatest humanity has ever known” from an industrial society towards an “information society”². Indeed, effective use of information has become a must for success in economics, politics and culture. Therefore, by boosting access to information and the use of communication technology, we might find the most appropriate way to speed economic, human and social development.

The shared goal of NGOs is to ensure that the WSIS maximises benefits for social, cultural, political and economic life and enhances human rights.

¹ According to the UN Human Development Report, less than 1 percent of people in South Asia are online and in the whole African continent there are less phones than in Manhattan.

² This idea comes from studies such as: Bell, Daniel, *The Coming of the Post-Industrial Society: A Venture in Social Forecasting*, Jarmondsworth: Penguin, 1973; Porat, Marc, *The Information Economy*, Stanford: Center for Interdisciplinary Research, 1976

The “New Dialogue”

The WSIS is extremely innovative in the way governments, civil society and business interact and exchange ideas and plans. Civil society, as well as individual private sector firms, are largely invited as active participants. In the first phase, NGOs were given the opportunity to submit written inputs during the preparatory process³ as well as extensive speaking slots at the end of each session of the General Debate. Also, the four high level round-tables were open to participants from civil society and private sector entities.

Observers talk about a “new dialogue” in the international multiparty arena. However, one cannot forget that this is not yet a tripartite system such as the one at the International Labour Organisation. At the end of the day, the status of civil society in any UN conference remains merely consultative. As clearly stated in ECOSOC Resolution 1996/31, entitled *Consultative relationship between the United Nations and non-governmental organizations*.

The key body that assures not only the effective participation of NGOs in the summit but also their coordination is the Civil Society Bureau. Created during the second session of PrepCom, it is composed of large families within civil society: NGOs, trade unions, media, local authorities, youth, indigenous people, etc.

The Bureau represents a turning point in the history of United Nations summits as it is the first time civil society has a mechanism that channels their ideas and proposals in a coordinated way and therefore facilitates the dialogue with governments. Even though the Earth Summit in Rio de Janeiro in 1992 marked a watershed in implementing modalities for civil society participation, i.e. the institutions of the Major Groups, the WSIS hosts for the first time a Bureau created beforehand, showing civil society’s effort to organise itself on a large scale.

In collaboration with the Civil Society Bureau, several working groups and caucuses were formed to work on content. These groups are a forum of discussion, lobbying and advocacy in subjects such as gender, copyrights and trademarks, environment, human rights and science. Through them, the WSIS would solicit input from NGOs in the form of declarations, recommendations or resolutions. The working groups are structured in two boards: the steering committee, which organises round tables, meetings and actions regarding their subject; and the

³ There were three preparatory commissions (known as the PrepCom) in July 2002, February 2003 and September 2003

advisory committee, which provides assistance to the steering committee and may include representatives from all the groups participating in the summit (governments, business, international organisations and NGOs).

This new organisation of civil society has facilitated the formation of many coalitions, where the 700 organisations from 130 countries seem to be learning to work together to achieve their common goals.

Media NGO Coalitions and Their Side Events

Besides the official general debate and working groups, more than a hundred side events organised by civil society took place during those days.

The NGO in charge of proposing, hosting and coordinating these side events was *Communica-ch*, a coalition of NGOs, associations and Swiss media working on themes connected to the information society. The main goals of this coalition are to pool knowledge and know-how on issues at stake during the WSIS and coordinate the work of civil society in order to prepare common proposals.

The following is a non-exhaustive list of the events of the main coalitions of NGOs dealing with media, information and communication technologies.

- The *Geneva 03* is an open, loose and temporary association of groups who, denouncing the limitations to freedom of expression in the summit and the deficiencies of the official agenda, prepared a series of events around the WSIS under the slogan *WSIS? We seize!*.

The *Geneva 03* group installed its headquarters in the *Usine* (an alternative cultural centre), eager to find ways of expression other than lobbying in the “corporative UN system”. They showed that independent groups have the ability to attain information autonomy, create their own media, build networks and communicate freely through their own means.

Debates, conferences and roundtables were held in the forum of the *Strategic Conference* on the 8th and 9th December. The conference was intended to allow everyone involved to explore and gain a better understanding of the key issues in information neglected by the WSIS, such as media concentration, expansive intellectual property regimes and migration.

The second major event was the *Polymedia Lab*, in the *Maison des Associations*. It was a space of experimentation and confrontation for alternative and grassroots communication projects. This counter event was characterised by its verticality, openness and creativity, as opposed to the hierarchy and exclusion of the official summit, felt by some. One of its main aims was to strengthen links between civil society organisations.

- The *Platform for Communication Rights* is a coalition of NGOs involved in media and communication projects around the world. It launched in November 2001 the *Communication Rights in the Information Society Campaign* (CRIS) aimed to enlarge the summit agenda and assure that communication rights remain central to the Summit. Some members of this platform are:

- *Association for Progressive Communications* (APC): a global network of civil society organisations whose mission is to provide communication technologies to social movements and individuals working for peace, development, human rights and environment. Their main activities are to disseminate information about telecommunications, promote Internet access and build capacity in developing countries to use new technology.
- *Panos UK*: a British charity association that promotes and enables media and communications environment worldwide. *Panos* believes that information and media pluralism is central to change and development. Therefore its mission is to provide or assure access to reliable information as well as to give marginalized groups the opportunity to be heard in the public arena and to be included within decision-making processes.
- *Heinrich Böll Foundation*: an independent foundation with the primary objective of promoting democratic involvement and political activism in order to stimulate socio-political reform. To attain this goal, the foundation organizes educational programs and supports groups and individuals shaping a more peaceful and just world and promoting respect for human rights.
- *People's Communication Charter* (PCC): member of the group *Voices 21*, an informal association of media activists, PCC is the first step in the development of a permanent movement concerned with the quality of the communication environment. The Charter states principles such as the right to access communication channels, the independence of media, the participation in decision making, etc. It also provides a forum to exchange opinions for those who want to be active and critical in the social reality.

The platform organised the *World Forum on Communication Rights*, held on 11th December 2003. The aim of this initiative was to bring together NGOs and governments in order to make progress in areas the Summit fails to cover, such as the links between communication and poverty, social exclusion, cultural diversity and human rights. The output of the four thematic sessions is the *Charter of Communication Rights*, not yet finalised.

- The *Community Media Forum* took place on 12th December 2003. It defended the role of community media as a useful way of creating a strong, socially responsible civil society. Due to its capacity to be a forum of cultural expression and discussion, community media is fundamental to democracy and even the reduction of poverty. Examples of the development achievements of media were shown through conferences and seminars. Also, the Forum discussed how to promote community media, i.e. providing affordable access to frequencies, professional training, technical assistance, etc.

The forum partners are: *Latin-American Association of Radiophone Education* (ALER), *World Association of Community Radio Broadcasters* (AMARC) and *Catholic Media Council* (CAMECO).

They all share more or less the same values with the common goal of supporting and contributing to the development of a participatory, educational and socially committed locally based media.

- The *Press Corner* was organised by the *Swiss Federation of journalists* and the *International Federation of Journalists* (IFJ) from the 9th to the 12th December 2003. It was meant to be an interface between press and summit and an opportunity for the public to meet experts on information issues, mainly freedom of press and expression.

IFJ is the world's largest organisation of journalists and represent their interests within the United Nations. It promotes international action to defend press freedom and condemns the use of media for propagandistic purposes. The IFJ preferred to create this event instead of signing up to the *Platform for Communication Rights* because some of its members proposed to entrusting governments with the management of information resources in the public interest. The IFJ experience has been that governmental control over information normally leads to violations of the freedom of expression.

- *Freedom in e-culture* was a one-day event (11 December) that hosted conferences and exhibitions about the experiences and models of solidarity movements through the Internet, such as the GNU project on Free Software.

The GNU project is sponsored by the *Free Software Foundation*, whose mandate is to preserve, protect and promote equal access to software. The foundation distributes copies of GNU Free Software, an operating system that gives the user freedom to run, study, copy, modify and redistribute it. Therefore, it has special advantages for developing countries such as low cost, easier creation of local language versions, adaptation to local cultures and capacity building.

- The *World Electronic Media Forum* brought media leaders together from the 9th to the 12th December to share their priorities and concerns, generate an action plan for broadcasters to meet the challenges of the digital world and develop concrete recommendations to be included in the WSIS.

Even though it was presented as a civil society event, it was conducted by the private sector, and civil society was only welcomed to assist. This is a clear example of the overlapping of the private sector and civil society groups. In fact, many NGOs denounce that business interests are represented twice in the Summit. Indeed, some firms participate in the conference both through the private sector group as well as through the civil society group, as a member of an association. This leads to confusion and damages the reputation of the civil society group, NGOs claim.

- A very controversial case was the one of *Reporters Sans Frontières* (RSF). The NGO that fights for the freedom of media saw its UN accreditation suspended for a year for throwing leaflets from the balconies during the UN High Commission for Human Rights in protest to the election of Libya as president of the Human Rights Commission. It was therefore excluded from participating in the summit. However, *Reporters Sans Frontières*, followed the events and decided to create a pirate radio station in the suburbs of Geneva called "*Radio Non Grata*", a forum for discussing the WSIS.

Principles defended by NGOs

Freedom of Expression

Despite of civil society insistence, human rights have not been comprehensively tackled during official events. However, in the side events questions such as freedom of expression, right to privacy or freedom of press were some of the main issues. Some NGOs (i.e. *Platform for Communication Rights*) even talked about the right to communicate, an issue which is still very controversial even among civil society.

Many of the NGOs gathered in the summit have as a priority goal the defence of the freedom of expression. For example, one of the activities of the *Association for Progressive Communications* is to ensure that censored information for political purposes remains in circulation in the Internet. For *Panos*, freedom of expression and media pluralism is essential on sustainable development.

The Civil Society Working Group stated during the PrepCom that the declaration should reaffirm art. 19 of the Universal Declaration of Human Rights⁴ and commit to its active enforcement. According to the Civil Society Declaration, *Shaping Information Societies for Human Needs*,⁵ freedom of expression implies pluralism of the sources of information and the media, press freedom and availability of the tools to access information and share knowledge.

This right is often in conflict with the government's legitimate interest to protect the public interest and consumers (i.e. the fight against the spread of spam, cyber-crime and pornography). Civil society does not deny this government's right but reminds them that any limitation of the freedom of expression must respect the rule of law. Therefore, there should not be prior censorship, arbitrary or abusive control, which may also encounter the right to privacy.⁶

⁴ Art. 19: "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers".

⁵ Unanimously adopted by the Civil Society Plenary on 8 December 2003 (Annexed)

⁶ Enshrined in art. 12 of the Universal Declaration of Human Rights

Cultural and Linguistic Diversity

According to the Civil Society Declaration, every culture has a dignity and value that must be respected and preserved, as they are the heritage of humankind.

Given that media plays a crucial role in sustaining and developing cultures and languages, if one does not have the capacity to express in one's own language in the new information and communication technologies (ICTs), this common heritage will be seriously undermined. Nowadays, the extreme dominance of roman letter based languages (especially English) in ICTs marginalizes local and minority languages. Moreover, the dominance of US media corporations, which projects a consumerist view, seriously erodes cultural diversity.⁷

Therefore, the Civil Society Working Group proposed, as a statement of principle within the Official Declaration, the need to respect cultural and linguistic diversity. It also highlighted the need to reassess the priorities, giving preference to community driven initiatives in order to correct inequalities.

The Civil Society Declaration goes even further and proposes reviewing international regulations, mainly property right instruments, to ensure the protection and promotion of cultural and linguistic diversity.⁸ In fact, the public domain, especially information in digital form, is being contracted by the expansion of property rights. Copyrights and trademarks impede the access to knowledge and therefore contribute to the growth of inequality and the exploitation of the poor. To avoid this consequence, the Patents-Copyright-Trademarks Working Group and the NGOs that organised the side event *Freedom in e-culture*, defended the promotion of the Free Software as an accessible framework for digital information.

The *Geneva 03* group fiercely attacked the work of World Intellectual Property Organisation (WIPO) as being an instrument of corporate enclosure and extension of neo-liberalism paradigms under the guise of harmonisation.

⁷ O Siochrú, Seán, *Civil Society Participation in the World Summit on the Information Society* (Discussion paper submitted to the Civil Society Working Group)

⁸ Proposed in first place by the Caucus on Cultural Identity and Diversity

Democracy and Good Governance

As stated by *Transparency International*, information is at the heart of good governance.⁹ It has great potential to develop more democratic, transparent and participative systems.

Therefore, civil society makes a special effort to assure an independent and plural media, in order to achieve certain goals:

- First, to promote democracy by assuring access to public information and supporting public debate. Indeed, democracy does not only entail having periodical elections. It is also about people having information about and participating in public affairs.
- Second, to monitor governments through the publication of cases of scandals, abuses of power and corruption.

NGOs such as ALER¹⁰ are concerned about the current concentration of ownership of media and its negative effect in society. Not only does it restrain the vision of society but it also may work towards the detriment of the principles of free reporting if the major media corporations pursue greater profits. In the media business (as well as in States), concentration of power normally leads to corruption.

The principles of democracy and good governance were not only highlighted as agenda issues for governmental policies, but also in the discussion about the regulation of the Internet. The Civil Society Working Group calls for a democratic management of the Internet, based on the principles of inclusiveness, transparency and accountability. For them, the Internet must serve the public interest at the global, national and local levels. This cannot be assured if the Internet is managed privately. Moreover, the *Association for Progressive Communications* strongly advocates for the active involvement of civil society and developing countries in Internet governance.

Despite these statements, governments defused the discussion about the creation of a committee, possibly under the United Nations, which would review Internet management. Instead, there has been an agreement to set up a Working Group in Internet Governance. This is due, in part, to the United States position, who insist

⁹ Transparency International, Global Corruption Report 2003: Access to information

¹⁰ Latin-American Association of Radiophone Education

that the Internet must be managed by the private sector and would like to extend the role of ICANN.

Digital Solidarity Fund

African countries, lead by Senegal, propose the creation of a fund to be run by the UN. It would provide money for technology projects in the developing world such as the installation of networks or computer systems. To get funding, the Senegalese president, Abdoulaye Wade, presented a voluntary tax project on information and technology (on the sale of computers, softwares and on telephone bills).

Civil society drafted a statement named *Solidarity Funding Mechanisms* in which they expressed support for the project. However, the statement insists on the transparency and accountability of the mechanisms of implementation and distribution of the funds. They want to ensure that the funds will reach people who need them, including the marginalized, and that the aid does not lead to further indebtedness or the reinforcement of private and public monopolies. Finally, the document states the priorities to be addressed: education, technological sustainability (production of free software), promotion of language diversity and support to traditional and community media.

The African's demand was undermined by International Telecommunication Union declarations, which stated that the digital divide was rapidly diminishing thanks to the spread of mobile telephony. Therefore, barriers in developing countries are due to cost and education levels, not lack of technological infrastructure. Also, the northern countries state that there is no need to create a new mechanism to finance developing projects.

Finally, the only compromise achieved was the elaboration of a study about the feasibility of the fund, to be discussed in the second phase.

Outcomes and Challenges Ahead

Most NGOs denounce that the summit is losing its initial perspective (ethical, social and environmental) and is becoming too technical. The original objective of the conference -finding ways to increase investment in information and communication technologies- transformed in the first phase to become a much broader discussion on the potential of these technologies for all aspects of society and how governments should respond.

Civil society is rather disappointed with the results of the first phase. On the one hand, the Declaration of Principles is very technocratic and does not imply any further obligations to the States (it only makes reference to previous treaties or declarations). On the other hand, the Plan of Action is vague, without deadlines. Civil society organisations are also concerned that their principles and proposals are not reflected in the final documents. Indeed, the two documents avoid dealing with controversial questions such as the governance of the Internet or the Digital Fund.

For all these reasons, the *International Federation of Human Rights and Communica-ch*, amongst others, called to reject the declaration. Finally, civil society as a whole decided to propose their own declaration: *Shaping Information Societies for Human Needs*. (See in Annex)

Some NGOs such as *Internet Society Genève* or the *Collectif de Résistance*¹¹, went even further and withdrew from the summit because they didn't want to be used as an alibi to make credible the good will of the declaration. For them, the summit is a way to disguise negotiations about the opening of new markets in African countries to transnational corporations of information and communication with a view to impose a single model of the economy.

Despite all the critics and failures, the WSIS has signified a huge step towards the integration of civil society and its active participation in decision-making at the international level. The links between civil society and governments have never been so close. A civil society press release reads: "Even though the process has been frustrating and inconsistent, our experience has been one of closer engagement than at other United Nations conferences".

¹¹ *Collectif de résistance* organised a demonstration in Geneva the 12th December

Moreover, the coalitions formed are a great opportunity to achieve a bigger influence amongst the decision makers. Indeed, the diversity of the civil society and the large number of organisations it comprises makes it difficult to intervene effectively in the decisive structure of the summits. In the WSIS, NGOs have shown their will to coordinate their efforts and find common goals to become a more powerful unity.