



## **‘Internet for All’ Implies a Rights-based Approach to Internet Governance**

*(Submission by IT for Change for the synthesis paper for IGF, Hyderabad)*

The IGF took an important step forward by choosing ‘Internet for All’ as its overall theme for its 3<sup>rd</sup> meeting in Hyderabad. This represents the IGF’s commitment to seeking a strong political direction for ensuring equity and participation in relation to the defining techno-social paradigm of our times – the Internet. In the context of an ‘emerging information society’, it should be obvious that without ensuring equity and participation with respect to the Internet there can be no progress towards equity and participation in the society at large. IGF’s overall theme of ‘Internet for All’, for its 3<sup>rd</sup> meeting in Hyderabad, reflects this imperative.

### **‘Internet for all’ – Or only for those who can pay, and as per what they can pay**

Adopting of this overall theme should be followed by some real progress towards fulfilling the imperatives contained in the theme. It is not appropriate to reduce the statement of this theme to a simple-minded celebration of the Internet as equalising, in itself and by itself; or to surrender completely to a market fundamentalist thinking whereby markets are considered sufficient to provide equal Internet opportunities to all.

It is worth underlining the fact that the theme of ‘Internet for all’ has been taken from the ‘education for all’ theme of UNESCO. This term ‘education for all’ is an expression of the right to education contained in the Universal Declaration of Human Rights.

Restricting the thinking and activity on the theme of ‘Internet for all’ to only focusing on bringing the next billion online – as seems to have happened in framing of the topics for the main session on the ‘access’ theme – is a travesty of a universalistic and right-based approach inherent in the expression ‘Internet for all’. This assertion is not to mean that a rights-based approach is to be seen as opposed to markets. Such an approach merely puts the specified social and political claim at the centre –which may, in certain instances concerning equity and social justice, supercede other claims such as commercial ones, and also the corresponding policies.

### **Identification of a right subsumes commercial logics**

This principle can easily be understood by examining how currently accepted rights are operationalised. We take the examples of the right to freedom of expression (FoE) and the right to education. The important right of FoE underpins media policies in democratic societies. This right is considered to be of highest importance and media regulation and



policies gives primacy to this right; whereby while free market in the media space is promoted as a means for furthering FoE of people, media is not treated as any other ordinary commercial good or service. Every society has strong regulation and policies that ensure that if canons of free market come in conflict with requirements of ensuing FoE, the latter will prevail.

Similarly, while the private sector has an important role in the education sector, the recognition of a right to education means that this right has a much higher claim than any sanctity of market principles in the area of education. Policies and regulation regarding education all over the world testify to this fact.

Significantly, a rights based approach can also be used to promote markets – for instance opening up the telecommunication sector, and reducing or eliminating huge license fees which increase the cost of this essential public infrastructure. In Costa Rica, for instance, a legislative exercise actually proposed a bill on 'right to access to the Internet' with the purpose of liberalizing the market.. The bill declared access to Internet services to be a matter of great public interest; consequently, any person or enterprise, be it public or private, can offer Internet access services (Hoffman 2004).

### **Right to the Internet for all**

A rights-based approach to the Internet will not foreclose or even weaken the markets and the role of the private sector in this area. Such an approach only recognizes the fact that markets may not be enough to ensure equity and participation of all with regard to the Internet, and that the importance of the underlying imperative may require exploring other strategies, as required, to ensure this right for all.

One argument often given against universalistic or rights-based approach is that such an approach is meaningless in light of the fact that less than 15 percent of the globe's population has access to the Internet today, and it is unlikely that a very vast number of disadvantaged people will have access any time soon. To accept this logic is to say that it was very pre-mature, and therefore wrong, in 1948, for the world community to have adopted a right to education, given the fact that education is far from universal even today.

Rights set up strong ethical frameworks that are meant to lead and drive policies, and there is little doubt that if we had not universally accepted the right to education in 1948, not only the extent of spread of education but also the content and meaning of education may have been quite different then it is today, in many parts of the world. **A similar historic moment faces the world community today with the opportunity to shape the future of our world through enshrining principles of equity and participation with regard to an 'Internet for all', which can be done through taking a rights-based approach to the Internet, and its governance.**



**‘Rights and the Internet’ as the overall theme for IGF-4**

The present approach to the Internet and its governance is largely a market based one. If we continue to persist in a fundamentalist belief that markets will ensure that this new age ‘opportunity structure’ of the internet will be equitably available to all, we would have done less than what our past generations did in terms of universalizing education, and therefore willy-nilly lay the foundation of an even more unequal and unjust society.

It is important that the IGF mainstreams a rights-based discourse in its work, and makes ‘rights and the Internet’ as the overall theme of IGF-4 in Cairo. In this regard, the submissions made to the IGF on this subject by Civil Society Internet Governance Caucus and the Dynamic Coalition on the Internet Bill of Rights are important references.

The Internet Governance Caucus is sponsoring a workshop on ‘Internet for All – Exploring a rights-based Approach’ and the Global Partners and Associates a workshop on ‘Mainstreaming human rights in the work of the dynamic coalitions’. The outcomes of these workshops will be helpful in shaping this important agenda of ‘rights and the Internet’ for the next meeting of the IGF at Cairo.