



Response to the report of the UN Secretary General's High Level Panel on Digital Cooperation

Association for Progressive Communications

1 November 2019

Introduction

The Association for Progressive Communications (APC) is an international civil society network and organisation with 59 organisational members and 35 individual members active in 72 countries. APC and many of its member organisations participated in consultations on the panel's work during 2018 and we offer our congratulations on the report. We appreciate the openness of the panel to input and the efforts that have been made by Mr. Fabrizio Hochschild and his staff to solicit responses.

We agree that multilateralism and multistakeholderism are both necessary and can coexist. Both must be strengthened, and particular focus is needed to bring far more diverse voices to the table to ensure that such processes are inclusive and reflect the needs of those facing digital exclusion. Particular attention is needed to include voices from developing countries and traditionally marginalised people and groups, women, youth, indigenous people, religious and ethnic minorities, rural populations and older people.

We value that the report emphasises that cooperation must be grounded in common human values –such as inclusiveness, respect, human-centredness, human rights, international law, transparency and sustainability. We fully support the holistic approach to digital inclusion and agree that effective digital cooperation requires multilateralism to be strengthened and complimented by multistakeholder approaches.

An Inclusive Digital Economy and Society

Meaningful access to and use of digital technologies is a necessary precondition for full participation in today's society. As the report notes, more than half of the world's population still does not have meaningful, affordable access to the internet. We hope the report's recommendations can help mobilise the resources and political will in the various parts of the UN, and beyond, needed to end digital exclusion. We wholeheartedly support the panel's call for innovative approaches to digital inclusion including community groups operating rural networks, which hold great promise in connecting the unconnecting and empowering communities.

We advise against too much reliance on specific donor-driven or development agency-driven connectivity programmes. In our nearly 30 years of working on access to ICTs APC has seen many of these programmes come and go, from telecentres, to e-rates, school-nets, "internet for all" campaigns and satellite connectivity programmes. Many of these initiatives did not last once external funding stopped. Nor did they build on previous initiatives, often based in the same villages and communities. Connectivity programmes should, in our experience, be accompanied by community development activity, skill building, content development, services to maintain devices, among other activities. Without local ownership or at least extensive participation by those who are meant to benefit from these programmes, they are very unlikely to result in what we understand to be meaningful access.

Ultimately digital inclusion is a sustainable development and social justice challenge, rather than just a connectivity challenge. We feel that the report does not give sufficient recognition to broader social inequality and exclusion, to conflict and social dislocation, discrimination and hate. Digital inclusion does not automatically result in social and economic, or political inclusion and we value that the recommendations of the report point to the underlying barriers (including social norms) as well as the need to respect human rights. However, we think it could have placed a stronger emphasis on the interconnection between "offline" and "online" exclusion.

As the report points out, there is a need for an agreed set of clear metrics or standards for the inclusiveness of digital technologies and cooperation. The report encourages the international financing institutions to drive this process and incorporate digital inclusion as a key metric in approving and evaluating projects.

While we do not disagree with this, it is not an entirely new approach. In the 1990s and early 2000s governments were asked to include information and communication in their poverty reduction strategies and it resulted in many developing countries approaching digitisation in a top down manner rather than grounding it in national and local capabilities with the involvement of all stakeholders.

We would encourage the use of the UNESCO Internet Universality Indicators¹ as a collaborative tool to measure, and learn about, digital inclusion and digital cooperation from a holistic perspective and in a manner that encourages cooperation between governments and other stakeholders.

Human and Institutional Capacity

We find the recommendation to establish regional and global help desks to assist governments, civil society and the private sector in understanding digital issues and develop capacity to be a compelling idea; however we have questions about how inclusive they would be if led by regional organisations that have uneven track records when it comes to including non-governmental stakeholders and respecting human rights.

Human Rights and Human Agency

APC is pleased to see that the report reinforces that international law, in particular international human rights law applies online. We endorse the report's view that "As any new technology is developed, we should ask how it might inadvertently create new ways of violating rights – especially of people who are already often marginalised or discriminated against." We welcome the Panel's recommendation that Secretary-General institute an agencies-wide review of how existing international human rights standards apply to new and emerging digital technologies. This is a massive undertaking, which requires that the UN's human rights office/OHCHR be sufficiently resourced to carry out this important task. We trust that efforts to mainstream interpretation of human rights in digital contexts in the UN system extends to efforts to advance responsible state behavior in cyberspace, to counter terrorism and violent extremism online, and address the use of the ICTs for terrorist purposes.

Trust, Security and Stability

APC finds the goals of the proposed Global Commitment on Digital Trust and Security laudable. The global community could certainly benefit from agreement on a shared vision, attributes of digital stability, and ways to strengthen implementation of agreed norms for responsible uses of technology; however, we are not clear how this Global Commitment would overcome the sharp disagreement that has characterised many intergovernmental processes on cybersecurity, or how it would relate to the two processes currently underway - the Open Ended Working Group and Group of Governmental Experts, both addressing issues around trust, security and stability in cyberspace. Who would develop this Commitment, and who would endorse it?

¹ <https://en.unesco.org/themes/internet-universality-indicators>

Global Digital Cooperation

Marking the UN's 75th anniversary with the launch of a Global Commitment for Digital Cooperation to enshrine shared values, principles, understandings, and objectives for an improved global digital cooperation infrastructure has the potential to revitalise commitments to the UN's core values while accounting for the immense impact digital technologies have had in recent years. Sort of like a reboot of WSIS outcomes. 2020 is not far away, and for the consultation process to embody the values contained in the panel's report, significant effort and resources will be needed to ensure that this process brings far more diverse voices to the table. With decades of experience helping to facilitate stakeholder input into international internet governance processes, with an emphasis on participation from countries in the global South, APC stands ready to provide support and guidance.

Mechanisms for Global Digital Cooperation

It is with regard to Chapter 4 on Mechanisms for Global Digital Cooperation that we have some questions, although we like many of the ideas proposed in this part of the report.

Internet Governance Forum Plus

There are lots of attractive proposals that would strengthen the IGF and capacitate it to perform its function. The IGF Plus model is APC's preferred mechanism because after years of facilitating multistakeholder dialogue, we feel that the IGF is best placed to facilitate further work on policies and norms. That said, we feel the report leaves some fundamental questions unanswered:

- **Funding:** Who will finance this? The IGF in its current form already has a more robust mandate than it is able to fulfil due to chronic underfunding and lack of institutional capacity and political leadership. The report mentions that the IGF Trust Fund would be a dedicated fund for the IGF Plus, to which all stakeholders would be encouraged to contribute. However, voluntary funding has proven woefully insufficient to support the IGF. It is difficult/impossible to imagine the IGF Plus model succeeding unless a radically different approach to funding is pursued.
- **Participation:** How will the IGF Plus attract greater participation from governments and the private sector than the IGF currently does? Resources and capacity building for governments is valuable, but we question if that is enough to get governments to participate more actively in the IGF. Participation from other disciplines and sectors will also require resources and capacity, as will ensuring that underrepresented voices are present and heard.
- **National, Sub-Regional, Regional and Youth IGF initiatives:** In recent years, NRIs have developed and expanded in organic ways that have helped strengthen and

democratise internet governance at national and regional level. The IGF Plus model does not seem to address the role of NRIs in any way. We have questions on how they would link with the help desks, incubator, accelerator, and other aspects.

- **IGF intersessional work - Best Practice Forums, Dynamic Coalitions:** These existing elements of the overall IGF process already come quite a long way towards implementing the proposals in the IGF Plus model to establish a Cooperation Accelerator, Policy Incubator and Observatory and Help Desk. APC has had very positive experiences with the Gender and Access Best Practice Forum² which produced ground-breaking recommendations on how to address online gender-based violence in 2015 and 2016, and with the Dynamic Coalition on Community Connectivity³ which has contributed to building a world-wide movement of community-based local internet access providers.

What we feel is missing from the IGF Plus model, which would add considerable value is for the IGF to be the connective tissue among UN discussions. For this to happen resources are needed to map out UN-wide activities on digital issues so that IGF activities can more consistently and effectively feed into and inform other discussions at the UN and intergovernmental fora.

We also feel that for this model to succeed governments need to participate in it more consistently and comprehensively than they have done in the IGF to date. This can best be achieved by consolidating the policy development role of the IGF (through the incubators) so that the IGF has clear value for states. There also needs to be some form of formal commitment made by states to participate in, and support, the IGF Plus model.

Getting buy-in and support from UN member states proved a major stumbling block for the Commission on Science and Technology for Development's (CSTD) Working Groups on Enhanced Cooperation which addressed similar issues. Achieving sufficient consensus among states and also among other stakeholders to move forward remains a concern for us. It is not clear how this will be achieved. We understand that the panel strove for consensus, but did not always agree. This is likely to be the case for readers of the report as well, and among those actors who need to be part of follow up and implementation. If sufficient consensus is not established early on points of disagreement will haunt us for years to come (as was the case with enhanced cooperation and the role of the IGF that emerged after the Tunis Agenda was adopted). Fresh thinking is certainly needed, but so is learning from past challenges.

² <https://www.intgovforum.org/multilingual/content/bpf-gender-and-access>

³ <https://www.comconnectivity.org>