COMMISSION ON SCIENCE AND TECHNOLOGY FOR DEVELOPMENT (CSTD)

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Submissions from entities in the United Nations system and elsewhere on their efforts in 2013 to implement the outcome of the WSIS

Submission by

APC

This submission was prepared as an input to the report of the UN Secretary-General on "Progress made in the implementation of and follow-up to the outcomes of the World Summit on the Information Society at the regional and international levels" (to the 17th session of the CSTD), in response to the request by the Economic and Social Council, in its resolution 2006/46, to the UN Secretary-General to inform the Commission on Science and Technology for Development on the implementation of the outcomes of the WSIS as part of his annual reporting to the Commission.

Attn:
Ms. Anne Miroux, Head, CSTD Secretariat and Director of UNCTAD's Division on Technology and Logistics
Ms. Padmashree Gehl Sampath, Chief, Science and Technology Section, Division on Technology and Logistics

Re: CSTD WSIS Progress Report

Please find herewith our inputs towards the elaboration of the annual report of the Secretary-General to the Commission on WSIS outcomes as per the resolution on "Flow of Information for the Follow-up of the World Summit on the Information Society".

1. Summary of trends and experiences

With about 50 member NGOs in 35 countries working in most of the areas related to the WSIS goals, APC's activities in support of the WSIS action lines and themes are many and diverse. They can be summarised as; a) promoting the institution of universal access to ICTs, and b) supporting rights-based, inclusive ICT related policies, particularly where they affect women, the poor and other marginalised communities in the developing world.

In this respect APC's post-WSIS related activities have worked on a number of areas that were identified as vital to the furtherance of its mandate. In particular: affordable internet access for all; ICT-use which sustains the environment; use of emerging technologies for social change; building the "information commons"; defending human rights in the internet sphere; securing gender equality and women's rights, particularly in relation to ending violence against women; and improving governance, especially internet governance. To support these goals, APC engaged in five interrelated areas: research, advocacy, network building, capacity development and strategic communications and outreach. The application of this approach, combined with our long standing prioritisation of linking 'practice' to policy advocacy, and linking local (through our network of national and programme members and partners) to regional and global activities, makes APC's work unique in its support for the post-WSIS agenda.

Overall it can be observed that the national policy environment continues to be one of the major obstacles to progress in many areas, ranging from lack of competitive telecom markets, to the limited rights of intermediaries in the provision of social media services. In many cases the appropriate policy may be present, but implementation or enforcement may be lacking. In addition, international and regional agreements in areas such as

intellectual property rights, free trade and surveillance are increasing cause for concern.

While WSIS was an important milestone in the development of international action to support the information society, it also needs to be recognised that many ICT related developments have taken place since WSIS that were not anticipated or covered in the WSIS Action Lines. For example the development of mass market mobile telephony, the use of social media and the development of cloud computing. All these developments have thrown up new issues or amplified old issues (such as hate speech against women), which need further attention.

Finally, it can be observed that Action Line implementation processes have also had a limited role in the follow-up process for WSIS because of lack of participation and lack of resources. A key issue here is rationalising the variety of different international policy spaces dealing with the information society (IGF, ITU, ICANN, plus other issue-related spaces). This diversity makes it particularly hard for civil society to be involved in so many different processes.

2. Overview of trends and experiences in implementation at the national, regional, and international levels

ICT Access and Adoption
In reviewing progress over the last decade in the area of ICT adoption, it is clear that there have been major improvements in basic access to ICTs, particularly through reduced cost of equipment (especially smart-phones and tablet computers), and greater availability of wireless broadband services. However Internet access costs continue to remain unaffordable for the majority in most developing regions, particularly for more isolated and disenfranchised groups. Similarly, Internet speeds are much lower for these populations, and a growing 'broadband divide' is now becoming evident.

As identified by the Alliance for Affordable Internet, and others, the main obstacle to improved affordability, and thereby better access, is the lack of competitive telecom market environments, which in turn are the result of regressive national policy environments. In most developing countries (and many developed ones) the legacy incumbent fixed national operators continue to dominate the market for broadband, or increasingly, share it with a few mobile operators. This, along with conservative spectrum allocation policies, has restricted the potential for entry of alternative operators, especially more efficient wireless broadband operators which can use newer, better technologies such as TV White Space, and other dynamic spectrum-use approaches. More generally, the digital switchover, more dynamic approaches to spectrum management the establishment of Internet Exchange Points (IXPs) and transition to IPv6, are all ongoing trends that need to see more rapid implementation.

In addition, ISP licensing and content control may often be too onerous for small or new market entrants, and interconnection regulations usually favour the dominant providers. A variety of indirect factors may also serve to limit internet accessibility; grid power may be unavailable, and high import duties may be levied on ICT equipment, which, along with luxury taxes on internet and voice services, further reduce their affordability.

Nevertheless, as a result of improvements in access to ICTs over the last decade, there has been substantial progress towards the development of a more connected society. In particular the use of social media has increased dramatically. However, this 'connected society' cannot yet be called inclusive, and many people are doubly excluded, firstly because they are already marginalised based on factors such as geographic location, poverty, or gender, and secondly because there is not yet equitable access to the ICT tools and platforms that are the primary means for accessing and sharing information.

In addition, a number of unanticipated 'chilling effects' on the rate of adoption and the potential benefits of a connected society have emerged since WSIS, that are discussed below.

Human Rights on the Internet and Internet Governance
Attempts to adopt legislation that limits and restricts human rights on the internet are increasing. Since its creation in 1990, APC has systematically worked to shape its rights-based approach to ICTs based on the belief that the ability to share information and communicate freely, safely and securely using the internet is vital to the realisation of human rights.

Of particular importance is the increased debate over the legitimacy of the role of governments and internet businesses in the internet governance ecosystem following revelations of mass surveillance and data collection by the US National Security Agency (NSA), along with complicity by some other governments and many US corporations. In this respect the APC has welcomed the initiative by the Brazilian government to convene a global meeting in 2014 to address current internet governance public policy challenges and issues, as long as it remains an open, transparent and participatory space.

The challenge is no longer simply a case of how to govern the internet. It is a case of all other governance and regulatory processes taking the internet and internet-based activities into account. There can be no separate set of rules of the internet, but that all other 'rules' and guidelines should take the internet into account. Current debates on internet governance and regulation have been territorial, and focused on institutional modalities which is not, in our view, an enduring approach. All institutions involved in governance, and all stakeholders will need to give consideration to some internet related activity.

Responses at various levels are needed and the WSIS process offers a high level platform for discussing effective ways to integrate a rights-based approach to policy and regulation developments globally, regionally and nationally, ensuring the promotion, protection and respect to freedom of expression, freedom of association, privacy and other rights of people in the internet.

APC's view is that multi-stakeholder participation in internet governance is not an end in itself, but is a means to achieve the goal of inclusive democratic internet governance that enables the internet to be as effective as possible. The current public attention on the issues is therefore an opportunity to reinforce and strengthen efforts to improve and democratise the governance of the internet, as well as to help restore trust in the internet governance ecosystem. In addition, it is an opportunity to address specific internet governance challenges which could then be discussed at global and regional forums, in particular the WSIS+10 meetings and the Internet Governance Forum (IGF).

With regard to these two currently independent processes, the ITU, UNCSTD, UNESCO, and other UN agencies working on these issues, should identify the key spaces and policy processes in the various regions and build linkages between these processes, in particular to encourage cross fertilisation between national and regional WSIS and IGF processes.

Similarly, it is apparent that there is a need to continue shaping the WSIS process as a constructive platform for shared learning, collaboration, networking and monitoring of the Geneva Plan and Tunis Agenda. In order to do so, we believe the multi-stakeholder approach should be reinforced in the framework of the WSIS process in the perspective of bringing together all the interested parties with their different views in relation to the critical policy issues and the challenges they represent.

Related to this, of critical importance is the maintenance of the openness and multi-stakeholder character of ICT and of internet standards, development and governance,

within a framework which also protects the internet against disruption by criminal or malign activity. Open systems and standards are increasingly being seen as essential in order to sustain the innovation that has characterised the development of the information society and to inhibit its dominance by powerful governmental or commercial interests. Network neutrality as a principle remains important even if it needs to be applied in new ways in the light of convergence of platforms, applications and content.

Environmental sustainability in ICT production and use, as well as the potential for ICTs to improve sustainability in other sectors is also gaining increased attention. However the harmful outcomes of the massive increases we will see in ICT production and consumption are not yet receiving sufficient resources. The negative impacts range from increased energy consumption and greater carbon footprints, to sourcing of conflict minerals for the production cycle, and disposing of polluting ICT waste. Unless there are is a substantial shift in the approach to hardware design and product life-cycle strategies to be more sustainable (e.g. with devices that last longer and are upgradable), this challenge is likely to escalate.

3) Innovative policies, projects, and future programmes

Women's Rights
One of APC's most innovative initiatives is the Women's Rights Program which has been dedicated to building technical and policy tools to challenge online and offline violence through platforms such as Take Back the Tech! and the Exploratory Research on Sexuality and ICTs (EROTICS). A recent global survey showed that 98% of sexual rights activists find the internet crucial to their work and that 51% of them have received violent and threatening messages. Ongoing APC research, as well as the individual cases that have attracted media attention have made it clear that we have a gender-based violence pandemic on the internet which cuts across countries and continents. Further work is being undertaken to ensure that misogyny and violence against women online is recognised as hate speech. This also involves encouraging internet activists and women's rights activists to join forces, and advocating for more choices for women (resources, toolkits, and success stories) to break the barriers against online silencing.

Of note here is the UN Women and UNESCO proposal for the creation of a separate Action Line on Gender Equality. APC supports the call for an Action Line on Gender which would seek to complement existing action lines by creating a mechanism to provide support to gender issues that are not covered in other action lines, and to provide monitoring and accountability mechanisms, including integration of the work of the gender working group on the partnership for the measurement of the information society.

Improved use of Radio Spectrum

Another area of innovative action that is continuing to be pursued by APC is in promoting more effective and efficient use of radio spectrum. As mentioned above, there has already been massive impact from the explosion of internet access through wireless devices, but much more still needs to be done. The evolution of wireless technologies now means alternative approaches to spectrum allocation and regulation may be realistically considered. While at the same time, the transition to digital broadcasting presents logistical, political and technical challenges the benefits go well beyond clearer reception and more channels. New approaches to spectrum allocation, especially in the context of analog-to-digital TV migration, is an issue that needs to be brought to the fore of the WSIS Forum debate. To assist with this, APC is documenting the use of TV White Space in Africa, the use of shared spectrum, promoting open spectrum data, and supporting civil society involvement in digital migration processes.

Monitoring efforts to achieve the Information Society

More generally, APC continues to publish the Global Information Society Watch (GISWatch)report every year. GISWatch is a space for collaborative monitoring of international (and national) commitments made by governments to ensure an inclusive information society, and for building national level civil society awareness of WSIS goals. It focuses on monitoring progress made towards implementing the WSIS action agenda and other international and national commitments related to information and communications. In 2012, GISWatch was awarded the WSIS Project Prize - the edition focused on the internet and corruption, with an emphasis on transparency and accountability online.

Capacity Building

In the area of capacity building, APC has continued to focus building capacities of human rights defenders, including women human rights defenders on secure online communications, which have been key to build networking among internet activists, national human rights institutions, mainstream human rights organisations and human rights defenders.

APC is also buiilding capacities in internet governance. In July 2013, in partnership with the African Union Commission's NEPAD Agency's e-Africa Programme, APC organised the first African internet governance school. It was inspired by the Meissen School of Internet Governance, and benefits from the involvement of senior Meissen faculty as well as leading internet governance actors from Africa and LAC. Participants returned to their countries committed to translate the ever changing and evolving world of internet governance into a language meaningful to their constituencies: colleagues at the parliament or regulatory agency, media organisations, academic centres, NGOs.

During 2013, APC also partnered with Hivos and Diplo foundation in an online course on internet governance for the Middle East and North Africa (MENA) region (http://igmena.org/).

The Natural Environment

In the area of environmental sustainability APC has focused its work on e-waste, climate change, water management (in the context of climate change), and sustainable information technologies. In terms of future perspectives APC plans to address issues such as local level adaptation using technology, mitigation in developing countries, training and awareness raising, and practical responses by government to disaster management (in the context of climate change). APC also plans to address issues related to open environmental data and its usefulness to local communities through research and best practices.