WSIS+20 Stakeholder Consultations: Inputs to the Elements Paper

Submitted by the Global Digital Justice Forum

https://gdjf.globaldigitaljusticeforum.net/

1. What are the most important achievements arising from WSIS that should be highlighted in the Zero Draft?

The WSIS vision of an inclusive, people-centred, development oriented information society is still an aspiration for the majority. Civil society and social movements have highlighted the injustices of a largely market-led digital paradigm and the urgent imperative to address systemic inequalities for genuine digital transformation. They have pointed to the human, social and ecological costs of the current model, offering community-driven alternatives. The effective and equal participation of people in the contemporary economy and society requires a radical reimagining of digital governance. Moving away from centralized and corporate-dictated techno-social design, our societies, and economies need new regenerative pathways. This is possible only with productive synergies between public digital infrastructures and community-driven commons.

The achievements of the WSIS can only be measured in respect of furtherance of the public interest agenda – advancement of fairness, equality and justice through the deployment of digital technologies, including for universal access to healthcare, education, a clean environment and social cohesion. This is linked to how public institutions across levels in the digital space serve the common good through appropriate architectures for governance, transparency, and accountability. It may be safely said that democratic governance for a public interest-oriented digital society is still, at best, work in progress.

In this regard, it would augur well for us to recall Para 26 of the Geneva Declaration of Principles, which asserts that a "rich public domain is an essential element for the growth of the Information Society, creating multiple benefits such as an educated public, new jobs, innovation, business opportunities, and the advancement of sciences."

There is much to be accomplished to bring digital rights and justice to the people. With one-third of the world's population not still connected, and the reality of extreme regional and intersectional inequalities (class, race, gender, locational) in connectivity, the wisdom guiding our actions and solutions needs to be honest and bold.

The unique role of social movements, civil society organizations, progressive scholars, and public interest technologists in deepening and enriching human rights and social justice in the digital society needs to be acknowledged in the Zero draft. Governments and the multilateral system must claim the vision of the WSIS and the GDC for global digital democracy and justice.

2. What are the most important challenges to the achievement of WSIS outcomes to date and in the future that need to be addressed in the Zero Draft?

2.1. Persistent digital divides

The market-driven approach to connectivity infrastructure has failed to address access divides. Meanwhile, regulation and licensing frameworks have focused on business and innovation impulses, which are driven by supply side valuation priorities, such as spectrum auction price and investments for next-gen technology. Systemic global inequalities – that inhibit internet uptake beyond basic communications and prevent the majority in the global South from effectively harnessing benefits of the digital epoch – remain unaddressed. Meaningful access remains elusive because of lack of knowledge/awareness of the Internet and prohibitive cost of devices, data, and skills. Years of instability and conflict have also meant that people living in war zones and occupied territories have no access to the internet, and resultantly, to a range of basic human rights. Language remains a huge barrier to effective access.

The right to internet access is foundational; it is a vital enabler of justice and wellbeing. The Zero draft must provide guidance on the following:
   a. Regulatory reform that recognizes digital (including spectrum) and data resources as public goods, and experimental policy measures for more public wifi, licence-exempt spectrum, and allocation of spectrum to entities providing public services.
   b. Incentives for diversifying access markets/internet service provision through public access and community-centred initiatives.
   c. Technical standards to promote built-in language functionalities in devices to support minority languages.
   d. Systemic, multisectoral policy investments for equitable digital inclusion

2.2 Big Tech monopolies and thwarting of the innovation space
The majority of the world experiences the internet in the walled gardens of Big Tech's extractive, algorithmically-controlled platforms, rather than as a public agora (http://tinyurl.com/2x7n4uey). Platform monopolies have severely constrained the generative potential of the Internet as a network of peer production and knowledge commoning. In its section on the enabling environment, the Zero Draft must:
   a. Focus on future directions for global digital cooperation and mechanisms to address the consolidation of tech monopolies in different layers of the Internet stack
   b. Affirm the need to comply with the UNGP on Business and Human Rights
   c. Explore how WSIS Action Line holders can promote diversity and pluralism through their standards-setting, learning communities, and innovation initiatives (https://tinyurl.com/3jy22d94)
   d. Call for regulation of data markets to enable local innovation for public and private value creation.

2.3 Structural inequality in the global digital economy
Persisting and growing digital inequality remains the most profound challenge to achieving the WSIS outcomes. The concentration of market power in the hands of a few transnational digital corporations; lack of access to financing for home-grown digital capabilities in the global South; a hostile macroeconomic environment where trade, taxation, and IP regimes impede digital self-determination for the global majority; all these are problems that the WSIS+20 review needs to tackle with urgency.

In its section on closing structural gaps in the digital economy, the Zero Draft must:

a. Emphasize global tax justice and digital justice as two sides of the same coin (https://tinyurl.com/36r55pbf)
b. Commit to DPI development in the South through a global pool of funds generated from corporate levies
c. Call for effective accountability of digital TNCs for human rights violations and other harms arising from their value chains
d. Hold up digital sovereignty and the right to equitable development as cardinal principles for data and AI governance (https://tinyurl.com/ueufpxzz)
e. Advocate for circular economy models, resource optimization, and adoption of renewable energy for a sustainable digital transition.

3. What are the most important priorities for action to achieve the WSIS vision of a 'people-centred, inclusive and development-oriented Information Society' in the future, taking into account emerging trends?

3.1 Public financing
To promote long-term digital infrastructural and human capabilities for the majority world, the WSIS+20 outcome document must respond adequately to the financing challenge. We recommend the following proposals for public financing:
a. A digital development tax, whereby dominant Internet companies contribute to the connectivity of those who are still offline, and to a safer digital world, as proposed in Our Common Agenda (https://tinyurl.com/2ryff6rp).
b. Institution of a Global Taskforce on Financing for Inclusive Digital Transformation with member states as well as experts in public finance and fiscal justice. The Task Force can take a leaf out of initiatives such as the Global Solidarity Levies Task Force: For People and the Planet (https://tinyurl.com/2z6zxc6y) and enable coordinated action by member-states.

3.2 International data and AI governance for data justice
Geo-economic power dynamics result in a coercive context where less powerful countries trade away their data/data rights of their people in digital trade deals. Corporations from powerful countries foreclose access to their algorithms through these deals. In order to tackle this asymmetry of power and the devastating consequences of data extractivism for just digital futures, the sovereign equality of all states in international data and AI governance must be protected. We recommend the following inclusions in the WSIS+20 Outcome document:
a. Affirmation of the principle of international solidarity as the foundational norm for international data governance – both in respect of cross-border data flows (as acknowledged in the GDC objective 4), and responsible and fair data sharing among countries for equitable and sustainable development (paras 38, 44 and 48 of the GDC).
b. Recognition of the development sovereignty principle in AI governance, as per the BRICS Leaders' Statement on the Global Governance of AI (https://tinyurl.com/5cfu2nnb)
c. Ensuring realization of economic rights and development justice through data governance measures to promote diversified economies and local innovation and to redress the uneven distribution of opportunities among and within countries.

d. Expanding the discourse of harms in data-driven AI systems beyond the right to privacy and data protection as per international standards (which remains non-negotiable) to include collective/systemic harms associated with invisibility, underrepresentation, and discrimination.
e. Prioritizing the public value potential of data-based innovation and community stewardship of the data commons.
f. Platform governance for rights-enhancing, accountable and fair economies and accessibility of data for public interest purposes.
g. A mandate (through the ECOSOC) for the CSTD to have a standing agenda at its Annual Review of WSIS to discuss implementation of the GDC tracks on data and AI governance, in consultation with all stakeholders. The CSTD's Annual Review of WSIS should:
    i. Take forward recommendations of the report of the CTSD Working Group on Data Governance (expected in the 81st session of the GA) on how to further responsible, equitable and interoperable data governance for development.
    ii. Host the Global Dialogue on AI Governance (proposed by the GDC) synchronously with the Annual Review of WSIS by the CSTD, and take up technology foresight issues emerging from the work of the proposed International Scientific Panel on AI.

4. What additional themes/issues, if any, should be included in the Elements Paper?

4.1. State obligation to rein in their digital corporations

A laissez-faire digital economy has seen flagrant human rights violations. Exhorting these corporations to respect the UN Guiding Principles on Business and Human Rights has not met with any success, also since Big Tech companies often hide behind the smokescreen of 'virtualized' operations and deflects attention from real impacts of their pan-global activities. Unfortunately, current human rights and humanitarian law standards do not have provisions on extraterritorial obligations of states.

Given the urgency to address the cross-border harms unleashed by Big tech companies, and in the spirit of upholding para 22 of the GDC, where member states have committed to upholding their duty to protect human rights throughout the technology life cycle (which today is cross-border), the Zero Draft must urge for:

a. Specific recognition of state obligation to protect against human rights abuses by their digital business in global technology value chains and to ensure effective implementation HRC guidance for technology companies (https://docs.un.org/en/A/HRC/50/56) in respect of remedies.

4.2. A new gender deal in WSIS+20

There is an urgent need to close the gender digital divide by addressing the structural inequalities that hinder the full participation of women and gender-diverse people. This goes beyond targeted connectivity strategies and community/public initiatives to promote women's and girls' participation in the digital economy and society. It requires dismantling systemic barriers that shape unequal experiences in digital spaces. The amplification of sexism, misogyny and technology-facilitated gender-based violence (TFGBV) has garnered attention

in public discourse, but an effective international response that prioritizes safety of victim-survivors while holding digital platforms accountable for profiteering from harmful techno-design choices is lacking. Multi-pronged strategies aimed at a comprehensive response to the challenge is needed. The Zero Draft must include:

    a. A dedicated Action Line on gender equality – that calls for the establishment of gender-specific indicators and targets, mandatory gender impact assessments, increased representation for women, gender budgeting, and systemic measures for tackling TFGBV.

4.3 From information integrity to epistemic rights

Despite progress on platform regulation and AI ethics, there is considerable ground to be covered in respect of designing the techno-architectures of a democratic digital public sphere. On 22 July, Brazil, Chile, Colombia, Uruguay and Spain agreed to international collaboration to ensure transparency in algorithms and data management within the digital environment, technical cooperation for democratic digital governance, and the strengthening the UN Global Initiative for Information Integrity on Climate Change.

From the starting point of democratic accountability in the digital public sphere, the Zero Draft needs to direct UNESCO to further its work in the following areas:

    a. Guarantees for the epistemic rights of citizens, including access to factual and reliable information and knowledge and the competence/critical literacy to use technologies for their own benefit/society's benefit.

    b. Disclosure guidelines for AI models, including training data, model architecture, deployment parameters, computational resources, and transparency and availability of model weights to enable independent audits.

    c. Human-rights based regulatory frameworks to hold media platforms accountable for compromising democratic integrity whether through illegal/harmful and AI-generated content; deployment of AI systems for coordinated, inauthentic behaviour; or unlawful/unethical advertising, among others.

    d. Policy measures and incentives for open, decentralized, and interoperable social media protocols and support for pluralistic content.

5. Do you wish to comment on particular themes/issues/paragraphs in the Elements Paper?

In addition to the priorities and issues addressed in the previous questions, we recommend the following para-specific additions to the Elements Paper:

Para 10 (Alignment of WSIS and GDC). Reaffirm from the GDC that: our digital cooperation rests on international law, including the Charter of the United Nations, international human rights law and the 2030 Agenda. Clarify that the phrase "existing frameworks for international and multistakeholder cooperation" derives from the Tunis Agenda.

Para 19 (Developing countries in the digital economy). International trade, taxation, and IP frameworks need to be overhauled to enable developing countries to meaningfully participate in the digital economy and to defend their economic sovereignty. The global

digital economy must ensure that internationally-recognized labor rights are applied equally to work on digital platforms.

National digitalization roadmaps must encourage diversified digital economies, worker-led business models, and community stewardship of the data commons.

Add Para 23a (Social and cultural development). Cultural diversity and pluralism needs to be centered in data and AI innovation, particularly LLM and LRM development.

Para 27. (Reducing environmental impacts). Device longevity and the right to repair are crucial for environmental sustainability. Energy and environmental policies in developing countries need to carefully balance allocation choices between digital infrastructure and other essential priorities for a just and sustainable digital transition. Decisions on location of data centers should be guided by careful prior assessment of human rights implications, and ecological and social costs for local communities.

Para 37 (Enabling environment). Challenges persist in aligning digital governance with broader policy areas such as privacy, consumer rights, and intellectual property and the interaction of these areas with human rights and the public interest.

Add Para 37a. (Enabling environment). A people-centric, inclusive and development-oriented information society needs decentralized and democratically governed digital infrastructures responsive to contextual and ecological considerations.

Add para 37b. In line with their obligations under the Genocide Convention, states must desist from weaponizing social media.

Add Para 42a (Financial Mechanisms). Public financing for digital infrastructure development needs to be generated through a global pool of funds drawn from corporate levies on transnational internet/digital monopolies.

Para 43 (Human rights). Affirm the obligation of state parties as duty bearers to respect, protect and promote human rights in the digital space and technology lifecycle, as per para 22 of GDC. States have the responsibility to protect against human rights abuses in transnational value chains by their digital businesses and to ensure effective implementation of HRC guidance for technology companies (A/HRC/50/56), especially in respect of remedies.

Para 59 (Internet governance). Replace this with the original para 29 in the Tunis Agenda:

Para 75. (Local AI capacity). Prioritizing local AI capacities needs to move beyond making local data pools available for customizing global AI models. Countries need the policy space to generate productive capacities in the local economy for long-term resilience and well-being. This requires an international AI regime that recognizes and respects diverse visions of digital development; viz. pluralistic conceptions of data value; contextually-grounded, 'small' AI models; and selective and strategic participation in the global data economy.

Para 84 (Monitoring and measurement). The Zero Draft should include measurement metrics to assess progress towards digital equality and meaningful inclusion, including

progress on gender equality outcomes, along each Action Line. The OHCHR must institute a routine and robust monitoring mechanism on Internet shutdowns.

6. What suggestions do you have to support the development of the WSIS framework (WSIS Action Lines, IGF, WSIS Forum, UNGIS etc.)?

6.1. WSIS Action Lines

As the Global Digital Justice Forum has highlighted in its [Digital Justice, Now!](#) Call to Action, WSIS Action Lines must be reinterpreted to include issues in the current conjuncture that are critical for development and human rights. Agenda such as common standards for digital public goods, accountable and rights-respecting governance of digital public infrastructure, media pluralism and diversity in the algorithmic public sphere, civic literacy for the AI age, data for development, data and AI governance, benchmarks on digital human rights, and international economic law reform, are some key issues that need to be explicitly identified and added to the scope of existing Action Lines.

The unevenness of WSIS Action Lines implementation also needs attention. The global South continues to lag behind, and digital inequality has intensified after the pandemic. More targeted support and monitoring is required. Systematic national and regional reviews of WSIS implementation should be instituted annually, with greater coordination between the WSIS Forum and the IGF. It is also useful to recall the African Declaration on WSIS in Benin ([Cotonou Declaration](#)), which recognizes that national institutional capacity to take advantage of data-driven technologies needs urgent attention in order to bridge the existing divides as well as to prevent new forms of divides.

6.2. WSIS Forum

The WSIS Forum should serve as an important platform to track progress on the WSIS Action Lines and the implementation of the GDC tracks on data and AI systematically, with the effective participation of civil society actors. Greater synergies should be built between the WSIS Forum, the global IGF, regional and national IGFs, and the country-level UN Resident Coordinator's Offices to track WSIS implementation, with sustained funding.

6.3. IGF

The IGF's mandate should be renewed and it should be supported to play the role of a truly inclusive platform for knowledge sharing, dialogue, and debate on digital governance through dedicated funding. This is to ensure representational diversity and to support the inclusion of stakeholders from developing countries and underrepresented communities. Multistakeholder dialogue at the IGF should be based on democratic norms that is alive to the operations of social power and to public interest bottomlines, and enable meaningful representation of a plurality of voices, in line with the Net Mundial+10 principles. The IGF must go beyond a checkbox approach to multistakeholderism. It must serve as a safe space for people's movements and civil society to challenge the political and economic hegemony of powerful actors and demand accountability from states and corporations. Selection of proposals for the IGF annual event needs to accommodate the realpolitik of diversity and differences, giving space for minority views.

7. Do you have any other comments?

We provide below some additional resources for consideration:

a. The Global Digital Justice Forum's Action Agenda for WSIS+20 and Beyond.

The four-point agenda recommends 1) human rights adequate to the digital paradigm, 2) reclaiming the Internet as a communication commons, 3) building an international order based on digital non-alignment, and 4) a sustainable digital transition that safeguards the human rights of future generations.

https://itforchange.net/sites/default/files/add/Digital_Justice%2C_Now%21_A_Call_to_Action_for_WSIS%2B20_and_Beyond_v2.pdf

b. The Global Digital Justice Forum's proposals for international cooperation on tax justice and sustainable public financing in the digital economy.
https://gdjf.globaldigitaljusticeforum.net/submission/no-digital-justice-without-fiscal-justice/

8. Who is submitting this input?

The Global Digital Justice Forum

The Global Digital Justice Forum is a dynamic coalition of civil society organizations from the Global South and their allies in the Global North who are committed to returning digital power to all peoples. Through multi-pronged action grounded in a structural justice perspective, the Forum seeks to bring to fruition the vision of an equitable, just, and development-oriented international digital order. The Forum represents a diverse array of civil society stakeholders, including sustainable development organizations, digital rights networks, feminist groups, corporate watchdogs, communication rights campaigners, trade unions, and cooperatives. See list of members here:
https://gdjf.globaldigitaljusticeforum.net/about-us/

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