Call for Inputs: WSIS+20 Review

Submitted jointly by the following organisations (in alphabetical order):

- ARTICLE 19
- Association for Progressive Communications (APC)
- Data Privacy Brasil
- Derechos Digitales
- ECNL
- Global Partners Digital (GPD)
- ICNL
- Paradigm Initiative (PIN)
- Research ICT Africa
- The Wikimedia Foundation

Implementation of the WSIS Process

1. What are the main achievements of the implementation of the WSIS process in the past 20 years?

Key highlights include the establishment of the Internet Governance Forum (IGF), the alignment of the WSIS Action lines with United Nations Sustainable Development Goals (SDGs) and the demonstration of how the multistakeholder approach works. The WSIS process led to the establishment of the Working Group on Internet Governance-the precursor to the Internet Governance Forum-established by the UN Secretary-General in 2004. With a mandate set out in paragraphs 72-78 of the Tunis Agenda, the IGF held its first meeting in Athens in 2006. Notably the IGF has enabled a forum for discussing global Internet policy and governance, fostering collaboration among governments, civil society, the private sector, the technical community and other stakeholders. The IGF has facilitated discussions on critical issues such as digital rights, cybersecurity, and access to information, helping to shape policies that reflect diverse stakeholder perspectives. The IGF mandate led to the creation of more than 155 National and Regional Initiatives across all continents, and this has led to diverse cooperation and action on digital rights and inclusion. The IGF established a Leadership Panel which developed the Internet We Want framework, setting bold targets of achieving a whole and open, universal and inclusive, free-flowing and trustworthy, safe and secure, and rights-respecting Internet.

2. What are ITUs main contributions towards the implementation of the WSIS Process in 20 Years?

The ITU has served as a lead facilitator, along with the United Nations Educational and Cultural Organisation (UNESCO) and the United Nations Development Programme (UNDP), for the multistakeholder implementation of the Geneva Plan of Action. This includes facilitating Action Lines focused on critical areas such as Information and communication infrastructure, capacity building, building confidence and security in the use of ICTs and enabling environment. The ITU has also played a co-facilitator role on action lines which

include ethical dimensions of the information society, access to information and knowledge, ICT applications and international and regional cooperation.

The ITU initiated and maintains the <u>WSIS Stocktaking platform</u>, which serves as a global repository for documenting ICT-driven sustainable development projects and best practices. Currently, it comprises over <u>13.500 entries</u> aligned with WSIS Action Lines and Sustainable Development Goals (SDGs). The ITU produces annual reports detailing its contributions to WSIS outcomes, providing insights into ongoing initiatives and progress made in various sectors related to ICT.

The ITU co-organises the WSIS Forum, which is recognised as the largest annual gathering of stakeholders focused on ICT for development. This forum facilitates discussions on implementing WSIS Action Lines and advancing sustainable development through technology. The forum is held in collaboration with United Nations agencies, ensuring that diverse perspectives are included in discussions about digital cooperation and governance.

The ITU coordinates efforts among UN agencies to align WSIS implementation activities with the 2030 Agenda for Sustainable Development. This includes facilitating collaboration between organisations to maximise joint efforts while avoiding duplication. The ITU actively engages with governments, civil society, academia, and the private sector to promote an inclusive approach to ICT governance and development.

3. The WSIS process stands as a strong example of global digital cooperation in action for over two decades now. How can we ensure that this inclusive multistakeholder model is sustained and further strengthened?

A key achievement of the WSIS process is its strong commitment to the multistakeholder approach in Internet governance, reflected in the Tunis Agenda, the decentralised structure created to implement the WSIS outcomes, and the creation of the Internet Governance Forum (IGF). This approach has helped to maintain the global, open, and interoperable nature of the Internet, which is a key enabler of human rights in the digital age and of people-centric sustainable development.

Our collective experience in the digital policy field indicates the need to further evolve and strengthen the operationalisation of multistakeholder approaches in both multistakeholder and multilateral processes relating to the governance of the Internet and digital technologies.

We make two principal recommendations:

First, we recommend that the WSIS community prioritises the further evolution and operationalisation of multistakeholder approaches. The <u>NETmundial+10 Multistakeholder Statement: Strengthening Internet governance and digital policy</u>, known as the "São Paulo Guidelines", provides a set of guidelines and process steps that are of value to both multilateral and multistakeholder digital governance processes. It reinforces the benefits of approaches to governance which allow for inclusive and democratic participation of all stakeholders, and highlights the need to ensure transparent and accessible procedures, funding and capacity building to support participation from a diversity of stakeholders.

All agencies and institutions participating in the WSIS+20 review should affirm their commitment to the multistakeholder approach and further evolve it in a manner that strengthens collaboration among stakeholders and enables them to fulfil their diverse roles. These roles include raising awareness of the impacts on at-risk communities, contributing human rights expertise and research to policy deliberations, and monitoring compliance with international human rights standards and SDG commitments.

Second, we urge the WSIS+20 review commits to strengthen the IGF and ensure a people-centric permanent mandate. As one of the principal institutional outcomes of the WSIS, the IGF has evolved into a primary venue for multi stakeholder dialogue on public policy matters related to the Internet. However, it has faced challenges, including the need to ensure more sustainable financial resources to fulfil its mandate; better cohesion between the IGF's intersessional work streams and outcomes at the global level; more diverse representation, particularly of under-represented countries and marginalised communities; and improved procedures to guarantee principles of openness, inclusivity, transparency and accountability. The selection of host countries for the global IGF is especially relevant to ensure that the IGF through its procedures and activities does not undermine the effective participation of stakeholders or result in the exclusion of structurally marginalised groups.

The WSIS+20 review should commit to the establishment of a permanent IGF mandate, supported by adequate resourcing and more transparent and accessible procedures. A permanent IGF would provide a long-term, stable forum for discussion of digital policy topics in an inclusive and multistakeholder manner. A permanent mandate will ensure that the IGF as a multistakeholder structure is safeguarded, while allowing additional time for the community to consider how its model may be refined.

4. What are the challenges that remain in the implementation of the WSIS process?

We face both operational and structural challenges. On the operational side, for instance, we believe it is necessary to strengthen the funding of processes such as the global IGF as well as regional IGFs; increase and diversify the various meetings that take place among multiple stakeholders; make participation processes more transparent and meaningful, especially for civil society organizations that, in different countries worldwide, face conditions that undermine the defense of civic space both online and offline. Additionally, one of the challenges we have already highlighted in this contribution is ensuring the permanence of the IGF as a forum for dialogue and debate among stakeholders, particularly at a time when multilateralism and multistakeholderism may be weakened by the fragmentation of global consensus processes.

On the structural side, we understand that it is essential to efficiently address the articulation of WSIS with other regional and global governance processes so that it is neither subsumed nor diluted by other processes or mandates. There is also the challenge of maintaining WSIS as a relevant forum for internet governance, ensuring that the internet remains a democratizing, free, interoperable, and inclusive technology. Moreover, it is crucial to continue ensuring that WSIS and its various stakeholder engagement processes align with democratic values.

WSIS Action Lines

5. Which specific Action Lines have had the most significant impact, and why?

6.Considering that the WSIS outcomes have demonstrated their relevance and applicability to new and emerging areas, how can the implementation of the WSIS principles and corresponding WSIS Action Lines be enhanced to effectively address these topics?

The WSIS Action Lines provide a useful and encompassing framework to collectively identify and address emerging trends in the digital sphere towards ensuring the benefit of society and people. To enhance the implementation of the WSIS principles and Action Lines and ensure they effectively address emerging topics, it will be important for the next phase of the WSIS to account for the following trends:

- C2_information and communication infrastructure include infrastructure for artificial intelligence as posing both opportunities and risks for the achievement of an inclusive information society for 2025 and beyond.
- C3 access to information and knowledge include researcher access to data, data standards for AI, and address access to information through emphasizing connectivity.
- <u>C4 capacity building</u> continue to address capacities needed for new technologies across regions and languages.
- C5 <u>Building confidence and security in the use of ICTs</u> ensure efforts to enhance security support human rights as opposed to undermining them.
- o C6 <u>enabling environment</u> ensure digital public infrastructure is rights respecting and addresses the negative implications of market concentration.
- C10 ethical dimensions of the information society ensure approaches to AI are grounded in human rights and supported by ethical frameworks. AI governance needs to include human rights impact assessment rather than assuming its benefits as has been captured by the narratives of AI for good. A proportionate approach means discussing AI governance not only deployed but also the conditions in which it should not be deployed.
- C11 international and regional cooperation focus on multi-stakeholder approaches that embody the principles of multistakeholderism as articulated in the São Paulo Guidelines.

Across Action Lines it will be important to focus on facilitating multi-stakeholder collaboration and dialogue between governments, civil society, private sector, academia and the technical community when finding solutions. Continuing to adopt crowdsourced working methods and the Open Consultation Process will ensure relevant emerging trends are considered and addressed.

7.Have you any suggestions and inputs on the WSIS+20 Review Action Lines, highlighting key milestones, challenges and emerging trends beyond 2025 prepared

by the WSIS Action Line facilitators.

https://www.itu.int/net4/wsis/forum/2024/Home/About#actionLines

The twenty-year review should update the WSIS framework to reflect these emerging trends beyond 2025:

- C1 promotion of ICTs for development the development of rights respecting
 ecosystems to ensure that development efforts support human rights. This includes
 the development and effective implementation of data protection and privacy
 legislation as well as ensuring that laws and regulations on the use of technology, in
 areas such as surveillance, are in line with international human rights law, including
 with the principles of legitimacy, necessity, proportionality, legality and
 non-discrimination.
- C2 information and communication infrastructure include infrastructure for artificial
 intelligence as posing both opportunities and risks for the achievement of an inclusive
 information society for 2025 and beyond. Address potential governmental mandates
 in the context of AI that can undermine the right to freedom of expression, right to
 privacy and other human rights.
- C3 access to information and knowledge include researcher access to data, data standards for AI, and address access to information through emphasizing connectivity.
- C4 <u>capacity building</u> continue to address capacities needed for new technologies across regions and languages.
- C5 <u>Building confidence and security in the use of ICTs</u> ensure efforts to enhance security support human rights as opposed to undermining them.
- C6 <u>enabling environment</u> ensure digital public infrastructure is rights respecting and addresses the negative implications of market concentration.
- C7 <u>ICT applications</u> address geopolitical dimensions of access to data, infrastructure, and compute for AI.
- C9 media address the negative implications of the lack of diversity of business models and market concentration and encourage rights-respecting approaches to platform governance to enhance media plurality and promote freedom of expression and access to information.
- C10 <u>ethical dimensions of the information society</u> ensure approaches to AI are grounded in human rights and supported by ethical frameworks.
- C11 <u>international and regional cooperation</u> focus on multi-stakeholder approaches that embody the principles of multistakeholderism as articulated in the São Paulo Guidelines.

WSIS Action Line for advancing the SDGs

8. How can the alignment between the WSIS Action Lines and SDGs be strengthened towards the achievement of the 2030 Agenda for Sustainable Development?

We think there are four strategic pillars where the WSIS Action Lines and the SDGs can be mutually strengthened.

First, it is urgent to strengthen the harmonization and alignment of public policies so that WSIS Action Lines can, for instance, be included in national digital agendas or development

plans. Additionally, these Action Lines should be complemented by implementation metrics which are localized to reflect specific contexts, giving them greater relevance and impact.

Second, it is worth improving efforts in collaboration, dialogue, and exchange between the various forums where progress on the SDG agenda or the WSIS Action Lines is discussed. This would enable cross-referencing of updates on the implementation of goals set in both frameworks, fostering more coordinated and informed progress.

Third and relatedly, both the WSIS framework and the SDGs are grounded in international human rights law. The original WSIS vision produced in 2003 is anchored in the values and obligations of the UN Charter and the Universal Declaration of Human Rights, and the SDGs are derived from and refer to international human rights law. The next phase of the WSIS and SDG implementation should ensure greater cohesion with the international human rights framework and enhanced coordination and with the UN human rights mechanisms, including the OHCHR, to ensure that their respective agendas can be achieved.

Fourth, advancing actions to strengthen digital literacy and close the digital divide—while ensuring meaningful internet access—is critical. This contributes directly to reducing inequality and supports the broader achievement of both WSIS and SDG objectives.

Future Vision and WSIS beyond 2025

9. How can we further strengthen multistakeholder platforms such as the WSIS Forum as the platform for digital development and IGF as the platform for governance and policy issues?

As diverse organisations and individuals, we have committed extensive resources and expertise to the IGF as a principal forum for governance and policy issues.

The WSIS+20 review should commit to the establishment of a permanent IGF mandate, supported by adequate resourcing and more transparent and accessible procedures. A permanent IGF would provide a long-term, stable forum for discussion of digital policy topics in an inclusive and multistakeholder manner. As noted in the cross-community stakeholder statement: "in practical terms, it is essential to look for ways to build on the current model of financing the IGF through voluntary contributions, ensuring a more predictable financial basis for the future evolution and sustainability of the IGF ecosystem." (From the IGF's Multistakeholder Advisory Group (MAG) "Vision of the IGF beyond 2024", released in late 2024)."

It is also necessary to review the IGF's policies and procedures from a human rights perspective to ensure that principles of openness, inclusivity, transparency and accountability are upheld. For example, it is necessary to ensure that host country selection for the global IGF is founded upon an open, community-involved selection process, based on human rights considerations.

Additional work is also needed to consider how the IGF can be strengthened as a vehicle for people-centric and inclusive discussions of the Internet and digital policy issues. For

example, a dedicated IGF track could be established focused on strengthening and implementing multistakeholder approaches in both multilateral and multistakeholder digital policy processes. Specific attention should be paid to understanding the interests and needs of affected communities to facilitate their greater participation.

10. How can the implementation of the WSIS process and the Pact for the Future and its Global Digital Compact be aligned to achieve shared goals?

The year 2025 presents a significant opportunity for coordination and optimization of agendas through the WSIS+20 review process and the implementation of the GDC. On one hand, ODET, in its role as coordinator of global digital governance, can map common goals and facilitate the implementation and achievement of objectives by the existing WSIS facilitators, such as the ITU and other UN agencies. The GDC can add to these facilitators with other entities already mentioned in the text, such as the OHCHR and the CSTD, to fulfill objectives and build upon the efforts and guidelines already established by these same actors. The WSIS framework should evolve and be enriched by the GDC principles and commitments which are anchored in human rights and recommend the application of rights-based approaches, such as human rights due diligence and impact assessments. On the other hand, the GDC can benefit from the decentralised implementation structure created by the WSIS, which has prioritised the engagement of different stakeholders and has worked to translate an international framework into national-level actions.

It is crucial that all these processes are not only coordinated with one another but also consistently include the participation of non-state stakeholders. This enhances the multistakeholder tradition of WSIS, which has enabled its relatively successful journey over the past 20 years—a characteristic also recognized by the GDC, whose principles are well summarized and agreed upon in the NetMundial+10 Declaration.

Twenty years ago, the WSIS process recognized the role of the multistakeholder approach in ensuring meaningful and inclusive Internet governance, thus creating the Internet Governance Forum (IGF), which has served as the main forum and hub for debates not only on Internet governance but also on digital governance in a broader sense. The 20 years of experience in being a space that brings together diverse stakeholders to deepen consensus on issues related to the information society enables the IGF to be the ideal and firmly established space to serve as a coordination and monitoring hub for the Global Digital Compact process.

11. What are the key emerging digital trends and topics to be considered by ITU in the WSIS+20 review and future vision beyond 2025?

Conflict: The conflicts of the 21st century have hindered sustainable development, leading to health crises, food and clean water scarcity, and the deliberate destruction of civilian infrastructure. Recently, internet access has come under increasing threat during conflict, with bad actors targeting the technical layers and physical infrastructure of the internet through covert sabotage of undersea cables, cyberattacks, or with conventional weapons. In addition to constituting a war crime when committed in the context of armed conflict, the blanket degradation of civilian internet access leads to setbacks in the advancement of the

WSIS action lines and should be highlighted as a major obstacle to global digital development.

Regulation of the Digital Environment: Governments have sought new ways to regulate the digital economy and mitigate harms online. Some of these efforts have aligned with the principles of legality, legitimacy, and proportionality, but in many other instances, new laws have sought to control the digital environment in contravention of international human rights law and norms. These laws have increased in number and complexity since the last WSIS review, with a trend towards data localization; content restrictions; legal authorizations to disrupt internet traffic; mandatory registration of platforms, creators, devices, and users; and data collection and retention requirements. To ensure that laws are rights-based, grounded in a technical understanding of the internet and how such laws impact the different layers of the internet, and developed through multistakeholder participation, the WSIS community should ensure that there is an increased emphasis and investment in rights-based, holistic capacity building for policymakers in the next phase of the WSIS, to ensure the creation of an enabling policy environment for ICTs which contributes to sustainable development and promotes human rights, in line with Action Line C6.

Privacy Rights: Data, particularly personal data, now has immeasurable value in the global economy, with the datafication of major industries, the worldwide increase in internet and social media usage, and the proliferation of "smart" products and services (i.e., the internet of things). While the benefits of the digital economy have propelled some advances in the WSIS Action Lines, the risks to privacy rights have simultaneously increased. Many governments have responded by passing Data Protection Laws and inserting personal data provisions in cross-border trade agreements, but the challenge has outweighed these responses. Meanwhile, governments themselves exploit the current environment by collecting and storing communications data without adhering to their obligations under human rights law. The ITU should evaluate the successes and shortcomings of current privacy rights frameworks, and acknowledge the risks to sustainable development to prevent invasive surveillance practices.

Digital Divides: Advancements in health, education, and agriculture are set to increase precipitously in the next 10 years. The use of artificial intelligence to improve evidence-based care, the expansion of health services through the use of virtual consultations, and tech-based innovations in surgical operations and organ transplants have already revolutionized the healthcare industry and will continue to do so in the next 10 years. While these advancements are commendable, they have been limited to the most developed countries. The success of the WSIS Action Lines depends on the ability of all nations to leverage the potential of ICTs, including in rural and marginalized communities. Without concerted action and investments, as well as inclusive and participatory approaches to development, the digital divide challenge will only grow by the time of the WSIS+35 review.