

Roundup

United Nations Non-Governmental Liaison Service (NGLS)
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WSIS—PrepCom3: Unfinished Business

CONTEXT

The International Telecommunications Union (ITU), lead agency of the World Summit on the Information Society (WSIS), hosted the third Preparatory Committee meeting (PrepCom3) in Geneva from 15-26 September 2003. After PrepCom1 (see *NGLS Roundup 95*) and PrepCom2 in February 2003 (see *Go Between 96*) and the intersessional meeting held in Paris in July 2003, PrepCom3 sought to finalize the Declaration of Principles and the Plan of Action. The outcome documents will be submitted to and adopted at the Summit's first phase, to be held in Geneva from 10-12 December 2003, where more than 50 Heads of State and Government are expected to attend. The second phase will be held in Tunisia in November 2005.

Some 1,500 delegates and representatives from UN Member States, intergovernmental organizations, civil society and the private sector attended the meeting. Around 700 NGOs have been accredited to the Summit process. Delegates continued their work on the draft declaration and draft action plan, which sought to "harness the power of information and communication technologies as a tool for development and to create an information society that benefits all of humanity." UN Secretary-General Kofi Annan in his message expressed that "ultimately, our aim must be to ensure that people everywhere have access to information technology, and can use it to build better lives, for themselves and for their children."

In his speech to the PrepCom, ITU Secretary-General Yoshio Utsumi said that the Summit would be successful if it achieved three goals: raising awareness among world leaders of the implications of the information society; getting their firm commitment to tackle the injustice of the digital divide; and developing new legal and policy frameworks appropriate to cyberspace. He also noted that WSIS sought to bridge what many governments view as a widening gap between people who have access to modern communication technologies and information, and thus knowledge,

and those who do not. The importance of communication and access to networks is "no longer just a technical matter, but a fundamental policy goal for every nation," he said.

A NEW MULTI-STAKEHOLDER APPROACH?

WSIS has been seen by some as a new approach to UN global conferences in that its multi-stakeholder process seeks to bring together all those who have a stake in shaping an interconnected future based on information and communication technologies (ICTs). Governments, international organizations, civil society, the private sector and the media have all been active players in the process.

Non-governmental stakeholders were invited to express their viewpoints and proposals in all meetings of the plenary and its subcommittees. Adama Samassékou, President of the Preparatory Committee, asked civil society participants at the PrepCom to move from "input to impact" in working towards the construction of a real "world summit of solidarity." Despite frustrations with parts of the Summit process, the positive engagement of non-governmental stakeholders was seen as "exerting a greater and concrete influence on the course of the debates," Mr. Samassékou said.

Marc Furrer, State Secretary of Switzerland for WSIS and Director-General of the Federal Office of Communications (OFCOM), welcomed the multi-stakeholder approach. "It is most important that the multi-stakeholder process is in place. We have had substantial and difficult discussions at the PrepCom, and we have made progress on some fronts. Political negotiations have to start now to improve the Declaration."

INTERGOVERNMENTAL NEGOTIATIONS

Government delegations negotiated the content of the Declaration and Plan of Action over the ten days

of PrepCom3. Among the most difficult and contentious issues were the following:

Human Rights

Controversies persisted over the content of the Declaration of Principles, and government representatives disagreed on the financing of the Plan of Action. Opinions also differed about including a broader concept of human rights, with some delegations calling for the need to mention gender equity, and the right to development.

Media

One issue being debated was the role that the communications media, including community media, should have in the information society. A number of representatives from media organizations—Tracey Naughton, chair of the WSIS Media Caucus, Jacques Briquemont of the European Broadcasting Union, and Ronald Koven of the World Press Freedom Committee—addressed an open letter to UN Secretary-General Kofi Annan which states that the draft texts imply a threat to the fundamental principles of independence and plurality in the media sector. “We are deeply concerned that the government delegations at PrepCom3 have been unable to agree on re-committing themselves to the universally accepted principles of freedom of expression and to the place of media as a major stakeholder in the information society,” the open letter said.

Beatriz Busaniche of the University of Buenos Aires Centre for Tele-work and Tele-training said that civil society will “insist that the proposal of the WSIS include our priorities, such as development, justice for the South, human rights, gender equity, community media, education, public goods, free software and open access to scientific and technological information.”

Financing and Digital Solidarity Fund

One of the most contentious issues during the negotiations concerned financing of the development of the Information Society, particularly in developing countries. Discussions focused on a “Digital Solidarity Fund” based on a proposal made by President Wade of Senegal, who suggested that consumers in North America and Europe be asked to voluntarily donate a small financial contribution to a specific and designated fund. However, the main donor countries—US, Japan and Western Europe—resisted the idea of such a fund, arguing that existing financing mechanisms could be better leveraged.

Internet Governance

Another difficult issue was the question of how to govern the Internet, as well as intellectual property rights, and open-source software. China and Brazil were among several countries calling for one or more intergovernmental bodies to manage Internet resources, such as domain names, root servers and Internet Protocol (IP) addresses. The US delegation continued to back the Internet Corporation for Assigned Names and Numbers (ICANN), a non-profit corporation structured to make decisions on the basis of Internet community consensus. Delegates

from the European Union likewise supported a private model, along the lines of the ICANN, preferring not to see the ITU or other intergovernmental bodies involved in governance.

“This is the first time that issues like financing, Internet governance and security and even spam have ever been discussed at a global level,” ITU spokesman Gary Fowlie said. “Because they’re so broad and some of them so new, it’s definitely a challenge to address them all.”

Free software

The role of different software models in ensuring access to information and knowledge also created heated debate. Many countries, and not just developing ones, pointed out that they feel that proprietary software, like that developed and marketed by Microsoft Corp, does not meet all users’ needs optimally in terms of cost and usage. Earlier language in the (August) draft Declaration and the Plan of Action, advocating wide use of open-source software, was toned down in the September draft, largely because of demands by US and EU delegates that commercial software interests receive fair representation in the plan. The language now speaks of “striking a balance” among the different software models, including proprietary, open source and free software.

The fact that free software continues to be identified in the latest draft, in addition to a reference to open-source software is the result of intense lobbying by several groups, including the Free Software Foundation (FSF) Europe. “Free software does not have to be free of charge; it can be sold commercially,” said FSF Europe President George Greve. “What distinguishes free software from the other software models is basically the freedom it gives users to modify, distribute and use the software in an unlimited way. Open source is a term that even Microsoft is not using when it talks about opening its code for governments to view. Microsoft software is proprietary software.”

CIVIL SOCIETY AT PREPCOM3

Before PrepCom3 opened, the Conference of NGOs in consultative relationship with the United Nations (CONGO) organized an orientation session for NGOs attending the conference. Chaired by CONGO President Renate Bloem, the meeting sought to provide background information to ensure effective participation. Speaking to civil society participants, PrepCom Chair Adama Samassékou encouraged his audience to move from “input to impact.” He also suggested that the main goal of civil society was to become a true, dynamic partner, and that governments should become more open and allow active and constructive civil society participation. Every actor in the process has his or her specific role to play, Mr. Samassékou urged. However, civil society representatives expressed “grave concern, frustration and disappointment” after the publication of the first draft of the Declaration of Principles on

19 September, stressing that their inputs and contributions were not given serious consideration.

A team of researchers, including the Global Contract Foundation, compiled a comparative analysis of the Paris Draft Declaration (from July 2003), the input statements of the civil society during PrepCom3 and the new draft from 19 September. Their comparison found that from 86 recommendations made by civil society, 49 (60%) had been totally ignored; 12 recommendations (15%) were in some way in the new declaration and taken on; and the rest (25%) disappeared in more general formulations, with the majority of these texts still in brackets.

"A lot of key issues for civil society ... have totally disappeared from the latest version of the declaration," said Wolfgang Kleinwächter, an ICT expert from Aarhus University. These omissions include concepts like community radio, human rights and participation of individual Internet users in policy making. The elimination of certain paragraphs especially affects the "grassroot community, the poor, the marginalized, the disadvantaged," said Angela Kuga, a Malaysian activist with the Association for Progressive Communication.

Civil society representatives, in their statements, had proposed to put people at the centre of the information society. They expressed their frustration that the draft Declaration of Principles lacked "both vision and people-centred principles," and found it to be a "bureaucratic document with more emphasis on technology and economics than on individuals and communities." In a 23 September press statement, CSOs stated that the agenda for the Summit in December was being overwhelmed by business interests and technocrats. "Our contributions towards shaping a common vision of an inclusive, democratic and sustainable information society, appear to have been ignored," some civil society groups said.

Noting that key language and points that addressed core concerns of civil society since the beginning of the PrepCom process had been removed from the new draft Declaration, CSOs called attention to what they said were the major omissions:

First, community media: the value of alternative media in promoting public participation, strengthening cultural and linguistic diversity, promoting gender equity and bringing a just and equitable information society that includes the voices of the poor and the marginalized. Second, free and open source software, which were not adequately recognized, according to civil society representatives. Third, enabling environments: civil society participants felt that the social and political environments necessary to enable full participation and enjoyment of the benefits of an information society by all people were not emphasised enough in the draft, except in relation to regulations, standard setting and legislation. Fourth, intellectual property rights (IPRs): civil society representatives argued that if governments fail to recognize the threat that IPRs pose to innovation, the public

domain and citizens rights, they would be supporting the "further concentration of wealth and power in the hands of the resource-rich few." Fifth, Internet governance: although the document speaks of a multi-stakeholder approach to ensuring equitable distribution of resources, the role of civil society is ignored in the part of the document relating to Internet management.

OUTCOMES OF PREPCOM3

Despite the progress made, PrepCom3 was not able to agree on the final texts of the two outcome documents and the meeting was suspended. It was set to reconvene from 10-14 November. The November meeting, referred to as the Resumed Session of PrepCom3, or more informally PrepCom3a, aimed at reaching an agreement between governments who have differing views on the issues described above. It also sought to break the deadlock. To facilitate consensus-building, Mr. Samassékou said a series of open-ended consultations would be held in Geneva on the 20, 30 and 31 of November.

During the final days of PrepCom3, CSOs expressed their concern that the Summit was "going off track" and "failing." Although the idea of a civil society declaration offering an alternative vision to the official declaration had been discussed earlier, it now gained momentum and support, and on 24 September the civil society plenary agreed to start drafting its own declaration. Debates were held and some CSOs suggested linking-up with alternative events that will take place around the December Summit, and even walking out of the process itself.

However, in their closing press conference, CSOs said, "even though the process has been frustrating and inconsistent, with civil society included and excluded at the whim of governments, our experience has been one of closer engagement than has been the case at other UN conferences." CSO representatives also clearly stated that even though their main principles, visions and perspectives were not reflected in the results so far, they would continue to assert their role in the definition of the nature and direction of information societies.

The Summit brought together new CSOs constituencies. Some had little experience of working at the international level. CSOs activities during PrepCom3 proved to have their own "digital divide" along North-South lines. Most of the CSOs from the North were very well prepared for the PrepCom. For example, German CSOs brought their printed contribution, *Charter of Civil Rights for a Sustainable Knowledge Society*, a document published by the Heinrich-Böll Foundation. The Charter calls for the unhindered and inclusive use of knowledge and information oriented to the principles of sustainability.

Different national European CSOs, notably the Germans and Swiss, met regularly to debrief one

another and to coordinate their advocacy work. In some cases, participants from civil society were part of the governmental delegations, as was the case for Germany, Switzerland, Denmark, Finland and Canada. These CSOs were noticeably better informed about the governmental negotiations, and had more input on the actual content and drafting of the two outcome documents.

During the second week of the conference, the EU delegation invited European CSOs for an early morning exchange of views. The CSOs were given one hour to present their points of concerns, and although the meeting was held at 8:00 am, almost all of the national delegations were present, attesting to the importance of civil society inputs.

Northern CSOs were also technologically well equipped, using wireless connections and numerous laptops, which allowed them to work efficiently and effectively. At one point a European delegate and a civil society representative sat side-by-side drafting text on the Declaration. Northern CSOs were able to make a greater impact, and offered more contributions to the outcome documents mostly due to their organized networks and closer involvement with governments. On the other hand, while there was input and involvement of southern CSOs in the civil society processes, their participation varied widely. Language was a barrier for many participants. At the end of PrepCom3, the West Asian/Middle Eastern representative, Amir Barmaki, called for more coordinated cooperation among CSOs in order for civil society to speak with one global voice, and to have a more united civil society position *vis-à-vis* governments.

CIVIL SOCIETY ORGANIZATIONAL STRUCTURES

To enhance NGO participation, a Civil Society Bureau (CSB) was established and includes a range of different civil society constituencies, such as Media, Youth, People with Disabilities, Trade Unions, Indigenous People, Science and Technology, etc. The CSB serves uniquely as an information mechanism that deals with operational and logistical needs and procedures (www.geneva2003.org/wsis/summit_c01_1_01.htm). Five Regional Groups have been established within the CSB to disseminate information and to facilitate contact between the different constituencies at the regional and national level.

To promote more effective work on the substantive issues, NGOs have organized themselves into a variety of thematic and regional caucuses, such as such as Human Rights, Internet Governance,

Communication Rights, Values and Ethics, Media, Youth, Indigenous People, People with Disabilities, Information Security, etc. Focal points of the caucuses and working groups are available online (www.wsis-cs.org/caucuses).

SIDE EVENTS AT PHASE 1 OF THE SUMMIT

More than 100 side events will be held around the December Summit in Geneva. The UN Department of Public Information, in collaboration with the European Broadcasting Union and the Swiss Government, will hold the "World Electronic Media Forum" to discuss the role of electronic media and affirm the principles of press freedom. On 9 December, a workshop on "Global Governance of ICT: Public Interest Considerations" will be held by Computer Professionals for Social Responsibility. It will bring together experts from civil society and other sectors to consider both the current global policy architecture and balanced alternatives. In conjunction with the World Summit, the Swiss Agency for Development and Cooperation and the Global Knowledge Partnership will organize the "Information and Communication Technologies for Development Platform"(ICT4D), which will include an exhibition and conference programme showing how ICTs could be used to reduce poverty and promote development. Another event, the annual symposium of the World Bank programme InfoDev, is organized by Swiss State Secretariat for Economic Affairs (seco) and the World Bank. A Global Knowledge Partnership Day is another highlight and will include a discussion of the role of modern multi-stakeholder networks in development cooperation work.

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Other useful websites:
Heinrich-Böll Foundation (www.worldsummit2003.org)

Conference of NGOs in Consultative Relationship with the United Nations (CONGO) (<http://prepcom.net/wsis>)

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