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**Document WSIS-03/GENEVA/CONTR/10-E**  
**5 December 2003**  
**Original: English**

**UNESCO**



**RECOMMENDATION  
CONCERNING THE PROMOTION AND USE OF MULTILINGUALISM  
AND UNIVERSAL ACCESS TO CYBERSPACE**

UNESCO, Paris

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## PREAMBLE

The General Conference,

*Committed* to the full implementation of the human rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights and other universally recognized legal instruments, and *mindful* of the two International Covenants of 1966 relating respectively to civil and political rights and to economic, social and cultural rights,<sup>1</sup>

*Recognizing* the "central and important role of the United Nations Educational, Scientific and Cultural Organization in the field of information and communication and in the implementation of the relevant decisions in this area adopted by the General Conference of that Organization and of the relevant parts of the Assembly resolutions on the subject",<sup>2</sup>

*Recalling* that the Preamble to the Constitution of UNESCO affirms, "that the wide diffusion of culture, and the education of humanity for justice and liberty and peace are indispensable to the dignity of man and constitute a sacred duty which all the nations must fulfil in a spirit of mutual assistance and concern",

*Further recalling* Article I of the Constitution, which assigns to UNESCO among other purposes that of recommending "such international agreements as may be necessary to promote the free flow of ideas by word and image",<sup>3</sup>

*Affirming* the principles embodied in the Universal Declaration on Cultural Diversity, adopted by the General Conference of UNESCO at its 31st session and particularly its articles 5, 6 and 8,

*Referring* to the resolutions of the General Conference of UNESCO<sup>4</sup> with regard to the promotion of multilingualism and universal access to information in cyberspace,

*Convinced* that the development of new information and communication technologies (ICTs) provides opportunities to improve the free flow of ideas by word and image but also presents challenges for ensuring the participation of all in the global information society,

*Noting* that linguistic diversity in the global information networks and universal access to information in cyberspace are at the core of contemporary debates and can be a determining factor in the development of a knowledge-based society,

*Taking into account* international treaties and agreements on intellectual property, in order to facilitate the promotion of universal access to information,

*Acknowledging* the need for capacity-building, particularly for developing countries, in acquisition and application of the new technologies for the information-poor,

*Recognizing* that basic education and literacy are prerequisites for universal access to cyberspace,

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<sup>1</sup> Articles 19 and 27 of the Universal Declaration of Human Rights, 1948; International Covenant on Civil and Political Rights, Article 27, and International Covenant on Economic, Social and Cultural Rights, 1966; United Nations Declaration on the Rights of Persons belonging to National, Ethnic, Religious and Linguistic Minorities (resolution 47/135 of 18 December 1992); the ACC Statement on Universal Access to Basic Communication and Information Services, issued in 1997; paragraph 25 of the United Nations Millennium Declaration, 2000.

<sup>2</sup> United Nations General Assembly resolution 35/201 (97th plenary meeting, 16 December 1980).

<sup>3</sup> Article I, paragraph 2(a).

<sup>4</sup> 29 C/Resolution 28, paragraph 2.A(h), 29 C/Resolution 36, 30 C/Resolution 37, 30 C/Resolution 41, and 31 C/Resolution 33.

*Considering* that different levels of economic development affect prospects for access to cyberspace and that specific policies and increased solidarity are required to redress current asymmetries and create a climate of mutual trust and understanding,

*Adopts* the present Recommendation:

## **DEVELOPMENT OF MULTILINGUAL CONTENT AND SYSTEMS**

1. The public and private sectors and the civil society at local, national, regional and international levels should work to provide the necessary resources and take the necessary measures to alleviate language barriers and promote human interaction on the Internet by encouraging the creation and processing of, and access to, educational, cultural and scientific content in digital form, so as to ensure that all cultures can express themselves and have access to cyberspace in all languages, including indigenous ones.
2. Member States and international organizations should encourage and support capacity-building for the production of local and indigenous content on the Internet.
3. Member States should formulate appropriate national policies on the crucial issue of language survival in cyberspace, designed to promote the teaching of languages, including mother tongues, in cyberspace. International support and assistance to developing countries should be strengthened and extended to facilitate the development of freely accessible materials on language education in electronic form and to the enhancement of human capital skills in this area.
4. Member States, international organizations and information and communication technology industries should encourage collaborative participatory research and development on, and local adaptation of, operating systems, search engines and web browsers with extensive multilingual capabilities, online dictionaries and terminologies. They should support international cooperative efforts with regard to automated translation services accessible to all, as well as intelligent linguistic systems such as those performing multilingual information retrieval, summarizing/abstracting and speech understanding, while fully respecting the right of translation of authors.
5. UNESCO, in cooperation with other international organizations, should establish a collaborative online observatory on existing policies, regulations, technical recommendations, and best practices relating to multilingualism and multilingual resources and applications, including innovations in language computerization.

## **FACILITATING ACCESS TO NETWORKS AND SERVICES**

6. Member States and international organizations should recognize and support universal access to the Internet as an instrument for promoting the realization of the human rights as defined in Articles 19 and 27 of the Universal Declaration of Human Rights.
7. Member States and international organizations should promote access to the Internet as a service of public interest through the adoption of appropriate policies in order to enhance the process of empowering citizenship and civil society, and by encouraging proper implementation of, and support to, such policies in developing countries, with due consideration of the needs of rural communities.
8. In particular, Member States and international organizations should establish mechanisms at the local, national, regional and international levels to facilitate universal access to the Internet through affordable telecommunications and Internet costs with special consideration given to the needs of public service and educational institutions, and of disadvantaged and disabled population

groups. New incentives in this area should be designed towards this end including public-private partnerships to encourage investment and the lowering of financial barriers to the use of ICT, such as taxes and customs duties on informatics equipment, software and services.

9. Member States should encourage Internet service providers (ISPs) to consider provision of concessionary rates for Internet access in public service institutions, such as schools, academic institutions, museums, archives and public libraries, as a transitional measure towards universal access to cyberspace.

10. Member States should encourage the development of information strategies and models that facilitate community access and reach out to all levels of society, including the setting up of community projects and fostering the emergence of local information and communication technology leaders and mentors. Strategies should also support cooperation on ICT among public service institutions, as a means of reducing the cost of access to Internet services.

11. Interconnection on a negotiated cost-sharing basis in the spirit of international cooperation should be encouraged between national Internet peering points combining the traffic of private and non-profit ISPs in developing countries and peering points in other countries whether developing or industrialized.

12. Regional organizations and forums should encourage the establishment of inter- and intra-regional networks powered by high capacity regional backbones to connect each country within a global network in an open competitive environment.

13. Concerted efforts within the United Nations system should promote the sharing of information about and experience on the use of ICT-based networks and services in socio-economic development, including open source technologies, as well as policy formulation and capacity-building in developing countries.

14. Member States and international organizations should promote appropriate partnerships in the management of domain names, including multilingual domain names.

#### **DEVELOPMENT OF PUBLIC DOMAIN CONTENT**

15. Member States should recognize and enact the right of universal online access to public and government-held records including information relevant for citizens in a modern democratic society, giving due account to confidentiality, privacy and national security concerns, as well as to intellectual property rights to the extent that they apply to the use of such information. International organizations should recognize and promulgate the right for each State to have access to essential data relating to its social or economic situation.

16. Member States and international organizations should identify and promote repositories of information and knowledge in the public domain and make them accessible by all, thus shaping learning environments conducive to creativity and audience development. To this end, adequate funding should be provided for the preservation and digitization of public domain information.

17. Member States and international organizations should encourage cooperative arrangements which respect both public and private interests in order to ensure universal access to information in the public domain without geographical, economic, social or cultural discrimination.

18. Member States and international organizations should encourage open access solutions including the formulation of technical and methodological standards for information exchange,

portability and interoperability, as well as online accessibility of public domain information on global information networks.

19. Member States and international organizations should promote and facilitate ICT literacy, including popularizing and building trust in ICT implementation and use. The development of "human capital" for the information society, including an open, integrated and intercultural education combined with skills training in ICT, is of crucial importance. ICT training should not be limited to technical competence but should also include awareness of ethical principles and values.

20. Inter-agency cooperation within the United Nations system should be reinforced with a view to building up a universally accessible body of knowledge, particularly for the benefit of developing countries and disadvantaged communities, from the massive amount of information produced through development projects and programmes.

21. UNESCO, in close cooperation with other intergovernmental organizations concerned, should undertake the compilation of an international inventory of legislation, regulations and policies on the generation and online dissemination of public domain information.

22. Definition and adoption of best practices and voluntary, self-regulatory, professional and ethical guidelines should be encouraged among information producers, users and service providers with due respect to freedom of expression.

#### **REAFFIRMING THE EQUITABLE BALANCE BETWEEN THE INTERESTS OF RIGHTS-HOLDERS AND THE PUBLIC INTEREST**

23. Member States should undertake, in close cooperation with all interested parties, the updating of national copyright legislation and its adaptation to cyberspace, taking full account of the fair balance between the interests of authors, copyright and related rights-holders, and of the public embodied in international copyright and related rights conventions.

24. Member States and international organizations, when appropriate, should encourage rights-holders and the lawful beneficiaries of limitations and exceptions to copyright and related rights protection to ensure that such limitations and exceptions are applied in certain special cases that do not conflict with a normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the rights-holders as required for in the WIPO Copyright Treaty (WCT) and the WIPO Performances and Phonograms Treaty (WPPT).

25. Member States and international organizations should pay careful attention to the development of technological innovations and to their potential impact on access to information in the framework of copyright and related rights protection under international treaties and agreements.

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The General Conference recommends that Member States apply the above provisions by taking whatever legislative or other steps are required to give effect within their respective territories and jurisdictions to the norms and principles set forth in this recommendation.

The General Conference recommends that Member States bring this recommendation to the attention of the authorities and services responsible for public and private works on ICT policies, strategies and infrastructures, including use of multilingualism on the Internet, the development of

networks and services, expansion of public domain information on the Internet and intellectual property rights issues.

The General Conference recommends that Member States should report to it, on the dates and in a manner to be determined by it, on the action they have taken to give effect to this recommendation.



## APPENDIX

### DEFINITIONS

For the purpose of this Recommendation:

- (a) **Backbone** is a high-capacity network that links together other networks of lower capacity;
- (b) **Copyright limitations and exceptions** are provisions in copyright and related rights laws restricting the right of the author or other rights-holders with regard to the exploitation of their work or object of related rights. The main forms of such limitations and exceptions are compulsory licenses, statutory licenses and fair use;
- (c) **Cyberspace** is the virtual world for digital or electronic communication associated with the global information infrastructure;
- (d) **Domain name** is the name given to an Internet address, which facilitates access to Internet resources by users (e.g. "unesco.org" in <http://www.unesco.org>);
- (e) **Intelligent linguistic systems** combine the rapid computational, data retrieval and manipulation power of today's computers with the more abstract and subtle reasoning skills and understanding of nuances that are implied but not necessarily explicitly stated in inter-human communication within and across languages, thus allowing the simulation of human communication to a high degree;
- (f) **Internet service provider (ISP)** is a supplier of Internet access services;
- (g) **Interoperability** is the ability of software and hardware on different machines from different vendors to share data;
- (h) **Open source technologies** are based on the premise of open source, a certification standard issued by the Open Source Initiative (OSI) that indicates that the source code (program instructions in their original form or programming language) of a computer program is made available free of charge to the general public;
- (i) **Peering** is a relationship between two or more ISPs in which the ISPs create a direct link between them and agree to forward each other's packets directly across this link instead of using the Internet backbone. When peering involves more than two ISPs, all traffic destined for any of the ISPs is first routed to a central exchange, called a peering point, and then forwarded to the final destination;
- (j) **Portability** refers to the ability of software to be used on a variety of computers without necessitating a particular machine or hardware;
- (k) **Public domain information** is publicly accessible information, the use of which does not infringe any legal right, or any obligation of confidentiality. It thus refers on the one hand to the realm of all works or objects of related rights, which can be exploited by everybody without any authorization, for instance because protection is not granted under national or international law, or because of the expiration of the term of protection. It refers on the other hand to public data and official information produced and voluntarily made available by governments or international organizations;

- (l) **Search engine** is a software application that searches documents for specified keywords and localizes or retrieves the documents where the keywords were found;
- (m) **Universal access to cyberspace** is equitable and affordable access by all citizens to information infrastructure (notably to the Internet) and to information and knowledge essential to collective and individual human development;
- (n) **Web browser** is a software application used to locate and display World Wide Web pages.

The foregoing is the authentic text of the recommendation duly adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization during its 32nd session, which was held in Paris and declared closed the seventeenth day of October 2003.

IN FAITH WHEREOF we have appended our signatures this twenty-first day of November 2003.

*The President of the General Conference*

*The Director-General*



United Nations Educational, Scientific and Cultural Organization  
Organisation des Nations Unies pour l'éducation, la science et la culture

## Charter on the Preservation of the Digital Heritage<sup>1</sup>

### PREAMBLE

The General Conference,

*Considering* that the disappearance of heritage in whatever form constitutes an impoverishment of the heritage of all nations,

*Recalling* that the Constitution of UNESCO provides that the Organization will maintain, increase and diffuse knowledge, by assuring the conservation and protection of the world's inheritance of books, works of art and monuments of history and science, that its "Information for All" Programme provides a platform for discussions and action on information policies and the safeguarding of recorded knowledge, and that its "Memory of the World" Programme aims to ensure the preservation and universal accessibility of the world's documentary heritage,

*Recognizing* that such resources of information and creative expression are increasingly produced, distributed, accessed and maintained in digital form, creating a new legacy – the digital heritage,

*Aware* that access to this heritage will offer broadened opportunities for creation, communication and sharing of knowledge among all peoples,

*Understanding* that this digital heritage is at risk of being lost and that its preservation for the benefit of present and future generations is an urgent issue of worldwide concern,

*Proclaims* the following principles and *adopts* the present Charter.

### THE DIGITAL HERITAGE AS A COMMON HERITAGE

#### Article 1 – Scope

The digital heritage consists of unique resources of human knowledge and expression. It embraces cultural, educational, scientific and administrative resources, as well as technical, legal, medical and other kinds of information created digitally, or converted into digital form from existing analogue resources. Where resources are "born digital", there is no other format but the digital object.

Digital materials include texts, databases, still and moving images, audio, graphics, software and web pages, among a wide and growing range of formats. They are frequently ephemeral, and require purposeful production, maintenance and management to be retained.

Many of these resources have lasting value and significance, and therefore constitute a heritage that should be protected and preserved for current and future generations. This ever-growing heritage

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<sup>1</sup> Adopted at the 32nd session of the General Conference of UNESCO, 17 October 2003

may exist in any language, in any part of the world, and in any area of human knowledge or expression.

#### **Article 2 – Access to the digital heritage**

The purpose of preserving the digital heritage is to ensure that it remains accessible to the public. Accordingly, access to digital heritage materials, especially those in the public domain, should be free of unreasonable restrictions. At the same time, sensitive and personal information should be protected from any form of intrusion.

Member States may wish to cooperate with relevant organizations and institutions in encouraging a legal and practical environment which will maximize accessibility of the digital heritage. A fair balance between the legitimate rights of creators and other rights holders and the interests of the public to access digital heritage materials should be reaffirmed and promoted, in accordance with international norms and agreements.

### **GUARDING AGAINST LOSS OF HERITAGE**

#### **Article 3 – The threat of loss**

The world's digital heritage is at risk of being lost to posterity. Contributing factors include the rapid obsolescence of the hardware and software which brings it to life, uncertainties about resources, responsibility and methods for maintenance and preservation, and the lack of supportive legislation.

Attitudinal change has fallen behind technological change. Digital evolution has been too rapid and costly for governments and institutions to develop timely and informed preservation strategies. The threat to the economic, social, intellectual and cultural potential of the heritage – the building blocks of the future – has not been fully grasped.

#### **Article 4 – Need for action**

Unless the prevailing threats are addressed, the loss of the digital heritage will be rapid and inevitable. Member States will benefit by encouraging legal, economic and technical measures to safeguard the heritage. Awareness-raising and advocacy is urgent, alerting policy-makers and sensitizing the general public to both the potential of the digital media and the practicalities of preservation.

#### **Article 5 – Digital continuity**

Continuity of the digital heritage is fundamental. To preserve digital heritage, measures will need to be taken throughout the digital information life cycle, from creation to access. Long-term preservation of digital heritage begins with the design of reliable systems and procedures which will produce authentic and stable digital objects.

## **MEASURES REQUIRED**

### **Article 6 – Developing strategies and policies**

Strategies and policies to preserve the digital heritage need to be developed, taking into account the level of urgency, local circumstances, available means and future projections. The cooperation of holders of copyright and related rights, and other stakeholders, in setting common standards and compatibilities, and resource sharing, will facilitate this.

### **Article 7 – Selecting what should be kept**

As with all documentary heritage, selection principles may vary between countries, although the main criteria for deciding what digital materials to keep would be their significance and lasting cultural, scientific, evidential or other value. "Born digital" materials should clearly be given priority. Selection decisions and any subsequent reviews need to be carried out in an accountable manner, and be based on defined principles, policies, procedures and standards.

### **Article 8 – Protecting the digital heritage**

Member States need appropriate legal and institutional frameworks to secure the protection of their digital heritage.

As a key element of national preservation policy, archive legislation and legal or voluntary deposit in libraries, archives, museums and other public repositories should embrace the digital heritage.

Access to legally deposited digital heritage materials, within reasonable restrictions, should be assured without causing prejudice to their normal exploitation.

Legal and technical frameworks for authenticity are crucial to prevent manipulation or intentional alteration of digital heritage. Both require that the content, functionality of files and documentation be maintained to the extent necessary to secure an authentic record.

### **Article 9 – Preserving cultural heritage**

The digital heritage is inherently unlimited by time, geography, culture or format. It is culture-specific, but potentially accessible to every person in the world. Minorities may speak to majorities, the individual to a global audience.

The digital heritage of all regions, countries and communities should be preserved and made accessible, so as to assure over time representation of all peoples, nations, cultures and languages.

## **RESPONSIBILITIES**

### **Article 10 – Roles and responsibilities**

Member States may wish to designate one or more agencies to take coordinating responsibility for the preservation of the digital heritage, and to make available necessary resources. The sharing of tasks and responsibilities may be based on existing roles and expertise.

Measures should be taken to:

- (a) urge hardware and software developers, creators, publishers, producers and distributors of digital materials as well as other private sector partners to cooperate with national

libraries, archives, museums and other public heritage organizations in preserving the digital heritage;

- (b) develop training and research, and share experience and knowledge among the institutions and professional associations concerned;
- (c) encourage universities and other research organizations, both public and private, to ensure preservation of research data.

#### **Article 11 – Partnerships and cooperation**

Preservation of the digital heritage requires sustained efforts on the part of governments, creators, publishers, relevant industries and heritage institutions.

In the face of the current digital divide, it is necessary to reinforce international cooperation and solidarity to enable all countries to ensure creation, dissemination, preservation and continued accessibility of their digital heritage.

Industries, publishers and mass communication media are urged to promote and share knowledge and technical expertise.

The stimulation of education and training programmes, resource-sharing arrangements, and dissemination of research results and best practices will democratize access to digital preservation techniques.

#### **Article 12 – The role of UNESCO**

UNESCO, by virtue of its mandate and functions, has the responsibility to:

- (a) take the principles set forth in this Charter into account in the functioning of its programmes and promote their implementation within the United Nations system and by intergovernmental and international non-governmental organizations concerned with the preservation of the digital heritage;
- (b) serve as a reference point and a forum where Member States, intergovernmental and international non-governmental organizations, civil society and the private sector may join together in elaborating objectives, policies and projects in favour of the preservation of the digital heritage;
- (c) foster cooperation, awareness-raising and capacity-building, and propose standard ethical, legal and technical guidelines, to support the preservation of the digital heritage;
- (d) determine, on the basis of the experience gained over the next six years in implementing the present Charter and the Guidelines, whether there is a need for further standard-setting instruments for the promotion and preservation of the digital heritage.