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**English only**

## Global Unions

### **WSIS draft Action Plan and Draft Declaration** **Response of** **Global Unions**

The Global Unions welcome the willingness of the WSIS drafting committee to change the Declaration and Draft Action Plan following the Preparatory meeting for the Summit held in Geneva in February this year. However, the Global Unions are not satisfied that the content as it stands meets the needs of workers, their families and their communities, nor does it embrace effectively the democratic and cultural priorities required for an inclusive, accessible and pluralist Information Society for all.

We request that the final declaration and Action Plan reflect the following:

- 1) The recognition and application of fundamental rights and core labour standards of all workers in the information society. Those who work in the information society must enjoy conditions of work in line with international labour standards, including recognition of rights to freedom of association, equality of opportunity and decent standards of work. The proposals for new labour law (paragraph 40 of the draft Action Plan) should be strengthened.
- 2) The need for safe and healthy, secure and fair working conditions, built on principles of social justice and gender equality, to be enjoyed by all workers in the information society.
- 3) Actions to confront the digital and social divide to combat the negative social effects of the introduction of new information technologies. It is only through the creation of decent jobs, the provision of primary education and lifelong learning, the improvement of health services and the tackling of gender inequalities that poverty can be eradicated. In order to achieve the

United Nations millennium goals the adoption of employment-friendly, inclusive and productive information technology strategies is required.

4) There must be uniform legal protection of communications privacy, which is needed to avoid interference and monitoring of Internet traffic and personal communications. The Action Plan should reflect clearly that exceptional circumstances only could justify the monitoring of private communications of the workforce (Article 40 A). Where information services are subject to content rules they must not be intrusive and must not go beyond existing laws.

5) Freedom of information laws and access to information should be adopted by all states (paragraph 21 A of the Draft Declaration).

6) The right to communicate should not be added to the list of Fundamental Human Rights as suggested (paragraph 21 A of the Draft Declaration). There are serious doubts about the scope, intention and impact of this right and the trade union movement believes the objectives of this right can be obtained through application of existing rights. Therefore, we would only support the inclusion of this right in the context of the existing Article 19 of the Universal Declaration of Human Rights, always provided that this does not create any obstacle to freedom of expression and press freedom. The WSIS should, in all areas, respect and build upon the framework of existing rights rather than seeking to create new rights.

7) The Action Plan and Declaration must underscore the importance of public services, including public service broadcasting. Public services take advantage of ICTs to provide effective public services, and for this process they are increasingly reliant on information technology. They should remain in the hands of democratically accountable agencies and not be transferred into the hands of an unaccountable private sector (paragraph 10 Draft Declaration).

8) The final texts should contain references to the recognition of the traditional role of radio and television in creating a set of public service values in the content and delivery of information to the benefit of all (paragraph 51 Draft Declaration). This role should be extended to all information services.

9) There must be limits to media concentration, in all areas, including those involving information and communication technologies. These should be subject to special anti-monopoly scrutiny and laws, which take particular account of the social, cultural and democratic value of media products in the information society and that each nation has the right to have its own possibilities of cultural products. We do not accept, as the Draft Declaration (paragraph 51) suggests, that monopolies and excessive concentration of the

media should be subject to general anti-monopoly laws. Global unions insist that information available for public consumption is exceptional and not like other economic goods and merchandise and should not be subject to “general” anti-monopoly laws. On the contrary, there should be targeted laws on media concentration that take into account the specific nature of media services.

10) Open access should take into account the specificities of right holders’ protected works. According to article 27 of the Universal Declaration of Human Rights authors have a right of protection of the moral and material interests of their work. Therefore, a copyright protected work either in digital or analogue format should not be made available for free as suggested (article 12 Draft Action Plan).

11) There must be protection for rights holders, including the need to grant a fair remuneration to right holders for the use of their work. The draft Action Plan rightly suggests that authors must be encouraged to retain ownership of their authors’ rights and not to automatically transfer rights to publishers or other intermediaries. We insist that copyright exemptions should be limited (paragraph 34, draft Action Plan).

Brussels, 28<sup>th</sup> May 2003

For more information, see <http://www.global-unions.org/wsis>