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Civil Society Declaration



***"Much more
could have been achieved"***

Civil Society Statement

on the

World Summit on the Information Society

18 December 2005

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I. Introduction – Our Perspective After the WSIS Process

The WSIS was an opportunity for a wide range of actors to work together to develop principles and prioritise actions that would lead to democratic, inclusive, participatory and development-oriented information societies at the local, national and international levels; societies in which the ability to access, share and communicate information and knowledge is treated as a public good and takes place in ways that strengthen the rich cultural diversity of our world.

Civil Society entered the Tunis Phase of WSIS with these major goals:

- Agreement on financing mechanisms and models that will close the growing gaps in access to information and communication tools, capacities and infrastructure that exist between countries, and in many cases within countries and that will enable opportunities for effective ICT uses.
- Agreement on a substantively broad and procedurally inclusive approach to Internet governance, the reform of existing governance mechanisms in accordance with the Geneva principles, and the creation of a new forum to promote multi-stakeholder dialogue, analysis, trend monitoring, and capacity building in the field of Internet governance.
- Ensuring that our human-centred vision of the 'Information Society', framed by a global commitment to human rights, social justice and inclusive and sustainable development, is present throughout the implementation phase.
- Achieving a change of tide in perceptions and practices of participatory decision-making. We saw the WSIS as a milestone from which the voluntary and transparent participation of Civil Society would become more comprehensive and integrated at local, national, regional and global levels of governance and decision making.
- Agreement on strong commitment to the centrality of human rights, especially the right to access and impart information and to individual privacy.

Civil Society affirms that, facing very limited resources, it has contributed positively to the WSIS process, a contribution that could have been even greater had the opportunity been made available for an even more comprehensive participation on our part. Our contribution will continue beyond the Summit. It is a contribution that is made both through constructive engagement and through challenge and critique.

While we value the process and the outcomes, we are convinced much more could have been achieved. We have taken a month after the closure of the Tunis Summit to discuss the outcomes and the process of WSIS. We built on our Geneva 2003 Civil Society Summit Declaration "Shaping Information Societies for Human Needs", and we evaluated the experiences and lessons learned in the four years of WSIS I and WSIS II. This statement was developed in a global online consultation process. It is presented as Civil Society's official contribution to the Summit outcomes.

The issues of greatest concern to Civil Society are addressed in sections II and III of this statement. For most of these items, minor achievements in the outcomes from WSIS were offset by major shortcomings, with much remaining to be done. Some of our greatest concerns involve what we consider to be insufficient attention or inadequate recommendations concerning people-centred issues such as the degree of attention paid to human rights and freedom of expression, the financial mechanisms for the promotion of development that was the original impetus for the WSIS process, and support for capacity building. In section IV, we lay out the first building blocks of Civil Society's "Tunis Commitment". Civil Society has every intention to remain involved in the follow-up and implementation processes after the Tunis summit. We trust governments realize that our participation is vital to achieve a more inclusive and just Information Society.

II. Issues Addressed During the Tunis Phase of WSIS

Social Justice, Financing and People-Centred Development

The broad mandate for WSIS was to address the long-standing issues in economic and social development from the newly emerging perspectives of the opportunities and risks posed by the revolution in Information and Communications Technologies (ICTs). The summit was expected to identify and articulate new development possibilities and paradigms being made possible in the Information Society, and to evolve public policy options for enabling and realising these opportunities. Overall, it is impossible not to conclude that WSIS has failed to live up to these expectations. The Tunis phase in particular, which was presented as the "summit of solutions", did not provide concrete achievements to meaningfully address development priorities.

While the summit did discuss the importance of new financing mechanisms for ICT for Development (ICTD), it failed to recognize that ICTD presents a challenge beyond that of traditional development financing. Nor did the Tunis fully comprehend that new means and sources of financing and the exploration of new models and mechanisms are required.

Investments in ICTD - in infrastructure, capacity building, appropriate software and hardware and in developing applications and services - underpin all other processes of development innovation, learning and sharing, and should be seen in this light. Though development resources are admittedly scarce and have to be allocated with care and discretion, ICTD financing should not be viewed as directly in competition with the financing of other developmental sectors. Financing ICTD should be considered a priority at both national and international levels, with specific approaches to each country according to its level of development and with a long-term perspective adapted to a global vision of development and sharing within the global community.

Financing ICTD requires social and institutional innovation, with adequate mechanisms for transparency, evaluation, and follow-up. Financial resources need to be mobilised at all levels - local, national and international, including through the realization of ODA commitments agreed to in the Monterrey Consensus and including assistance to programs and activities whose short-term sustainability cannot be immediately demonstrated because of the low level of resources available as their starting point.

Internet access, for everybody and everywhere, especially among disadvantaged populations and in rural areas, must be considered as a global public good. In many cases market approaches are unlikely to address the connectivity needs of particularly disadvantaged regions and populations. In many such areas, initial priority may need to be given to the provision of more traditional ICTs - radio, TV, video and telephony - while the conditions are developed for ensuring the availability of complete Internet connectivity. Info-structure and development often require attention to the development of more traditional infrastructure as well such as roads and electricity.

While the summit in general has failed to agree on adequate funding for ICTD, Civil Society was able to introduce significant sections in the Tunis Commitment (paragraph 35) and in the Tunis Agenda (paragraph 21) on the importance of public policy in mobilizing resources for financing. This can serve as a balance to the market-based orientation of much of the text on financing.

The potential of ICT as tools for development, and not merely tools for communication, by now should have been realised by all states. National ICT strategies should be closely related to national strategies for development and poverty eradication. Aid strategies in developed countries should include clear guidelines for the incorporation of ICT into all aspects of development. In this way ICTs should be integrated into general development

assistance and in this way contribute to the mobilisation of additional resources and an increase in the efficiency of development assistance.

We welcome the launch of the Digital Solidarity Fund (DSF) in March 2005 and take note of the support it got both from the United Nations and the Tunis Summit. Nevertheless, taking into account that the DSF was established on a voluntarily basis, we are concerned that there are no clear commitments from governments and the private sector to provide the needed material support to ensure the success of this fund. We invite all partners from the governmental and the private sector to commit themselves to the so-called "Geneva Principle" where each ICT contract concluded by a public administration with a private company includes a one percent contribution to the DSF. We particularly encourage local and regional administrations to adopt this principle and welcome the relevant statement made by the World Summit of Cities and Local Authorities in Bilbao, November 2005, on the eve of WSIS II.

Human Rights

The Information Society must be based on human rights as laid out in the Universal Declaration of Human Rights. This includes civil and political rights, as well as social, economic and cultural rights. Human rights and development are closely linked. There can be no development without human rights, no human rights without development.

This has been affirmed time and again, and was strongly stated in the Vienna World Conference on Human Rights in 1993. It was also affirmed in the WSIS 2003 Declaration of Principles. All legislation, policies, and actions involved in developing the global Information Society must respect, protect and promote human rights standards and the rule of law.

Despite the Geneva commitment to an Information Society respectful of human rights, there is still a long way to go. A number of human rights were barely addressed in the Geneva Declaration of Principles. This includes the cross-cutting principles of non-discrimination, gender equality, and workers' rights. The right to privacy, which is the basis of autonomous personal development and thus at the root of the exertion of many other fundamental human rights, is only mentioned in the Geneva Declaration as part of "a global culture of cyber-security". In the Tunis Commitment, it has disappeared, to make room for extensive underlining of security needs, as if privacy were a threat to security, whereas the opposite is true: privacy is an essential requirement for security. The summit has also ignored our demand that the principle of the privacy and integrity of the vote be ensured if and when electronic voting technologies are used.

Other rights were more explicitly addressed, but are de facto violated on a daily basis. This goes for freedom of expression, freedom of information, freedom of association and assembly, the right to a fair trial, the right to education, and the right to a standard of living adequate for the health and well-being of the individual and his or her family.

Furthermore, as the second WSIS phase has amplified, a formal commitment is one thing, implementation is something else. Side events open to the general public were organised by civil society both at the Geneva and Tunis Summit, consistent with a long tradition in the context of UN summits. In Tunis, the initiative by parts of civil society to organize a "Citizens' Summit on the Information Society" was prevented from happening. At the Geneva Summit, the "We Seize" event was closed down and then reopened. This is a clear reminder that though governments have signed on to human rights commitments, fundamental human rights such as freedom of expression and freedom of assembly can not be taken for granted in any part of the world.

The summit has failed to define mechanisms and actions that would actively promote and protect human rights in the Information Society. Post-WSIS there is an urgent need to strengthen the means of human rights enforcement, to ensure the embedding of human rights proofing in national legislation and practises, to strengthen education and

awareness raising in the area of rights-based development, to transform human rights standards into ICT policy recommendations, and to mainstream ICT issues into the global and regional human rights monitoring system – in summary: To move from declarations and commitments into action. Toward this end, an independent commission should be established to review national and international ICT regulations and practices and their compliance with international human rights standards. This commission should also address the potential applications of ICTs for the realization of human rights in the Information Society.

Internet Governance

Civil Society is pleased with the decision to create an Internet Governance Forum (IGF), which it has advocated for since 2003. We also are pleased that the IGF will have sufficient scope to deal with the issues we believe must be addressed, most notably the conformity of existing arrangements with the Geneva Principles, and other cross-cutting or multidimensional issues that cannot be optimally dealt with within current arrangements. However, we reiterate our concerns that the Forum must not be anchored in any existing specialized international organization, meaning that its legal form, finances, and professional staff should be independent. In addition, we reiterate our view that the forum should be more than a place for dialogue. As was recommended by the WGIG Report, it should also provide expert analysis, trend monitoring, and capacity building, including in close collaboration with external partners in the research community.

We are concerned about the absence of details on how this forum will be created and on how it will be funded. We insist that the modalities of the IGF be determined in full cooperation with Civil Society. We emphasize that success in the forum, as in most areas of Internet governance, will be impossible without the full participation of Civil Society. By full participation we mean much more than playing a mere advisory role. Civil Society must be able to participate fully and equally both in plenary and any working or drafting group discussions, and must have the same opportunities as other stakeholders to influence agendas and outcomes.

The Tunis Agenda addressed the issue of political oversight of critical Internet resources in its paragraphs 69 to 71. This, in itself, is an achievement. It is also important that governments recognized the need for the development of a set of Internet-related public policy principles that would frame political oversight of Internet resources. These principles must respect, protect and promote human rights as laid down in international human rights treaties, ensure equitable access to information and online opportunities for all, and promote development.

It is important that governments have established that developing these principles should be a shared responsibility. However, it is very unfortunate that the Tunis Agenda suggests that governments are only willing to share this role and responsibility among themselves, in cooperation with international organisations. Civil Society remains strongly of the view that the formulation of appropriate and legitimate public policies pertaining to Internet governance requires the full and meaningful involvement of non-governmental stakeholders.

With regard to paragraph 40 of the Tunis Agenda, we are disappointed that there is no mention that efforts to combat cyber-crime need to be exercised in the context of checks and balances provided by fundamental human rights, particularly freedom of expression and privacy.

With regard to paragraph 63, we believe that a country code Top Level Domain (ccTLD) is a public good both for people of the concerned country or economy and for global citizens who have various linkages to particular countries. While we recognize the important role of governments in protecting the ccTLDs that refer to their countries or economies, this role must be executed in a manner that respects human rights as

expressed in existing international treaties through a democratic, transparent and inclusive process with full involvement of all stakeholders.

To ensure that development of the Internet and its governance takes place in the public interest, it is important for all stakeholders to better understand how core Internet governance functions – as for example, DNS management, IP address allocation, and others – are carried out. It is equally important that these same actors understand the linkages between broader Internet governance and Internet related matters such as cyber-crime, Intellectual Property Rights, e-commerce, e-government, human rights and capacity building and economic development. The responsibility of creating such awareness should be shared by everyone, including those at present involved in the governance and development of the Internet and emerging information and communication platforms. Equally it is essential that as this awareness develops in newer users of the Internet, older users must be open to the new perspectives that will emerge.

Global governance

A world that is increasingly more connected faces a considerable and growing number of common issues which need to be addressed by global governance institutions and processes. While Civil Society recognises that there are flaws and inefficiencies in the United Nations system that require urgent reform, we believe strongly that it remains most legitimate inter-governmental forum, where rich and poor countries have the same rights to speak, participate, and make decisions together.

We are concerned that during the WSIS it emerged that some governments, especially from developed countries, lack faith in, and appear to be unwilling to invest authority and resources in the present multilateral system, along with concerted efforts to further improve it. We also regret that debates on creating private-public partnerships and new para-institutions within the United Nations have over-shadowed the overall discussion on bridging the digital divide, which in turn has to be linked to a deep reform of the UN and the global economic system.

In our understanding, summits take place precisely to develop the principles that will underpin global public policy and governance structures; to address critical issues, and to decide on appropriate responses to these issues. Shrinking global public policy spaces raise serious questions concerning the kind of global governance toward which we are heading, and what this might mean for people who are socially, economically and politically marginalised: precisely those people who most rely on public policy to protect their interests.

Participation

In the course of four years, as a result of constant pressure from Civil Society, improvements in Civil Society participation in these processes have been achieved, including speaking rights in official plenaries and sub-committees, and ultimately rights to observe in drafting groups. The UN Working Group on Internet Governance created an innovative format where governmental and Civil Society actors worked on an equal footing and Civil Society actually carried a large part of the drafting load.

Due to the pressure of time and the need of governments to interact with Civil Society actors in the Internet Governance field, the resumed session of PrepCom3 was in fact the most open of all. We would like to underline that this openness, against all odds, contributed to reaching consensus.

WSIS has demonstrated beyond any doubt the benefits of interaction between all stakeholders. The innovative rules and practices of participation established in this process will be fully documented to provide a reference point and a benchmark for participants in UN organizations and processes in the future.

Civil Society thanks those governments and international bodies that greatly supported our participation in the WSIS process. We hope and expect that these achievements are taken further and strengthened, especially in more politically contested spaces of global policymaking such as those concerning intellectual property rights, trade, environment, and peace and disarmament.

We note that some governments from developing countries were not actively supportive of greater observer participation believing that that it can lead to undue dominance of debate and opinions by international and developed countries' Civil Society organisations and the private sector. We believe that to change this perception, efforts should be engaged in to strengthen the presence, independence and participation of Civil Society constituencies in and from their own countries.

As for the period beyond the summit, the Tunis documents clearly establish that the soon-to-be created Internet Governance Forum, and the future mechanisms for implementation and follow-up (including the revision of the mandate of the ECOSOC Commission on Science and Technology for Development) must take into account the multi-stakeholder approach.

We want to express concern at the vagueness of text referring to the role of Civil Society. In almost every paragraph talking about multi-stakeholder participation, the phrase "in their respective roles and responsibilities" is used to limit the degree of multi-stakeholder participation. This limitation is due to the refusal of governments to recognize the full range of the roles and responsibilities of Civil Society. Instead of the reduced capabilities assigned in paragraph 35C of the Tunis Agenda that attempt to restrict Civil Society to a community role, governments should have at minima referred to the list of Civil Society roles and responsibilities listed in the WGIG report. These are:

- Awareness raising and capacity building (knowledge, training, skills sharing);
- Promote various public interest objectives;
- Facilitate network building;
- Mobilize citizens in democratic processes;
- Bring perspectives of marginalized groups including for example excluded communities and grassroots activists;
- Engage in policy processes;
- Bring expertise, skills, experience and knowledge in a range of ICT policy areas contributing to policy processes and policies that are more bottom-up, people-centred and inclusive;
- Research and development of technologies and standards;
- Development and dissemination of best practices;
- Helping to ensure that political and market forces are accountable to the needs of all members of society;
- Encourage social responsibility and good governance practice;
- Advocate for development of social projects and activities that are critical but may not be 'fashionable' or profitable;
- Contribute to shaping visions of human-centred information societies based on human rights, sustainable development, social justice and empowerment.

Civil Society has reason for concern that the limited concessions obtained in the last few days before the summit, from countries that previously refused the emergence of a truly multi-stakeholder format, will be at risk in the coming months. Civil Society actors therefore intend to remain actively mobilized. They need to proactively ensure that not only the needed future structures be established in a truly multi-stakeholder format, but also that the discussions preparing their mandates are conducted in an open, transparent and inclusive manner, allowing participation of all stakeholders on an equal footing. Civil Society hopes to be given the means to ensure all its representatives from different regions, languages and cultures, from developed and developing countries, can fully participate.

III. Issues Addressed in the Geneva and Tunis Phases

Gender Equality

Equal and active participation of women is essential, especially in decision-making. This includes all forums that will be established in relation to WSIS and the issues it has taken up. With that, there is a need for capacity building that is focussed on women's engagement with the shaping of an Information Society at all levels, including policy making on infrastructure development, financing, and technology choice.

There is a need for real effort and commitment to transforming the masculinist culture embedded within existing structures and discourses of the Information Society which serves to reinforce gender disparity and inequality. Without full, material and engaged commitment to the principle of gender equality, women's empowerment and non-discrimination, the vision of a just and equitable Information Society cannot be achieved.

Considering the affirmation of unequivocal support for gender equality and women's empowerment expressed in the Geneva Declaration of Principles and paying careful attention to Paragraph 23 of the Tunis Commitment, all government signatories must ensure that national policies, programmes and strategies developed and implemented to build a people-centred, inclusive and development-oriented Information Society demonstrate significant commitment to the principles of gender equality and women's empowerment.

We emphasise that financial structures and mechanisms need to be geared towards addressing the gender divide, including the provision of adequate budgetary allocations. Comprehensive gender-disaggregated data and indicators have to be developed at national levels to enable and monitor this process. We urge all governments to take positive action to ensure that institutions and practices, including those of the private sector, do not result in discrimination against women. Governments that are parties to the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) are in fact bound to this course of action.

Culture, Knowledge, and the Public Domain

Each generation of humankind is depending upon its predecessors to leave them with a liveable, sustainable and stable environment. The environment we were discussing throughout the WSIS is the public domain of global knowledge. Like our planet with its natural resources, that domain is the heritage of all humankind and the reservoir from which new knowledge is created. Limited monopolies, such as copyrights and patents were originally conceived as tools to serve that public domain of global knowledge to the benefit of humankind. Whenever society grants monopolies, a delicate balance must be struck: Careless monopolization will make our heritage unavailable to most people, to the detriment of all.

It has become quite clear that this balance has been upset by the interests of the rights-holding industry as well as the digitalization of knowledge. Humankind now has the power to instantaneously share knowledge in real-time, without loss, and at almost no cost. Civil Society has worked hard to defend that ability for all of humankind.

Free Software is an integral part of this ability: Software is the cultural technique and most important regulator of the digital age. Access to it determines who may participate in a digital world. While in the Geneva phase, WSIS has recognised the importance of Free Software, it has not acted upon that declaration and this recognition faded in the Tunis phase. In the Tunis Commitment, Free Software is presented as a software model next to proprietary software, but paragraph 29 reiterates "the importance of proprietary software in the markets of the countries." This ignores that a proprietary software market is always striving towards dependency and monopolization, both of which are detrimental to economy and development as a whole. Proprietary software is under

exclusive control of and to the benefit of its proprietor. Furthermore: Proprietary software is often written in modern sweat-shops for the benefit of developed economies, which are subsidized at the expense of developing and least-developed countries in this way.

While WSIS has somewhat recognised the importance of free and open source software, it has not asserted the significance of this choice for development. It is silent on other issues like open content (which goes beyond open access in the area of academic publications), new open telecom paradigms and community-owned infrastructure as important development enablers.

The WSIS process has failed to introduce cultural and linguistic diversity as a cross-cutting issue in the Information Society. The Information Society and its core elements - knowledge, information, communication and the information and communication technologies (ICT) together with related rules and standards - are cultural concepts and expressions. Accordingly, culturally defined approaches, protocols, proceedings and obligations have to be respected and culturally appropriate applications developed and promoted. In order to foster and promote cultural diversity it must be ensured that no one has to be a mere recipient of Western knowledge and treatment. Therefore development of the cultural elements of the Information Society must involve strong participation by all cultural communities. The WSIS has failed to recognize the need for developing knowledge resources to shift the current lack of diversity, to move from the dominant paradigm of over-developed nations and cultures to the need for being open to learning and seeing differently.

Indigenous Peoples, further to self-determination and pursuant to their traditional and customary laws, protocols, rules and regulations, oral and written, provide for the access, use, application and dissemination of traditional and cultural knowledge, oral histories, folklore and related customs and practices. WSIS has failed to protect these from exploitation, misuse and appropriation by third parties. As a result, the traditional knowledge, oral histories, folklore and related customs, practices and representations have been and continue to be exploited by both informal and formal (being copyright, trademark and patent) means, with no benefits to the rightful Indigenous holders of that knowledge.

Education, Research, and Practice

If we want future generations to understand the real basis of our digital age, freedom has to be preserved for the knowledge of humankind: Free Software, open courseware and free educational as well as scientific resources empower people to take their life into their own hands. If not, they will become only users and consumers of information technologies, instead of active participants and well informed citizens in the Information Society. Each generation has a choice to make: Schooling of the mind and creativity, or product schooling? Most unfortunately, the WSIS has shown a significant tendency towards the latter.

We are happy that universities, museums, archives, libraries have been recognized by WSIS as playing an important role as public institutions and with the community of researchers and academics. Unfortunately, telecenters are missing in the WSIS documents. Community informatics, social informatics, telecenters and human resources such as computer professionals, and the training of these, have to be promoted, so that ICT serves training and not training serves ICT. Thus special attention must be paid to supporting sustainable capacity building with a specific focus on research and skills development. In order to tackle development contexts training should have a sociological focus too and not be entirely technologically framed.

Problems of access, regulation, diversity and efficiency require attention to power relations both in the field of ICT policy-making and in the everyday uses of ICT. Academic research should play a pivotal role in evaluating whether ICT meets and serves the individuals' and the public's multiple needs and interests - as workers, women,

migrants, racial, ethnic and sexual minorities, among others - across very uneven information societies throughout the world. Furthermore, because power relations and social orientations are often embedded in the very designs of ICT, researchers should be sensitive to the diverse and multiple needs of the public in the technological design of ICT. Similarly, educators at all levels should be empowered to develop curricula that provide or contribute to training for people not only as workers and consumers using ICT, but also in the basic science and engineering of ICT, in the participatory design of ICT by communities with computing professionals, the critical assessment of ICT, the institutional and social contexts of their development and implementation, as well as their creative uses for active citizenship. Young people - given their large numbers, particularly in developing countries, and enthusiasm and expertise in the use of ICTs - remain an untapped resource as initiators of peer-to-peer learning projects at the community and school levels. These issues have largely been ignored by WSIS.

The actors that need to be involved in the process of making this vision a reality are the professionals and researchers, the students and their families, the support services and human resources of the resources centres, politicians at all levels, social organizations and NGOs, but also the private sector. However, in the teaching profession, it is necessary to recognize and accept the need for learning and evolution with regards to ICT.

We emphasize the special role that the computing, information science, and engineering professions have in helping to shape the Information Society to meet human needs. Their education must encourage socially-responsible practices in the design, implementation, and operation of ICT. The larger Information Society has an equally important and corresponding role to play by participating in the design of ICT. We, therefore, encourage increased cooperation between the computing, information science, and engineering professions and end-users of ICTs, particularly communities.

We furthermore have repeatedly underlined the unique role of ICT in socio-economic development and in promoting the fulfilment of internationally agreed development goals, including those contained in the Millennium Declaration. This is not least true in the reference to access to information and universal primary education. To secure the fulfilment of these goals, it is of key importance that the issue of ICT as tools for the improvement of education is also incorporated in the broader development strategies at both national and international levels.

Media

We are pleased that the principle of freedom of expression has been reaffirmed in the WSIS II texts and that they echo much of the language of Article 19 of the Universal Declaration of Human Rights. While we note that the Tunis Commitment recognises the place of the media in a new Information Society, this should never have been in question.

In the future, representatives of the media should be assured a place in all public forums considering development of the Internet and all other relevant aspects of the Information Society. As key actors in the Information Society, the media must have a place at the table, and this must be fully recognized both by governments and by Civil Society itself.

While recognizing media and freedom of expression, the WSIS documents are weak on offering support for developing diversity in the media sector and for avoiding a growing concentration and uniformity of content. They specifically neglect a range of projects and initiatives which are of particular value for Civil Society and which need a favourable environment: Community media, telecenters, grassroots and Civil Society-based media. These media empower people for independent and creative participation in knowledge-building and information-sharing. They represent the prime means for large parts of the world population to participate in the Information Society and should be an integral part

of the public policy implementation of the goals of the Geneva Declaration, which refers to the promotion of the diversity of media and media ownership.

The WSIS documents also mostly focus on market-based solutions and commercial use. Yet the Internet, satellite, cable and broadcast systems all utilize public resources, such as airwaves and orbital paths. These should be managed in the public interest as publicly owned assets through transparent and accountable regulatory frameworks to enable the equitable allocation of resources and infrastructure among a plurality of media including community media. We reaffirm our commitment that commercial use of these resources begins with a public interest obligation.

Universal Design and Assistive Technologies

We are pleased to note that WSIS has identified the fact that ICT Design is the core issue of the Digital Divide for persons with disabilities. The Tunis Agenda for the Information Society clearly states in its paragraph 90e "paying special attention to the formulation of universal design concepts and the use of assistive technologies that promote access for all persons, including those with disabilities". Due to great efforts of all stake holders, in particular of those with disabilities, we recognize significant advancement in the common understanding on the Digital Divide of persons with disabilities and strategies to achieve the targets set out in the Geneva Plan of Action to be achieved by ICT development with the Universal Design Concept in combination with Assistive Technologies that meet specific requirements of persons with disabilities.

In terms of equal opportunities for the participation of persons with disabilities in WSIS the process of that was addressed in Geneva Declaration of the Global Forum on Disability in the Information Society in Geneva, we are grateful for all efforts extended by the summit organizers, who established a focal point for participants with disabilities at the last stage. However, there is still a lot to do to ensure equal participation of persons with disabilities in the WSIS Action Plan implementation process.

We call upon all governments, private sectors, civil society and international organizations to make the implementation, evaluation and monitoring of all WSIS documents, both from the first and second phase, inclusive to persons with disabilities. We urge that persons with disabilities be included in all aspects of designing, developing, distributing and deploying of appropriate strategies for ICT, including information and communication services, so as to ensure accessibility for persons with disabilities, taking into account the universal design principle and the use of assistive technologies. We request that any international, regional and national development program, funding or assistance aimed to achieve the inclusive information society be made disability-inclusive, both through mainstreaming and disability-specific approaches. We urge all governments to support the process of negotiation, adoption, ratification and implementation of the International Convention on the Rights of Persons with Disabilities, in particular through enactment of national legislation, as it contains strong elements concerning information and communication accessibility for persons with disabilities.

Health Information

Access to health information and knowledge is essential to collective and individual human development and has been identified as a critical factor in the public physical and mental health care crises around the world. The WSIS process has neglected to recognize that health is a cross-cutting issue and that health systems must include a holistic approach which is integral to the promotion of physical and mental health and the prevention and treatment of physical and mental illness for all people and to achieve the Millennium Development Goals (MDGs).

It is important to recognize that health expertise and scientific knowledge is essential to aid disease stricken, as well as traumatized populations affected by war, terrorism, disaster and other events, and further that the implementation of ICT systems for

physical and mental health information and services must be a two-way path recognizing cultural and community norms and values.

It is essential that health care specialists, practitioners, and consumers participate in the development of public policy addressing privacy and related issues regarding physical and mental health information affecting information and delivery systems.

Children and Young People in the Information Society

In WSIS Phase I, the Geneva Declaration of Principles explicitly acknowledged young people, in paragraph 11, as the “future workforce and leading creators and earliest adopters of ICTs” and that to fully realize this end, youth must be “empowered as learners, developers, contributors, entrepreneurs and decision-makers.” The Tunis Commitment in paragraph 25 reaffirmed the strategic role of youth as stakeholders and partners in creating an inclusive Information Society. This recognition is further supported by paragraph 90 of the Tunis Agenda. However we are concerned as to how key decision-makers from Governments, the business community and Civil Society will realize this commitment when the existing structures are not open for genuine, full and effective participation by youth. None of the Tunis documents, specifically in the post-WSIS implementation and follow-up parts, clearly defines how youth shall be “actively engaged in innovative ICT-based development programmes and ... in e-strategy processes,” as paragraph 25 states. In this regard, we call upon governments, both national and local, and the proponents of the Digital Solidarity Fund, to engage young people as digital opportunities are created and national e-strategies developed. Youth must be tapped as community leaders and volunteers for ICT for Development projects and be consulted in global and national ICT policy-making processes and formulation.

While we support the great opportunities that ICTs offer children and young people, paragraphs 90q of the Tunis Agenda and article 24 of the Tunis Commitment outline the potential dangers that children and young people face in relation to ICTs. For this reason, article 92 of the Tunis Agenda encourages all governments to support an easy to remember, free of charge, national number for all children in need of care and protection. However, we had hoped that WSIS would have encouraged every stakeholder to support a more comprehensive proposal that ensured that every child, especially those that are marginalized and disadvantaged, has free access to ICTs, including but not limited to, toll free landlines, mobile telephones and Internet connection. In this regard, strategies should be developed that allow children and young people to reap the benefits that ICTs offer by making ICT an integral part of the formal and informal education sectors. There should also be strategies that protect children and young people from the potential risks posed by new technologies, including access to inappropriate content, unwanted contact and commercial pressures, particularly with regards to pornography, pedophilia and sexual trafficking, while fully respecting human rights standards on freedom of expression. We are committed to work in the WSIS follow-up process towards a world where telecommunication allows children and young people to be heard one-by-one and, through their voices, to fulfil their rights and true potential to shape the world.

Ethical Dimensions

The Tunis texts would have clearly been stronger if the aspects of the Information Society being people-centred, human rights-based and sustainable development-oriented were seen as the ethical point of departure in human relationships and community building and equally in bodies of international agreements. These ethical dimensions are foundational to a just, equitable and sustainable information and knowledge society.

Geneva identified the ethical values of respect for peace and the fundamental values of freedom, equality, solidarity, tolerance, shared responsibility, and respect for nature as enunciated in the Millennium Declaration. Tunis should have improved on these by including the principles of trust, stewardship and shared responsibility together with

digital solidarity. The technologies we develop, and the solidarities we forge, must build relationships and strengthen social cohesion

Human rights conventions, for example, are critically important in evaluating ICTs so that they are tools to enable just and peaceable conditions for humanity. But Tunis failed to point in this direction. It did not, for example, restate what Geneva considered as acts inimical to the Information Society such as racism, intolerance, hatred, violence and others.

The strong emphasis on technology in the Tunis texts must not eclipse the human being as the subject of communication and development. Our humanity rests in our capacity to communicate with each other and to create community. It is in the respectful dialogue and sharing of values among peoples, in the plurality of their cultures and civilizations, that meaningful and accountable communication thrives. The Tunis texts did not give clear indications on how this can happen.

In an age of economic globalization and commodification of knowledge, the ethics and values of justice, equity, participation and sustainability are imperative. Beyond Tunis, all stakeholders must be encouraged to weave ethics and values language into the working on semantic web knowledge structures. Communication rights and justice are about making human communities as technology's home and human relationships as technology's heart.

IV. Where to Go From Here – Our Tunis Commitment

Civil Society is committed to continuing its involvement in the future mechanisms for policy debate, implementation and follow-up on Information Society issues. To do this, Civil Society will build on the processes and structures that were developed during the WSIS process.

Element One: Evolution of Our Internal Organization

Civil Society will work on the continued evolution of its current structures. This will include the use of existing thematic caucuses and working groups, the possible creation of new caucuses, and the use of the Civil Society Plenary, the Civil Society Bureau, and the Civil Society Content and Themes Group. We will organise, at a date to be determined, to launch the process of creating a Civil Society charter.

Element Two: Involvement in the Internet Governance Forum

The Civil Society Internet Governance Caucus will actively participate in and support the work of the Internet Governance Forum (IGF), and is exploring ways to enhance its working methods and its engagement with relevant stakeholders, especially the research community, to these ends. In addition, the caucus is considering the creation of a new Working Group that will make recommendations on the IGF, and other Civil Society caucuses, and individual Civil Society Working Groups will develop ideas for and participate in the IGF as well.

Element Three: Involvement in Follow-Up and Implementation

In order to ensure that future implementation and follow-up mechanisms respect the spirit and letter of the Tunis documents and that governments uphold the commitments they have made during this second phase of the WSIS, Civil Society mechanisms will be used and created to ensure:

- the proactive monitoring of and participation in the implementation of the Geneva Plan of Action and the Tunis Agenda at the national level;

- a structured interaction with all UN agencies and international organisations and regional as well as national mechanisms for follow-up, to ensure that they integrate the WSIS objectives in their own work plans, and that they put in place effective mechanisms for multi-stakeholder interaction, as mentioned in paragraphs 100 and 101 of the Tunis Agenda;
- that the Information Society as a complex social political phenomenon is not reduced to a technology-centred perspective. The ECOSOC Commission on Science and Technology for Development will have to change significantly its mandate and composition to adequately address the need for being an effective follow-up mechanism for WSIS while re-affirming its original mission of developing science and technology, in addition to ICT, for the development objectives of poor countries;
- not only that the reformed Commission on Science and Technology for Development becomes a truly multi-stakeholder commission for the Information Society, but also, that the process to revise its mandate, composition and agenda is done in a fully open and inclusive manner.

Element Four: Lessons Learned for the UN System in General

We see the WSIS process as an experience to be learned from for the overall UN system and related processes. We will therefore work with the United Nations and all stakeholders on:

- developing clearer and less bureaucratic rules of recognition for accrediting Civil Society organisations in the UN system, for instance in obtaining ECOSOC status and summit accreditation, and to ensure that national governmental recognition of Civil Society entities is not the basis for official recognition in the UN system; and
- ensuring that all future summit processes be multi-stakeholder in their approach, allowing for appropriate flexibility. This would be achieved either by recognition of precedents set in summit processes, or by formulating a rules of procedure manual to guide future summit processes and day-to-day Civil Society interaction with the international community.

Element five: Outreach to Other Constituencies

The civil society actors that actively participated in the WSIS process are conscious that the Information Society, as its name suggests, is a society-wide phenomenon, and that advocacy on Information Society issues need to include every responsible interest and group. We therefore commit ourselves in the post-WSIS period to work to broaden our reach to include different Civil Society constituencies that for various reasons have not been active in the WSIS process; may have shown scepticism over the role of ICT in their core areas of activity; or for other reasons have remained disengaged from the Information Society discourse.