General Assembly's overall review of

the implementation of WSIS outcomes

Official Form for Comments on the zero-draft

A. Your Information

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B. Formal Input

The Association for Progressive Communications (APC), an international network of 68 members in 46 countries whose goal is to mobilise information and communication technologies (ICTs) for social justice and sustainable development, welcomes the content of the WSIS+10 Review Zero Draft. We have compiled the following proposals which we believe will strengthen the final document.

1. General comments

We congratulate the co-facilitators in compiling a document that takes into account a broad range of inputs and perspectives on the WSIS non-paper. We are pleased to see stronger linkages with the Sustainable Development Goals, recognition of access, a multidimensional problem which needs diverse types of responses, recognition of the principle and importance of network neutrality, and attention to lower rates of access to ICTs for women.

We note however that the Zero Draft could be strengthened in a number of respects.

1When specifying your stakeholder type, please indicate one of the following: Government, Civil Society, Private Sector, Academia, and Technical Sector.

First, we are pleased to see that the Universal Declaration of Human Rights is referenced in the Zero Draft. However, we feel that references to the core human rights instruments are also needed, including recognition that any limitations to human rights should be in accordance with international human rights law. Furthermore, we would like to see recognition of the cross-cutting principle of non-discrimination as critical to advancing the WSIS vision of universal access to ICTs and to the realisation of human rights online. We would also like to see stronger recognition of the role of governments to provide public access and stimulate an enabling environment for the development of local community-driven access solutions.

Second, the Zero Draft should embrace open, inclusive, transparent and democratic approaches to all aspects of internet governance, with meaningful participation of all stakeholders. It should call for concrete measures to strengthen these approaches, including funding mechanisms.

Third, the Zero Draft reflects a far narrower understanding of the role of the IGF than what is contained in the Tunis Agenda. The Tunis Agenda's mandate for the IGF involves more than discussion. It involves capacity building, identifying emerging issues, facilitating inter-institutional interaction and identifying solutions to internet policy and regulation problems.

Fourth, we are concerned by the absence of concern for human rights, including the human right to security, in the section on "Building Confidence and Security in the Use of ICTs". Approaches to addressing security in ICTs must be truly people-centred, and underpinned by the promotion and protection of human rights. There is a need for the involvement of all stakeholders in efforts to build trust, confidence and security in the use of ICTs, through open, inclusive and transparent processes, as instrumental to achieving the WSIS vision.

Finally, we request that any further opportunities to comment on the text, as well as any further consultations, be open to non-governmental stakeholders, embracing the principles of open, inclusive, democratic and transparent processes set out by WSIS itself.

2. Specific amendments to the text

Proposed amendments [New text proposed] [Text we are proposing deletion]	References and rationale for proposals where relevant
Preamble	
1bis [We reaffirm the importance of promoting and protecting human rights and fundamental freedoms as enshrined in the Universal Declaration of Human Rights, along with the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, to realise the WSIS vision. We reaffirm paragraphs 3, 4, 5 and 18 of the Geneva Declaration and UN Human Rights Council Resolution 20/8, which in particular states that the same rights that people have offline must also be protected online.]	This proposed text draws on paragraph 2 of the WSIS+10 Statement on the Implementation of WSIS Outcomes from the 2014 WSIS+10 High Level Event and strengthens the Preamble to reflect the full scope of human rights that are needed to realise the vision of WSIS.
~~5. We also recognize the need for respect for political independence, territorial integrity and sovereign equality of states, non-interference in internal affairs of other states, as~~	The concepts included in this paragraph are covered by the reference to the UN Charter in paragraph 4.

well as applicable international law, in the realization of the WSIS vision.	
6. We reiterate our commitment to the objectives, goals and targets established in the Geneva Declaration of Principles, the Geneva Plan of Action, the Tunis Commitment and the Tunis Agenda for the Information Society.**, [as well as its Action Lines.]**	The text is not grammatically correct as is, and we do not see the need to emphasise the Action Lines specifically. Action Lines are developed in the Geneva Plan of Action. They are not mentioned in the Declaration and are only referenced in the Tunis Agenda.
8. We note, however, that there are still critical digital divides between and within countries **[which reflect pre-existing structural social and economic inequalities such as the gender digital divide.] [and between men and women]**, [**These divides] which** need to be addressed through affordability, education, capacity-building, appropriate financing, and an enabling policy environment, [**meeting the real and expressed needs of people and addressing economic, social and cultural barriers].**	
10. We also recognise that effective participation, partnership**,** and cooperation **[of][among]** governments and all stakeholders, in their respective roles and responsibilities, especially with balanced representation from developing countries, is vital in developing the Information Society. We reaffirm the value and principles of multi-stakeholder cooperation and engagement that have characterized the WSIS process since its inception.	
ICT for development	
11. We recognize with satisfaction that the last decade's considerable increases in connectivity, [**the]** use, creation, and innovation **[of ICTs and online content]** have **[created new tools to]** drive**[n]** economic, social, ~~and~~ environmental [**and human][betterment] [development]**, especially in the context of the 2030 Agenda for Sustainable Development. Fixed and wireless broadband, mobile Internet, smartphones and tablets, cloud computing, social media and big data were only in their early stages in Tunis, and are now understood to **[contribute to] [underpin]** sustainable development.	
14. We also recognize that ICT is contributing to higher levels of social benefit and inclusion, providing new channels **[to gain and share knowledge, for communication]** among **[people and between]** citizens **[, businesses]** and governments to **[share and augment knowledge, as well as]** participate in decisions that affect their lives and work. **[ICT has enabled more inclusive, transparent and accountable governance and a][A]**s envisioned by the WSIS Action Lines, we have seen ICT-enabled breakthroughs in e-government, e-business, e-education, e-health, e-employment, e-agriculture and e-science, allowing greater numbers of people access to services and data that might previously have been out-of-reach or unaffordable. We have also seen ICT become central to disaster and humanitarian response. At the same time, we recognize that ICT is fundamentally altering the way individuals and communities interact, spend their time, with new and unforeseen health and social consequences.	
1. **[15bis. We recognise the importance of culture to development**	The lack of any mention of culture in the Zero Draft is a

and affirm that cohesive, conceptual and practical digital strategies are needed for the preservation of and access to recorded information in the digital environment in all its forms.]	glaring omission. Without reference to the importance of culture to the information society the draft lacks credibility, and makes it difficult for key stakeholders to communicate the importance of WSIS effectively to the millions of individuals involved in the cultural and creative sector worldwide. Therefore we support IFLA's proposed paragraph 15bis.
16bis [Special attention should be paid to the support of grassroots and local community-based ICT for Development efforts specifically in the provision of local Internet access, training and the development and management of the range of Internet-enabled services and activities which provide the framework and impetus for development.]	We support the Just Net Coalition's proposed paragraph 16C
17. We affirm our commitment to bridging the digital divide, and we recognize that our approach must be multi-faceted and include an evolving understanding of what constitutes access, increasingly focused on the quality of that access. We acknowledge that speed, affordability, language, and people's capabilities to both use and create ICT are core components of quality today, and that high-speed broadband is already an essential enabler of sustainable development. We appreciate that divides may worsen or change with technological and service innovation, and we call on **[the Partnership on Measuring ICT for Development]** [~~CSTD, UNESCO, and ITU~~] to regularly analyse the nature of the digital divide.	The Partnership on Measuring ICT for Development is more inclusive and is already mentioned in paragraph 56 of the Zero Draft.
18. We recognize that relevant local content and services should be developed and made available in different languages and formats **[including non proprietary formats]** that are accessible to all people, who also need the capabilities and capacities, including media and information literacy skills to make use of ICT **[, as envisaged by paragraphs 24-28 of the Geneva Declaration]**. **[We reaffirm the importance of access to knowledge and open licensing, and the need to address the risks associated with increased commercialisation of online content.]**	
19. We moreover call for a significant increase in access to ICT **[and][,]** **[~~to~~][in]** provi**[sion of][~~de~~]** universal and affordable access to the Internet to all **[and in the development of skills and capacity for using ICT]** by 2020. We welcome the targets for the growth of access, broadband for all, inclusiveness, innovation and partnerships in ICT, as agreed by the international community under the Connect 2020 Agenda, adopted at the ITU Plenipotentiary Conference in 2014.	
20. We draw attention, in particular, to the gender digital divide which persists in access to and use of ICT, and also in ICT education, employment and other economic **[,cultural]** and social development factors. We commit to mainstream gender in the WSIS process, including through a new emphasis on gender in the implementation of WSIS Action Lines. We call for immediate measures to ensure gender equality in internet users by 2020, and to enhance women's education and participation in ICT, as users,	

entrepreneurs and leaders.	
20bis [We encourage all stakeholders to take concrete steps and formulate policies and make investments to ensure that the Information Society enables women's empowerment and their full participation on the basis of equality in all spheres of society and in all decision-making processes, mainstream a gender equality perspective, and create an enabling environment that fosters increased participation of women in ICT policy spaces, including in decision-making positions, and in their use and development of technology and content.]	The proposed text recognises that increasing the number of women online will not lead to their full empowerment in the Information Society. In order for ICTs to be a tool for the full empowerment of women, women must be part of internet governance, regulation, and decision-making processes. It draws on language from Paragraph 12 of the WSIS Geneva Declaration of Principles, Paragraph 3 of the WSIS+10 Vision for WSIS beyond 2015 adopted at the WSIS+10 High Level Event and SDG goal 5.b
22. We recognize that certain policies have substantially contributed to bridging the digital divide and ICT's value for sustainable development, and we commit to continue identification and implementation of best and emerging practices for establishment and functioning of innovation and investment frameworks for ICT. We acknowledge that school curriculum requirements for ICT; open access to data, **[freedom of expression, media freedom]** and free flow of information; fostering of competition; creation of transparent, predictable independent, and non-discriminatory regulatory and legal systems; access to finance; allowance of public-private partnerships; national broadband strategies; and public access facilities have in many countries facilitated significant gains in connectivity and sustainable development.	
22A [While also supporting private investments in duly competitive environments, large-scale public sector efforts are required to universalise a sufficient quality of Internet access. A model of public investments in country-wide backbones, with community-led last mile infrastructure, has been successfully employed in many countries and should be explored especially for rural and other under-served areas.]	We support the Just Net Coalition's proposed paragraph 22A
24. We request **[all stakeholders and]** UN agencies to regularly advise governments [**and one another**] [~~and all stakeholders~~] of specific, detailed interventions they can consider to support the enabling environment for ICT and development.	
27. We call for close consideration of public resource allocation to ICT deployment and development **[and to public access initiatives]**, recognizing the need for ICT budgeting across all sectors, especially education. We recommend that capacity development should be emphasised to empower local experts and local communities to fully benefit from and contribute to ICT development applications.	
31. We recognise the critical importance of private sector investment in ICT access, content, and services, and of legal and regulatory frameworks conducive to investment and innovation. We recognise the importance of **[transparent and accountable]** public-private partnerships, universal access strategies and other approaches to this end.	
Internet governance	

33. We reaffirm the principles agreed in the Geneva Declaration that the management of the Internet encompasses both technical and public policy issues and should involve **[meaningful and effective participation of]** all stakeholders and relevant intergovernmental and international organizations, within their respective roles and responsibilities, **[in an inclusive, democratic and transparent process]**. [~~as set out in paragraph 35 of the Tunis Agenda.~~]	
34. We recognise that there is a need to promote greater participation and engagement of all stakeholders **[taking into account the need to include more women]**, from developing countries, particularly African countries, least developed countries, landlocked developing countries, and small island developing States in internet governance discussions **[and to establish transparent and accountable funding mechanisms to support this participation].**	
37. We acknowledge the unique role of the Internet Governance Forum (IGF) as a multistakeholder platform for discussion of Internet governance issues, while taking into account the report of the CSTD Working Group on improvements to the IGF, which was approved by the General Assembly in its resolution and ongoing work to implement the findings of that report. **[We recognise the IGF's evolution to be more outcome-oriented, playing a capacity-building role, identifying emerging issues, facilitating inter-institutional interaction and identifying solutions to internet policy and regulation problems.]** We extend the IGF mandate for another **[~~five~~][fifteen]** years, **ensuring that it fulfils all aspects of** ~~with~~ its current mandate as set out in paragraph 72 of the Tunis Agenda for the Information Society. We recognize that, at the end of this period, progress must be made on Forum outcomes and participation of relevant stakeholders from developing countries **[and that it should be reviewed for renewal]**.	We propose renewing the IGF for 15 years in line with the 2030 Agenda for Sustainable Development.
39. We recall paragraphs 6[**7**][**9**][**[to][and]** 7[**2**][**[1**] of the Tunis Agenda, and note concerns that their full implementation has not been achieved. We call for strengthening enhanced cooperation, to enable governments, on an equal footing, to carry out their roles and responsibilities, in international public policy issues pertaining to the Internet, but not in the day-to-day technical and operational matters, that do not impact on international public policy issues. In order to address these concerns, we call for an inclusive, democratic, and transparent dialogue on enhanced cooperation **[involving all stakeholders]**.**[Efforts to provide governments with the opportunity to discuss internet-related public policy matters should be linked with the Internet Governance Forum.]**	
Human rights	We suggest placing a stand-alone section on human rights after the preamble to be consistent with the WSIS vision of a people-centred, inclusive, and development-oriented information society.
42. We reaffirm the principle, recognised in **[~~General Assembly~~**	We prefer to reference HRC RES/20/8 as it is entitled "The

~~resolution 68/167~~] **[Human Rights Council resolution 20/8]**, that the same rights that people have offline must also be protected online. **[This includes economic, social, cultural and civil and political rights.]**	promotion, protection and enjoyment of human rights on the Internet" and includes other concepts that are central to WSIS, such as recognising that the internet is a driving force in accelerating progress towards development in its various forms. UNGA resolution 68/167 specifically addresses the right to privacy.
43. We emphasise that no person shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home, or correspondence, consistent with countries' applicable obligations under international human rights law. We encourage all stakeholders to ensure respect for privacy and the protection of personal information and data. **[We emphasize that arbitrary surveillance and/or interception of communications, as well as unlawful or arbitrary collection of personal data, as highly intrusive acts, violate the rights to privacy and freedom of expression and may contradict the tenets of a democratic society. We encourage States to review their procedures, practices and legislation regarding the surveillance of communications, their interception and the collection of personal data, including mass surveillance, with a view to upholding the right to privacy by ensuring the full and effective implementation of all their obligations under international human rights law.]**	This additional text is from A/RES/69/166 and relates to aspects of the resolution that relate to the internet and ICTs. We urge the full implementation of this resolution in its entirety.
43bis **[We recognise the role that anonymity and encryption can play as enablers of privacy protection and freedom of expression, and commit to facilitate dialogue on these issues].**	Additional text comes from the Outcome Document of UNESCO's "CONNECTing the Dots: Options for Future Action" Conference (38 C/53) http://unesdoc.unesco.org/images/0023/002340/234090e.pdf
44ter. **[We recognise that decisions related to the technical dimension of the information society and to the development of the use of the internet and ICTs might have implications for human rights. There is a need to promote the alignment of Internet-related laws, policies, procedures and protocols with international human rights law.]**	Based on the Outcome Document of UNESCO's "CONNECTing the Dots: Options for Future Action" Conference (38 C/53) http://unesdoc.unesco.org/images/0023/002340/234090e.pdf
44. We reaffirm our commitment to the provisions of Article 29 of the Universal Declaration of Human Rights, that everyone has duties to the community in which alone the free and full development of their personality is possible, and that, in the exercise of their rights and freedoms, everyone shall be subject only to such limitations as are determined by [**international human rights**] law**. ~~[solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.]~~** These rights may in no case be exercised contrary to the purposes and principles of the United Nations. In this way, we shall promote an Information Society where human dignity is respected.	
*Building [**trust**], confidence and security in the use of ICTs*	
47. We reiterate the importance of cyber ethics in establishing a safe, secure, tolerant, **[peaceful]** and reliable cyberspace and strengthening the role of ICT as the enabler of development, as emphasised in paragraph 43 of the Tunis Agenda and mentioned	

under the Ethical Dimensions of the Information Society of the Geneva Declaration of Principles and Plan of Action. We recognise the need for special emphasis on the protection and empowerment of children online. In this regard, governments and other stakeholders should work together to help all children to enjoy the benefits of ICT in a safe and secure environment.	
48. We recognize the central importance of the principles of international law enshrined in the UN Charter in building confidence and security in the use of ICT. ~~[, particularly the political independence, territorial integrity and sovereign equality of states, non-interference in internal affairs of other states and respect for human rights and fundamental freedoms].~~	The deletion ensures the text now encompasses a broad range of principles enshrined in existing international law, rather than focusing on specific elements.
49. We are concerned about certain uses of ICT that increasingly threaten **[human rights and]** national security, including **[~~terrorism~~] [surveillance]** and cybercrime. We reiterate our belief that a global culture of cyber security needs to be promoted, developed and implemented in cooperation with all stakeholders and international expert bodies in order to foster trust and security in the emerging Information Society. **[We recognise the importance of privacy-enhancing technology in building trust, confidence and security in the use of ICTs.]**	
Implementation and follow up	
52: The continued implementation of WSIS outcomes should take place within the context established by the 2030 Agenda for Sustainable Development. Close links should be established between WSIS Action Lines and the Sustainable Development Goals to ensure that the spread of information and communications technology and global interconnectedness will serve to accelerate human progress, bridge the digital divide and develop knowledge societies. [**Access to information through ICTs supports development.**]	In light of the recently agreed 2030 Agenda for Sustainable Development, we support the recognition of the need for close links between the SDGs and the WSIS Action Lines in paragraph 52. APC, along with over 570 organisations from the development and technology communities, supports the [Lyon Declaration on Access to Information and Development]. We therefore support IFLA's proposed addition to paragraph 52 to strengthen the text in the spirit of the Declaration.
53. We call for the continuation of annual reports **[compiled with inputs from all stakeholders]** on the implementation of WSIS outcomes through the Commission on Science and Technology for Development (CSTD).	
54. We call for the continuation of the work of the United Nations Group on the Information Society (UNGIS), in coordinating the work of United Nations agencies. We also urge United Nations Regional Commissions to conduct [**~~regular~~ annual**] regional reviews of WSIS implementation **[, involving all stakeholders, and to report on progress in achieving WSIS+10 outcomes within the context of the 2030 Agenda for Sustainable Development.]**	