

The World vs. the Web: The UN's Politicization of the Information Society Report on the World Summit on the Information Society; Geneva, December 2003

Audrey N. Selian and Kenneth Neil Cukier

Introduction

On the surface, the issue of the Information Society should be one of the least controversial issues in contemporary international relations. Considering that nearly all nations welcomed the advent of the Internet for economic development, social progress, and entertainment, it would seem that a UN summit on such an intangible theme should be an occasion for rare harmony in an increasingly polarized world. Moreover, considering that the Information Society itself is spearheaded by the commercial sector in the form of computers, Internet access, and media, it would seem appropriate that governments should view their role in this area modestly.

Yet this was not to be so. Instead, the UN's World Summit on the Information Society (WSIS) that took place in December 2003 in Geneva will be remembered as the moment when a seemingly unspoken global consensus largely in favor of the Internet and information technology frayed at the level of formal intergovernmental relations.

A number of issues related to the Information Society have emerged to divide countries, mainly along the lines of the developing and developed world. These disputes—over human rights, free press, intellectual property, the digital divide, and control of Internet infrastructure—will not be resolved easily. One outcome of WSIS was the creation of a UN working group on "Internet governance" and a study on a fund to reduce the digital divide, with recommendations due before the Summit's second phase in Tunis in November 2005. Meanwhile, as with previous summits, the UN sought to use WSIS as a forum to increase the participation of nongovernmental organizations into its processes, both from industry and from groups representing civil society. This, too, largely failed. Many civil society representatives complained of having their interests passed over, while industry mainly ignored WSIS altogether.

The result is that there was probably more goodwill among groups and greater sense of agreement

about the Information Society in the late 1990s before the WSIS process began than now that it is halfway concluded.

In some ways, WSIS was an artificial moment. The main activity took place in the formal talks that led up to the event, not during it. The Geneva Summit took two years of planning, with preparatory meetings on every continent (and negotiations over the wording of the final Declaration of Principles and Plan of Action stretching past midnight in the days before the conference doors opened). Around 60 heads of government attended, as did 11,000 visitors. Organized by the UN's International Telecommunication Union, the Summit was widely viewed as an attempt by that agency to boost its relevance in the Internet era.

The road to Tunisia will be a long one. The issues that divide nations and private-sector stakeholders are significant, and may actually widen over the next 18 months. The Tunisian authorities have sought to increase the diplomatic stature of the Summit by privately proposing that it establish a formal "Charter for the Information Society." Though this would boost the importance of the event Tunisia hosts, it might also broaden the rifts among participants.

Strikingly, the Internet is becoming more contentious, not less, as it develops. This may make it either a pawn in a wider battle in international relations, or a punching bag. Neither would be good for the Information Society, which ironically promised to transcend geographic borders and the parochial interests of nation-states for an enlightened spirit of global solidarity.

Areas of Conflict

When one thinks of the Information Society, images of computers and telephone wires usually come to mind. Less so issues such as the environment, gender equality, or the needs of disabled people. However, these were exactly the sorts of topics that quickly cropped up as WSIS agenda items—and became points of contention. In one respect, the themes may represent an enlightened understanding of the Information Society that encompasses more than technology and extends to their broadest possible impact on human life. Yet less generously, they may be considered marginal issues that inappropriately overextend the concept of the Information Society, and thus, are distractions that prevent a

FORUM

deeper discussion on topics that are more central to the theme.

The final declaration raised 67 points and the action plan 29 points, which, as in many UN documents, couch their true meaning in generic language that can be interpreted in numerous ways. That said, four main issues were the focus of contention, and will likely remain sources of tension.

1. *Intellectual Property/Open-Source*

The developing world, led by Brazil, wanted strong language in the declaration in favor of open-source software; the United States, influenced by industry, notably Microsoft, wanted the inclusion of wording that referred to “different software models” and “proprietary software.” Moreover, the United States wanted text that specifically called for adherence to existing international intellectual property (IP) regulations. The compromise reached was weaker wording on open-source and less specific mention of IP treaties—and an agreement that the parties would slug it out in the appropriate forum, which is the World Intellectual Property Organization (WIPO), not WSIS. One critical point: Microsoft is concerned with references to IP treaties in the text because it fears the day may come when developing countries treat the WSIS ideal of a right to information as *carte blanche* to declare access to software a vital national interest—and openly violate Microsoft’s software patents just as some have done with patents on HIV/AIDS medications.

2. *Free Press/Human Rights*

China, Cuba, Vietnam, and others wanted to weaken the language on human rights and freedom for the media, while the United States and Europe wanted stronger wording. The compromise is that the text refers to pre-existing charters [i.e., the Universal Declaration on Human Rights (UDHR)] but doesn’t try to put forward ideals that seem to be stronger. There is even wording that can be interpreted to allow censorship under the notion of preserving national cultural norms. Considering that the UDHR itself is regularly violated, the controversy here is somewhat inane. The interesting point is that, according to officials involved with the discussions, the United States

didn’t fight for language calling for complete freedom of information—the reason being that now, unlike in the past, it sees a usefulness in restricting some Internet content beyond political hot-button issues such as pornography; for example content such as bomb-making instructions or the ability for terrorists to communicate.

3. *Digital Divide*

The developing world, led by Senegal, called for a new fund to overcome the digital divide, to be paid for by first-world companies and countries. The United States, Europe, and Japan balked, noting the fund’s potential for ineffectiveness and corruption, and that the plan overlaps existing digital divide programs (an OECD report issued to coincide with the Summit identified over 30 multilateral initiatives). The Summit’s Plan of Action established a voluntary Digital Solidarity Fund, and a study on the idea of a more elaborate fund to be issued prior to the Tunis Summit in 2005. There is a great irony here: many national leaders from the developing world in their formal remarks highlighted his or her country’s extraordinary record in Internet usage—Senegal President Abdoulaye Wade himself mentioned that in some years the country saw 300% growth—which seemed to dilute the urgency for new Western financial aid. Moreover, though the need for transparency and accountability in an aid program was identified, the use of technology itself as a way to reduce corruption was not considered.

4. *ICANN*

The administration of the domain name system, performed by the Internet Corporation for Assigned Names and Numbers (ICANN), was the biggest source of controversy at WSIS. Developing countries expressed opposition to ICANN, arguing that it is a form of U.S. or Western power over the Internet. They argue that it strips them of sovereignty over their country-code domain name, and prevents them from meaningful participation in discussions over how the overall system should work. Notably, these complaints mark the first time many countries have formally expressed a public view on the domain name system.

However, many countries did not seem to understand the issue other than shallowly, sometimes incorrectly, and mainly in the context of basic opposition to U.S. power. Essentially, ICANN became the victim of a far wider discontent with U.S. unilateralism in other foreign policy matters. The outcome of the Summit is that the UN will convene a task force to define what is meant by "Internet governance" (an important first step since the very nature of the term misleads governments into thinking that unless they do it, it is not being done), study the issue, and make recommendations in time for the Tunis Summit in 2005.

The ICANN controversy warrants a fuller treatment than is appropriate in this overview. That said, it bears remarking that this is a serious dispute and it is only going to get more complicated. As a first step, governments are calling for sovereignty over their country-code domains, something that although acceded to in the U.S. government's 1998 White Paper that established policy for private-sector Internet management, ICANN has been reluctant to institute fully. The problem is that in achieving this basic goal, governments may try to garner more—greater control over the domain name system itself. Such an assertion of power could unravel the entire ICANN "experiment." It would mean governments themselves would manage the core infrastructure of the Internet, in the same way as the ITU today coordinates the global telephone system. The United States and many other Western countries are wary of this approach since UN agencies tend to impose bureaucratic processes and politicize issues that could place a drag on technical innovation for Internet technology, as well as thwart the inherent openness of the medium.

These disputes among governments are fairly typical of UN summits; perhaps it underscores the degree to which technology is a mainstream matter that it should be treated like a political football and kicked about, and offline political issues grafted on it. More novel is the way the UN itself has had to account for nongovernmental actors, which are the motors of the Information Society around the world. In that domain, too, the Summit generated substantial tensions, which are the focus of the next section.

Civil Society

Once a sideshow, always a sideshow? The WSIS process was intended to highlight the UN's outreach to nongovernmental institutions. Yet those groups, which have complained of second-class treatment at other UN events, left the Summit expressing frustration at the way they were treated and their interests addressed. There are two dimensions to the tension: a dispute over the substance of the outcome at WSIS; the other, complaints about the structure and process.

Indeed, in the case of industry, it for the most part refused to participate. The lowest turnout among attendees was from the business sector (and no CEO from a major global technology company attended save for the head of Nokia, a Summit sponsor). Moreover, rather than engage organizations representing civil society, the Summit enraged them. From the preparatory meetings before the event to the treatment of organizations at the Summit—and even the architectural layout of the venue—civil society participants were marginalized both ideologically as well as physically by governments.

Substance Matters

A lack of dialogue, and thus lack of consensus building, led civil society organizations to reject the Summit's formal declaration and issue their own alternative document. The discontent felt by civil society organizations after the third official preparatory committee meeting in September (on issues such as advocating community media, open-source software, intellectual property rights, and gender rights) were not resolved before the Summit. That said, civil society concerns were not wholly ignored in the way some martyrs of the process would like to argue. Nevertheless, the final documents were perceived by civil society representatives as reflecting a vision of the Information Society that was uniform, technocratic, and not people-centered.

There were many issues where civil society expectations were not met, particularly in regard to the choice of strategic wording in the texts, and the lack of solid social justice and rights-based approaches to problems of freedom in the Information Society. The differences between the Civil Society Declaration, titled "Shaping Information Societies for Human Needs," issued on December 8, and the official Dec-

FORUM

laration of Principles by the WSIS Plenary issued on December 12, are not immediately discernible. However, those deeply involved in the process see the distinction in governing principles and values quite starkly.

The divergence lies in the classic issue of contention: the official Declaration calls itself “people-centered” and pays homage to Article 19 of the UDHR. However, it does not do so to the extent that the civil society text places the human being at the heart of the Information Society. The civil society version is geared specifically toward the realization and improvement of human rights and development of all people from a social justice standpoint. While the official Declaration became more human-centered, it did not touch upon issues of equitable distribution of resources and the necessity of applying a social justice framework. Furthermore, the official Declaration recognizes communication as a fundamental social process, but the civil society version goes further, by explicitly endorsing the right to freedom of opinion and expression—rights that are extended regardless of national borders.

To be sure, the official WSIS Declaration addressed certain civil society interests that were initially in dispute. For instance, the final version incorporated issues of literacy, education, and research throughout the text, and it made slightly fuller mention of skills (other than ICTs alone) that are necessary for empowering people. The final Declaration was also modified to include references regarding the role of WSIS to help attain objectives and commitments made at previous global summits and meetings, particularly in the domain of development.

In contrast, the civil society document exposes the significant shortfalls in the WSIS Declaration to emphasize the rights and freedoms of people in the context of freedom of movement, association, privacy, and expression. The other disappointments to many civil society groups were the failure of the Declaration to include a concrete plan for the Digital Solidarity Fund and the failure to make significant strides away from prioritizing infrastructure over the social impact of ICTs on society and economies.

Structure Matters

If the substance of the debates left the civil society institutions wanting, the Summit’s very structure exposed differences as well, from the symbolism of the

physical design of the venue, to the actual proceedings themselves. These intangible aspects of UN summits are often not recorded since they do not leave a documented trail, and yet they are as important as the official meetings, since the environment provides the context for either friendly or frustrated dialogue among stakeholders.

The environment was not conducive to dialogue. For instance, civil society organizations were structurally cordoned off from the area where the governmental plenary meetings were held. Access to these areas was exclusively limited to government delegates and selected private-sector attendees; only a few civil society delegates were able to acquire passes to enter. Rather than being treated as partners, the divisive design and the hierarchical access suggested a lower regard that the governmental organizers seemed to hold for the private-sector and civil society stakeholders.

The actual architecture of the event symbolized the inequality: governments were at the forefront of an elevated tier of the main building, while civil society organizations could be found in small, compartmentalized cubicles where the din of one session would interfere with another (a fitting mirror of the anarchy of activist organizations in the real world, alas . . .); industry and private groups were one floor below. This layout—governments on top, business below, and civil society left to its own, in a sophisticated shantytown—was not conducive to dialogue among different groups or within the civil society caucus. Nor was the fact that the WiFi Internet access, often free at many technology conferences, was priced exorbitantly high and was extremely difficult to set up. Considering the theme of the event, this underscored a serious lack of sensitivity on the part of the organizers that may reveal a broader lack of judgment about ICT policy and the interests of users, generally. The inaccessibility of Internet connectivity was especially detrimental to civil society groups, since the Internet is their lifeblood for coordinating their actions. This is the sector that most embodies the essence of the Information Society (and can best teach others in government and industry about its potential), and yet they were unable to participate in it at a summit centered on that very topic.

The most revealing tension among the stakeholders appears in the treatment of the civil society groups. Several civil society members claimed to

have been challenged at the security gates as they brought documents in to the forum, while others were actually arrested after demonstrating outside. Of course, one might question the utility of such protests, when the opportunity for participation was open to all organizations that applied, and it was reiterated throughout the Summit that civil society participation at WSIS was not equivalent to endorsement of it. Still, it would be appropriate to note the obvious hypocrisy on the part of WSIS organizers in censoring or filtering written materials at a summit on the *Information Society*.

Conclusion

The World Summit on the Information Society is often referred to in flowery terms by proponents as an unprecedented moment in history when governments around the world came together to acknowledge the power of the Internet and our mutual interconnectedness. Yet like so many other attempts to understand the Internet, this view tells us more about peoples' aspirations for the medium than its reality.

In theory, WSIS is about understanding how to manage new technologies so that everyone, not just those that first invented them, can benefit. It was meant to discuss technical standards, how to use technology to facilitate cooperation and level a deeply inequitable playing field. In reality, discussions over standards and inclusion may well be empowering to all, but not in the way that many first hoped. WSIS does not alter the proportional lack of power by the least technically advanced nations relative to those most advanced. This is not to say that WSIS is a failure; only that just as we have begun to acknowledge that technology is not a silver bullet to the world's problems. After a period of initial hype, WSIS participants must make the same realistic assessment about the Summit itself.

NWICO – UNESCO + ICANN = WSIS?

The most persistent feature of technology is that it seems to erase our memory of what came before it, a historical amnesia that can be problematic for policymakers. Looking back a few decades provides insight on the politics of the Information Society today.

In the 1960s, the classic East-West divide became complicated by the addition of a North-South dimension, and one of the main areas of dispute was

media. Predictably, the debates converged along the lines of the ideological standoff between the capitalist and communist world, with the West in support of the free flow of information and the East in favor of greater governmental control. Also predictably, it played out on the stage of the third world. One key concern was to keep pace with the innovation in communication technology, particularly satellites. Developing countries criticized the nature and direction of information flows as unidirectional, and sought to bridge economic divides as world markets developed. The dispute culminated in the late 1970s and early 1980s into proposals called the "New World Information and Communication Order" (NWICO) and debated at the United Nations Educational, Scientific, and Cultural Organization (UNESCO). Among the demands were those for a subsidy by Western media companies to foster media resources in developing countries and for greater national control over information—an ironic parallel to the calls at WSIS for a Digital Solidarity Fund to reduce the inequality of ICTs and the invocation of national sovereignty to justify censorship.

The current disputes at WSIS suggest that the central issues that NWICO exposed 3 decades ago have not disappeared in the Internet age, and in fact may have even become larger. The Internet has not remedied the concern over who owns communication infrastructure, nor the politics of access and connectivity in the developing world.

"To Carthage Then I Came . . ."

Looking ahead to the second phase of WSIS in Tunis in November 2005, one can expect the conflicts to become more intense as national positions, previously unformed, become more entrenched. This is because the first phase of WSIS raised the bar of awareness on a variety of issues; with understanding, come disputes. Moreover, should WSIS II strive to establish a formal Charter, it will likely take policy differences that today are hairline fractures in international relations, and expand them unnecessarily. Areas of conflict that could otherwise be addressed over time in bilateral settings may become commingled with broader foreign policy concerns, where they are less likely to be resolved smoothly.

This places special importance on the process leading up to November 2005, which will entail a new series of PrepCom negotiations, as well as the UN reports on Internet governance and the digital

FORUM

divide. These are opportunities for consensus and confidence-building that should not be squandered by any side. One reason why a formal Charter has been floated for the Tunis phase is because of the low turnout among Western leaders in Geneva—no major Western head of state attended save for France, and the United States sent a low-level delegation. If the United States in particular ignores WSIS, it will set back potentially positive global discussions and could lead to a backlash by the developing world against the United States that could jeopardize its interests in areas such as ICANN.

That might mirror history in a way that no one benefits from, if the NWICO dispute is any guide. The conflict at UNESCO in the 1980s became so fractious that it led the United States to pull out of the Paris-based body for 2 decades, only to return in October 2003. Moreover, just as UNESCO was criticized for inefficiency and being a shade too politicized in its role in NWICO, so have the intentions, agenda, and role of the ITU at WSIS come under fire. That said, time may be the best balm to calm tensions. Consider that efforts to establish the concept of a “right to communicate,” a phrase coined in 1969, was introduced by Sweden at the UNESCO General Conference of 1974. Nearly 30 years later, an entire forum of panels at WSIS entitled the “World Forum on Communication Rights” was sponsored by the group Communication Rights in the Information Society, and led by a coalition of international civil society organizations.

If the world has not changed as much as we think despite the emergence of the Internet, the World Summit on the Information Society underscores one important way in which it has changed: in terms of the role of nongovernmental organizations. In the 1970s, debates over media were mainly the domain of state-to-state relations; today, the WSIS process is dominated by the idea of multiple stakeholders and shared authority. This is an important evolution, since by acknowledging the relevant parties we can address interests pragmatically. The question, as always in international relations, is how we work together. Despite the interconnectedness of the Internet age, such accord cannot be taken for granted. ■

© 2005 The Massachusetts Institute of Technology
Information Technologies and International Development
Volume 1, Number 3–4, Spring–Summer 2004, 133–138