Communication rights ten years after the World Summit on the Information Society (WSIS): Civil society perceptions

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Association for Progressive Communications (APC)
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Global Information Society Watch 2013 Special report

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Introduction

This report, funded by the World Association for Christian Communication (http://waccglobal.org), responds to the opportunity provided by the WSIS+10 review which will culminate in 2015. Its purpose is to collate civil society perceptions of the changes that have taken place over the last ten years since the WSIS Declaration of Principles was adopted in 2003. The results are being used as input to the formal WSIS review process, as well as to strategise around civil society joint agendas and common positions. To this extent it contributes towards addressing two problems:

An apparent absence - in most parts of the world - of a people-centred approach to information and knowledge-sharing society policy and regulation

and

The fragmentation of the communications rights movement, which had mobilised so intensively to ensure that a people-centred approach informed the outcomes of WSIS.

Methodology

There are two components to this report: an online survey, where we called for input from civil society organisations from across the globe; and one-on-one interviews with stakeholders who participated in the WSIS process in the past.

The online survey questions were developed in consultation with an advisory group and by considering key rights-based commitments made in the WSIS Declaration of Principles (2003)[1] as well as those called for in the Civil Society Declaration to the World Summit on the Information Society (2003).[2] Civil society stakeholders who had either participated in WSIS processes, or have a keen interest in and knowledge of developments in the information and knowledge-sharing society in their country, region, or at global level were targeted.

Interviews with experts were open-ended and wide-ranging, a number of them conducted at the WSIS+10 review that was held in Paris in February 2013.

Besides the above-mentioned documents, analysis of the final survey results and interviews is loosely arranged using the "Assessing Communication Rights: A handbook" that was an output fromthe Communications Rights in the Information Society (CRIS) campaign.[3] The CRIS methodology identifies four pillars to communications rights: Spaces for Democratic Participation: Communicating in the Public Sphere; Communicating Knowledge for Equity and Creativity: Enriching the Public Domain; Civil Rights in Communication; and Cultural Rights in Communication. Further detailed analysis of the findings using the CRIS framework is encouraged, specifically at the national level, and in a workshop environment that encourages the specificities of national-level contexts to emerge, and co-learning to occur. To that end, it is hoped that this report serves as a useful starting point for deeper analysis.

1   http://www.itu.int/wsis/docs/geneva/official/dop.html
2   http://www.itu.int/wsis/docs/geneva/civil-society-declaration.pdf

3   http://www.crisinfo.org/

How to read this report

This report is divided into two parts. The first summarises the key findings of the online survey, while including the results of the one-on-one interviews with stakeholders to contextualise these findings, to agree or disagree with them, and to assist with possible explanations. The first section also offers a perspective on the usefulness of the WSIS Declarations themselves, and on challenges of interpretation when it comes to understanding the information and knowledge-sharing society, including what we might mean by the "communications rights movement". This section offers a lens with which to interpret the findings of the online survey.

The second section details the survey findings themselves, including offering some measure of analysis from respondents as to why particular ratings or scores were given. This section should be referred to by those interested in specific areas of enquiry, rather than a more general overview of the survey results. The arrangement of the second section maps loosely onto the categories contained in the Civil Society Declaration, and can be read in conjunction with the Declaration.

By "information and knowledge-sharing society" we mean *all* forms of communications tools used to create and share knowledge and information. These may include, but are not confined to: the internet, print media, and broadcast.

In all instances, when we talk about "policy discussions" or "policy processes", we are referring to those that impact on, or have to do with the information and knowledge-sharing society.

Overview of survey respondents

197 responses were received for the online survey. Organisations from a wide spectrum of countries completed the survey, with a reasonable mix between developed and developing countries in the results. The following table shows the number of respondents from different regions. In some cases more than one organisation from a country completed the survey.

REGION	Nº OF COUNTRIES
Western and Eastern Europe	18
Oceania	2
Asia	6
Africa	10
Middle East	3
Latin America and the Caribbean	9
North America	2

Interviews conducted

The following stakeholders were interviewed for this report. Specific comments attributed to them are referenced in the narrative using the reference code.

NAME OF INTERVIEWEE	ORGANISATION	REFERENCE CODE
Susanna George	Gender activist	Inv 1
Alice Munya	KICTANeT	Inv 2
William Drake	ICANN, civil society grouping	Inv 3
Sean O Siochru	Communications activist	Inv 4
Gloria Bonder	UNESCO, Gender Society and Policies	Inv 5
Parminder Jeet Singh	IT for Change	Inv 6
Norbert Bellow	IGF CS Caucus co-coordinator, Switzerland	Inv 7
Karen Banks	Association for Progressive Communications	Inv 8
Avri Doria	Technical activist	Inv 9
Dorothy Okello	Wougnet	Inv 10
Tapani Tarvainen	EFFI	Inv 11
Dawit Bekele	ISOC Africa	Inv 12
Bertrand de la Chappelle	The Internet and Jurisdiction Project	Inv 13
Izumi Aizu	Institute for Information Society	Inv 14

Summary of key findings

"Gains and losses": a context of unstable perspectives

The strength of a people-centred information and knowledge-sharing environment in any country is dependent on the strength of the democracy in that country.[1] People-centred policy gains, like democracies, can also be fragile. Policy-guarantees can change, or be reneged on. Therefore any gains made in policy landscapes need to be protected.

Moreover, there is a distinction to be made between principle and practice. Policy gains, for example in areas such as freedom of expression and universal access, do not necessarily translate to real-world results on the ground. The "people" need to protect policy decisions, and "there is still a difficulty in demanding the practicalities of this fight."[2]

The terminology used in this report and by activists can also be unstable.[3] Definitions of terms such as "public interest", "community media", "multistakeholder", "people-centred", "indigenous people" or "communications rights movement" shift, can be unspecific, and depend on the context in which they are used. This lends some uncertainty to discussions on the information and knowledge-sharing society, and the gains that have been made, or ground lost.

Finally, rights are clearly interlinked – for instance, freedom of expression has a critical relationship with access to information, as do the rights of indigenous communities. Strength in one area of rights may not imply an equal strength in securing other rights. A weakness in one right might undermine the strength of another right secured.

It is these opening observations that underpin the findings of this report.

Positioning of the WSIS Declarations

Nearly a third of respondents to the survey said that the WSIS Declaration of Principles (2003) as well as the Civil Society Declaration to the WSIS (2003) had little impact on policy development in their country.

The Civil Society Declaration is, however, more visible in civil society positions – even if it is not used frequently as a lobbying tool.

WSIS "didn't give powerful ammunition for activists to use".[4] Issues and challenges identified were already issues and challenges, particularly at the local level. While the Declarations may have lent coherence to advocacy focal areas, most changes experienced over the past ten years are the result of a complex interplay between advocacy, global economies, market expansion, politics, and shifts in social dynamics, among others:[5]

> WSIS didn't have much to do with [any of the changes we have seen over the past ten years]. I made an informal survey with some of my friends in Argentina and Colombia who are in programmes concerned with including ICTs in education and health. 'Do you know of WSIS?' I asked them. They said 'what'?[6]

Although, looking back, some now see the Declaration as a "radical document",[7] more cynically it offered little more than "platitudes".[8]

However, there was general agreement amongst those interviewed that the Civil Society Declaration in itself was not necessarily going to achieve concrete outcomes, and that this was recognised

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1   Inv 1

2   Inv 2 [Note: All quotations are verbatim.]

3   Inv 3

4   Inv 4

5   For instance, this was felt to include development in e-governance and education ("two or three waves of ICT programmes in schools" in India [Inv 6]), while in other countries the market and entrepreneurs were seen to determine developments in access, rather than any policy discussions.

6   Inv 5

7   Inv 7

8   Inv 4

at the time.[9] Rather it was a statement of principles that spoke more about common universal goals and challenges amongst activists: "The real value was to pull civil society around issues."[10]

The WSIS process was seen as a "necessary process for a time of transition":[11]

> The world was adjusting to a more digitised way of thinking about communications. It was at that period when the WSIS was thought of. It was an attempt to create a space for global government; a space for conversation at a global level amongst governments about some of the key issues to do with ICTs.[12]

As one interviewee felt, "[t]he best thing that could have come out of WSIS was the mobilisation of civil society".[13] The Civil Society Declaration itself was however a "statement" and a "statement is a statement", a "frozen moment of a process; a crystallisation of a process":[14] "It's a tool that says a process has been going on. In and of itself it has no power."[15]

Moreover, the practical implementation of any goals identified in the Declaration depends on how receptive the context is to those goals: "Any international policy statement and convention, the extent to which it is actually implemented on the ground depends on the level of democracy."[16]

It is here where the strength of the positions stated in the Civil Society Declaration ten years ago can be felt – as a measure of the current progress towards a people-centred democracy in each country. It offers a powerful tool for comparison, and an indicator to the current status of world politics:

> Generally things have gotten much more difficult, specifically with civil society organisations. Back in 2003, the WSIS Declaration sounded almost 'of course' – but today it sounds radical. It didn't sound too radical 10 years ago – this is a sign for alarm.[17]

Visibility of rights

Human rights generally

Human rights had become more visible in global policy discussions over the past ten years.[18] Largely due to consistent advocacy by civil society stakeholders, human rights were now "on the agendas"[19] of those discussions. A human rights agenda is also seen to have been adopted over the past ten years by particular groups who may not have had rights discourse as a central concern. For example, a mainstreaming of human rights generally was felt in the technical community:

> We – technical community – used to only talk about technical needs, maybe talked about the user interface, so on and so forth. But the number of people who took the humanity aspect of the internet seriously was definitely a back-room discussion. We called them 'humanitarian engineers'. Now, even within the IETF [Internet Engineering Task Force], you're seeing words like 'privacy'.[20]

However, in national level policy discussions, human rights discourse was only partially felt. Global human rights standards generally were considered a priority in local-level policy discussions dealing with the information and knowledge-sharing society by only 29% of the respondents. Moreover, 20% of respondents stated that laws that affect the information and knowledge-sharing society in their country are in breach of international laws at the UN.

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9   One interviewee felt that it was a fundamentally flawed process given that it was organised by the International Telecommunication Union (ITU) – the "wrong agency" - in order to "give itself some profile and reposition itself in the ICT landscape". [Inv 4]

10   Inv 4

11   Inv 1

12   Inv 1

13   Inv 4

14   Inv 4

15   Inv 4

16   Inv 1

17   Inv 7

18   Inv 8

19   Inv 8

20   Inv 9

Women's rights

The survey suggested that traditional advocacy focus areas such as women's rights, media freedoms, and advocating for free and open source software have had a greater positive impact on the communications environment over the past ten years than other areas, although there remains work to be done. Fifty-six percent of survey respondents felt that there were medium (34%) to high focus on addressing gender injustices in policy processes at the national level. Similarly, interviewees noted a "willingness" to engage and address women's rights issues, in the policy environment at least:

> Over the past ten years there has been a willingness to address gender issues in our national policy documents [in Uganda], at least in theory. In practice, we haven't done much evaluation of what we've done so can't speak to it. We have focussed on getting the language in the documents – now the challenge is to focus on usage and uptake.[21]

Some felt that the "gender digital gap" was as a result closing – in some instances, such as Latin America and the Caribbean (LAC), "very rapidly":[22]

> In LAC 48% of internet users are women. More women than men are using social networks, as in other regions. Fewer women than men are using Twitter, but there are more women than men using Facebook in terms of access and time. The mobile revolution – the spread of the use of mobile phones – is important. We went to Chiapas [in Mexico] and all indigenous women are using mobiles. There are lots of small businesses created to provide services for mobiles. Mobiles were not even a small issue at WSIS.[23]

Nevertheless, a number of interviewees felt that progress in gender rights depended on how one defined a women's rights agenda. For instance, an absence of women in the field of science and technology was noted:

> I would say perhaps people are confused. Has gender equality been included in national policies? Yes, very much, in terms of participation, violence against women, sexual and reproductive rights. But in relation to science and technology? There is a kind of mirage effect. There are more women in power, politics, business etc. But when it comes to women and science, in these fields women are fewer than men, and not in the highest positions.[24]

As with other rights, there was a tendency to make women's rights derivative and simplified, without proper care to the economic structures that defined how those rights were understood and accepted. Aspects of rights discourses were negated in order to make them palatable to policy-makers and authorities:

> Women's rights and gender have become a completely instrumentalised economic concept. At the national level governments will say we want to be open to women; but the reality is it is definitely some kind of economic purpose that returns benefits. We've seen this with the CISCO academy for gender equality. So gender equality is all a whitewash. It's not about receptivity, but usefulness.[25]

Examples in Asia were given (Burma, Cambodia, Thailand, Indonesia), where women's rights had been turned into "soft politics", whereas "feminism is deeply radical":[26]

> The way it is being discussed with donor agencies and groups on the ground makes it so palatable that no-one has a problem with it. It would take a revolution of our relationship with each other for women's rights truly to be realised. It would be a society that we wouldn't be ready for.[27]

21 Inv 10
22 Inv 5
23 Inv 5
24 Inv 5
25 Inv 1
26 Inv 1
27 Inv 1

Youth and children's rights

The needs of young people appear to be unrepresented in policy discussions – only 10% of respondents agreed strongly that this was *not* the case. However, young people received comparatively strong attention in the development of programmes to empower them in the information and knowledge-sharing society, with 58% of survey respondents saying these programmes existed in their country, compared to 28% who said they did not.

The continued importance of these programmes was noted:

> It is complex approaching the issue of youth and ICTs. The youth are seen as digital natives, as tech savvy, needing to teach their parents and so on – I strongly disagree with this. There are programmes in LAC, there are youth policies institutes within government, there are policies on health, violence, sexual and reproductive health, economic empowerment. But we sometimes assume that the youth will know about digital literacy through osmosis, as if it is in their mindset, how to use technology. They need to be shown HOW to use technology – they are not just consumers.[28]

Childrens' rights appear to be reasonably well protected through legislation. Fifty-six percent of survey respondents said this was the case, compared to 25% who said it was not the case. There was also an anomaly between this finding, and whether or not respondents felt that online content that might be damaging to minors was adequately controlled through legislation: 38% said this was the case, compared to the same percentage that said it was not the case.

While ICTs could help to mitigate the practical, everyday risks faced by young people,[29] there was an increased need for programmes that educated children and youth about the dangers of using ICTs.[30]

Rights of marginalised groups

The rights of indigenous and displaced people, as well as disabled people have received relatively little attention – the survey suggests that these groups were the least likely to be able to contribute effectively to the information and knowledge-sharing society. For instance, 31% of respondents suggested there was very little information available for displaced people, while a third also felt that the rights of indigenous people were not actively pursued in policy discussions.

Nearly a quarter of respondents also feel that ICTs are not being used to bring health and education services closer to marginalised groups in their country.

Finally, the survey suggests that globally the goal of poverty eradication remains a low priority in policy discussions dealing with the information and knowledge-sharing society. This is reflected in the lack of inclusion of poor communities in policy discussions that affect them, the absence of strategies to bridge the digital divide in some countries, and a lack of transparency in funds set aside for digital divide strategies. Nearly a third of respondents also felt that the Millenium Development Goals (MDGs) played an insignificant role in policy-making processes in their countries.

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28 Inv 5

29 With tablets, you see a lot of interest from children. It's because of urban violence and insecurity, especially in LAC. This reality has helped to expand the use of technology by children. My grandson who is 10 has grown up with technology – he is very smart with tech. He has to come back from school accompanied and he needs a mobile phone to call his parents in case he is trouble. It is the combination of a 'risk' society and the information society that has helped this expansion. [Inv 5]

30 Inv 10

Freedom of expression and public debate

The extent to which freedom of expression is felt to exist in practice in countries suggests a positive communications climate overall. Sixty-one percent of respondents described their country's media as "free", compared to 38% who said they would not describe their country's media in this way.

However, freedom of expression is linked to other rights, such as access to information, as well as issues such as media diversity and ownership and the technical control of the internet. A distinction between freedom of expression in theory and practice is also felt:

> How much freedom of expression citizens have in practice differs greatly depending on the context. Governments like the economic potential of freedom of expression, but not the side effects – for example, Saudi Arabia.[31]

The link between freedom of expression and access to information is made:

> Being able to acquire information is important. This has improved in spite of censorship, in many countries – censorship cannot always prevent people accessing information. But then people can access information, but cannot talk about it.[32]

Most respondents felt that a culture of public debate was openly encouraged and supported in the information and knowledge-sharing society in their country. However, when asked about the extent to which information was made available to the public by governments or other institutions in an open and transparent way so that this participation in public debate and discussion can be proactive and informed, 41% of respondents suggested that this information was not sufficiently available.

Fourteen percent of respondents felt that the government does not openly share public-interest information with citizens in their country, with 25% stating that only some information was shared. This can be compared to only 4% who suggested the level of openness was sufficient while 18% said it was almost sufficient.

Alarmingly, 65% of respondents also suggested that businesses did not share public information sufficiently. Twenty-eight percent of respondents also suggested that scientific and technical information was actively shared with the public by institutions working in the scientific and technical fields (whether online or "off-line"), compared to 51% who said this was not the case.

Fifty-nine percent of respondents "agreed somewhat" (49%) or "strongly" (10%) with the statement that broadcast spectrum for television and radio was managed in the public interest in their country. It was also felt that community media are contributing to diversity and plurality, even in the absence of direct government policy or regulatory support. Interestingly, given the common perspective that the internet does promote content diversity, 33% felt some ambivalence as to whether or not this was the case.

The positive responses to whether a country's media could be described as free do not entirely agree with the diversity of ownership of media, with only 30% saying that the ownership of their country's media was diverse.

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31 Inv 11
32 Inv 11

Access to technology

Impact of the market

While interviewees felt that there was a significant increase in access globally over the last ten years (most obviously in the area of mobile telephony),[33] this was not necessarily due to people-centred policies, but to market growth:

> The use of tech and access has spread all over – not due to our work, but due to 'business', global and local. There has been penetration all over and in LAC in particular. In the last five years it has increased by a factor of 400%. Is that because of WSIS? No, this is a huge market and the multinationals have been smart enough to identify which sectors they have to reach – women, young people and children are important target groups.[34]

In Africa, similar changes are felt:

> Ten years back most people thought that the gap between Africa and the rest of the world was wide and increasing. Today it might still be wide, but I think everyone agrees that the gap is decreased, is going to decrease, and considerably. Internet penetration in the past few years has increased significantly due to wireless connectivity that solved the last mile problem. Then there are the submarine cables. Ten years ago we were talking about EASSy. We didn't think there would be another for another 10-20 years – so we were fighting for open access. Now there have been countless cables installed. One of the bottlenecks to access in Africa was that computers were expensive – now you can use your mobile phone. Mobiles were not in the picture ten years ago. I was laughing when I heard a minister saying 'we want mobile phones for the peasants'. I thought they were for the elite. I have much more hope now than ten years back.[35]

This growth can be attributed to "investors starting to believe in Africa":

> If we take the cables, the biggest difficulty was getting the funds. Everyone was keeping their hands in their pockets – the World Bank etc. – even the governments didn't want to commit much money. Everyone was sceptical of investing in Africa. But as there were a few who dared to invest, and reaped the benefits, then others followed.[36]

However, in some contexts increased access does not mean more affordable access.[37] Perhaps reflecting this, community ownership has a low policy priority in most countries. Moreover, while a third of respondents felt that universal access to all forms of communications technologies strongly informed policy discussions and strategies in their country, this was balanced by a similar percentage of survey respondents who felt indifferent about this, and the same percentage that felt that universal access was not a priority policy target.

Access, as a result, still followed "class and geography",[38] with those enjoying an increase in access being predominantly urban based, even in highly connected societies such as countries in Asia.[39]

FOSS

Free and open source software (FOSS) solutions were more often than not actively explored as a way to increase access to the information and knowledge-sharing society for marginalised groups in countries. However, it was not necessarily the case that governments were following open procurement processes[40] when deciding between proprietary and FOSS solutions: "When you're working with government people you have to be terribly well informed just to point out what is wrong with what, say, Microsoft is saying. There is always a feeling you are not making progress."[41]

Although the gap between technology and human rights has narrowed for some over the

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33 As one interviewee put it: "There is a revolution in smart phones. Smart phones will change things dramatically. Community radios might not have the internet, but two or three of their reporters have smart phones. They use them to do research for their stories." [Inv 1]

34 Inv 5

35 Inv 12

36 Inv 12

37 Inv 6

38 Inv 1

39 Specifically the example of Malaysia was given.

40 The example of the Swiss government's contract with Microsoft valued at millions of Swiss Francs was offered here. This reportedly did not use a public procurement process.

41 Inv 7

past ten years, some developments in the open source field are also seen to have drifted from the ethical dimensions that have underpinned the FOSS movement:

> There is both progress and lack of progress. Today, there are people in FOSS organisations who have had good success using FOSS within proprietary systems, which is good in a way – but don't help societal problems that only a more principled approach can solve.[42]

Basic literacy and information literacy

Eleven percent of respondents felt that basic literacy programmes were not actively pursued in their countries. In comparison, information literacy programmes targeting marginalised and poor communities fared worse. Thirty-five percent of respondents said that these were not pursued by governments or any other groups in their countries. In contrast, technology played an increasingly vital part in basic education, and, in doing so, sometimes helped to provide access to the broader community:

> Education [in LAC] is in a mess. There have been very few positive changes that have resulted in meaningful education for children in today's society. The One Laptop per Child was adopted by the government – this was a lever and became the new education paradigm. Almost all countries in LAC have the One Laptop per Child programme. Chile was first, then Uruguay. It has made a big change. In Argentina they distrubuted 3.5 million netbooks to secondary school students. The netbook is owned by the student, not the school – so the student can use it anywhere, and it is a mediator in terms of digital literacy. They take the netbook home and other members of the family who would otherwise not have access, have access.[43]

Given the rapid expansion and development of ICTs, the need for adult-based training was still felt:

> It's a bit like the scenario: 'Do we give poor people ICTs, or do we give them water?' But the need for training is still there because the available range of ICTs is expanding. This is basic training – using the tools. We use web 2.0 and social media as learning opportunities. It's changed from an HTML website where we were involved in uploading information for our partners, to web 2.0, where they can do it for themselves.[44]

State security and privacy

Overall it was felt that state security overrode the need to access information. In this regard, the technical developments in the internet have been important over the last ten years:

> When I look at the internet, I look at it as many millions of lines of code by thousands of different people largely following a set of principles. Their purpose was that anyone could say anything to anyone at any time. When I look at code, I see it as a dynamic theme. There were a set of principles that were meant to not have a central design but through various architectural principles, you'd have a coherent system that worked together. The intentionality of people adding code now is deep packet inspection, filtering, blocking – smart people working for governments to stop communications, to monitor communications. It is the experts splicing that is ruining the association between code and rights: in the past 10 years, the DNA/code of the internet has become one spliced with code that blocks, filters, provides barriers to the freedom to associate freely and express freely.[45]

42 Inv 7
43 Inv 5
44 Inv 10
45 Inv 9

Sixteen percent of respondents felt that their privacy was not adequately protected by legislation when they used their internet for transactions (including their online data and other personal information). Only 5% felt it as strongly protected. Privacy is seen as a "double-edged sword".[46] Both governments and businesses – such as Amazon, Samsung, and Google – now have "unforeseen possibilities of monitoring".[47] While "companies get all kinds of information about you" this knowledge is privately held: "Finding out what Google knows about you is impossible".[48]

Technology, it was felt, was "developing too fast": "Most people don't want to be bothered, hoping that the government or some other body will deal with it. But when governments are not able to keep up with the pace of new technological development, we end up being governed by global corporations".[49]

Despite these drawbacks, increased access to the internet has resulted in empowered groups, and an increase in visibility of rights such as freedom of expression. This was seen to be a cause for optimism:

> My hope is that what we have seen with the Arab Spring, blogging, Facebooking, my hope is that by giving access and opportunity it creates space and potential. We have seen what young people can do in terms of their bodies, lives, relationships. They can set the scene.

Cultural rights in communication

There was a mixed sense as to whether cultural and linguistic diversity was supported in countries: 14% of respondents felt that it wasn't supported much, with 29% giving this a low rating (2 out of 5). This can be compared to 6% who said it was supported, and a further 22% scoring this relatively high (4 out of 5).

Nevertheless, this was felt to be more of a pressing issue now than ten years ago:

> Ten years ago, everybody who was interested in information society topics accessed this through being highly educated and speaking English. Today, it's a problem that remote participation is only available in English – today the language barrier is a serious problem – whereas ten years ago there were so many serious problems it didn't seem so.[50]

In the main, displaced people do not have appropriate access to important information that is critical to their livelihoods and the exercising of their rights (e.g. political information for voting, opportunities for displaced people, or information on health or safety). Nearly a third of respondents also felt that the rights of indigenous peoples were not actively pursued in policy discussions regarding the information and knowledge sharing society. As to whether indigenous people's knowledge was protected by copyright and patent laws in countries, only 4% of respondents said yes, compared to 41% who said no.

Nearly half of the respondents surveyed (49%) also felt that persons with disabilities did not have appropriate access to important information that is critical to their livelihoods and the exercising of their rights.

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46 Inv 11
47 Inv 11
48 Inv 11
49 Inv 7

50 Inv 7

The fragmentation of the "communications rights movement"

This survey began with the perspective that the communications rights movement had become fragmented. There was general agreement that the movement was now "very disparate".[51] On the one hand this was seen as an issue of definition – that until activists were able to answer clearly what such a movement was, and spell out its advocacy goals, it could not be considered a "movement".[52] Moreover, there was some disagreement as to whether there was any sense of coherence amongst activists at the WSIS: "There were serious flaws in the civil society space, because there were assumptions about unity that didn't exist. If we are fragmented, it's because it was a natural fragmentation. It was not a serious coalition".[53] In particular, the gender caucus was seen as a "falsified space".[54]

However, there was an equal sense that the WSIS process allowed different groupings to cohere around a unified perspective (the Civil Society Declaration), which allowed some sense of commonality between the disparate groups to emerge. Nevertheless, the impetus generated by the WSIS process has subsequently been lost, partly due to a lack of funding to continue to catalyse common fronts, but also due to crises in the global context, described as an "extreme consumerist capitalist environment":[55]

> Over the last decade, given the economic and financial crisis, the level of mobilization seems to have gone down, especially in the western world. Most people on the left would be disappointed by the level of response to the crisis caused by capitalism, and resolved in interests of capital.[56]

In this context, "people-centred" changes become difficult. This was particularly seen to be the case in the information and communications technology (ICT) industry, which was seen to have "leverage" over government. In this process "government loses legitimacy, and civil society loses ground".[57]

Multistakeholder processes

"Multistakeholder processes" or a "diversification of stakeholders" was seen as a critical outcome of the WSIS process, which also resulted in several forums where multistakeholder engagement was practised, such as the Internet Governance Forum (IGF), Commission on Science and Technology for Development (CSTD) and WSIS Forum:

> For me I had been part of gender caucus at the ITU [International Telecommunication Union], and had attended ITU events. WSIS was different; there were many players involved. The idea of multistakeholder engagement was very present at WSIS. It seems the idea that you can't govern the internet without the inclusion of the voice of civil society was established at WSIS. There was a strong push for that.[58]

or

> In the past 10 years there have been changes from all sides who have learned how to pronounce 'multistakeholder'. So at least lip service to the concept is widespread and has accelerated in the past two years. The second thing is being ten years on, in the same room from where we kicked out, now we are on an equal footing. It doesn't mean the discussions are more interesting, but at least now we can say 'no'. The notion that meetings have to be open has clearly grown – credit goes more to IGF than WSIS, but the latter was formed by the former.[59]

In this regard, a distinction can be made between "collective learning" and "substantive learning"[60] that was a result of the WSIS process. Collective learning depends on the strength of the multi-stakeholder process, while substantive learning resulted in "new concepts and frameworks"[61] through this engagement.

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51 Inv 3
52 Inv 3
53 Inv 1
54 To some extent, and despite representatives for constituencies at the forum, any Declaration was shaped by the political economy: "WSIS was an expensive affair. Those who showed up were those who could afford to." [Inv 1]
55 India and China were cited as examples of this.
56 Inv 4
57 Inv 4

58 Inv 1
59 Inv 13
60 Inv 3
61 Inv 3

This perspective means that WSIS was not about tangible outcomes (the "delivery of x, y or z"), but that "what matters is the changes to the dialogue and discourse".[62] As suggested, the IGF was seen as one of the most important outcomes of the WSIS process, where multistakeholder engagement was seen in practice, and terms such as "governance" could be grappled with and better defined.[63]

Besides the WSIS launching new fora for multistakeholder engagement, it has also influenced previously "closed" institutions such as the Internet Corporation for Assigned Names and Numbers (ICANN): "ICANN is trying very hard to walk the talk when it comes to multistakeholderism. It could not have done it if it were not for the WSIS process. It was an attempt to stop deals being cut by companies behind closed doors."[64]

Multistakeholder processes have also been adopted at the local level, strikingly in Kenya, where it is now a constitutional requirement that has had practical implications for that country's engagement in multilateral processes, such as the World Conference on International Telecommunications (WCIT):

> By the time we were finishing the first phase of the WSIS, Kenya was just getting a new government. There was an understanding that ICTs had a role to play in development, so it opened windows for civil society and other stakeholders to be a part of government.[65]

This has had practical implications for roll-out strategies in that country, where "everyone has been given a chance to invest"[66] in ICT4D projects.

However, this tangible impact of WSIS at the local level, at least in the African context, is seen as "unique to Kenya", a country which is described as "standing alone at the moment":[67]

If you look at statement at WCIT, what the WCIT was proposing was contrary to the multistakeholder approach. So Kenya had to take it home, otherwise it was in contradiction with the constitution.[68]

As some have found, even when multistakeholder engagement is visible, or understood to be an operational policy, how it plays out in actual engagement is complex:

> I was involved in working group on the improvement of the IGF. I have seen the pros and cons; the limitations of the IGF. We hoped it would go beyond the IGF and into other fields – but the IGF is where you see it largely exercised. The IGF remains a discussion forum only, not a decision-making body. I'm still optimistic in relation to the CSTD working group – all non-government stakeholders were thrown out and the chair noticed a crisis, that the 'one stakeholder' reality was against the principles of the IGF – CSOs and others were referred to then as 'invited participants'. Then when the process is 'equal' – between the different stakeholders – who takes the floor, who writes the documents, depends on the personalities of chairs also. I am very concerned about ICANN becoming a corporate entity, but claiming to be multistakeholder.[69]

Despite constitutional guarantees, buy-in into multistakeholder processes in a country like Kenya is still not inevitable:

> There is a difficulty is accepting the views of the various stakeholders. We still have a lot of people in government who do not understand the multistakeholder model. Some government officials are struggling with what 'multistakeholderism' means.[70]

The issue is how any multistakeholder environment is implemented. In some contexts, such as India, civil society needs to "push" for inclusive engagement,[71] while in Malaysia multistakeholder engagement is a "hypothetical concept",[72] with businesses dominating discourse.

62 Inv 3
63 Inv 3
64 Similar observations were made about ISCO [Inv 9]
65 Inv 2
66 Inv 2
67 Inv 2

68 Inv 2
69 Inv 14
70 Inv 2
71 Inv 1
72 Inv 1

The notion of multistakeholder engagement was also being constantly (re)defined in practice: "When we develop the tools to manage the internet as a global resource, it will inform global management of other resources, such as water, and so on. ICANN and the IGF are the laboratories for defining new modes of multistakeholder interaction".[73]

These mixed responses were reflected in the survey, where on the whole relevant civil society stakeholders still appear to be excluded from important decision-making processes to do with the information and knowledge-sharing society – or at least only some were included. Multistakeholderism also appears to be defined along the "business", "civil society", "government" matrix, with low attention to the specificities of the groups involved, resulting in clear exclusions of concerns, such as youth, poor people or indigenous communities.

For instance, in response to the survey question: "Are representatives of poor people involved in policy discussions?" comments included:[74] "The methodology is very selective and consultations are very subjective"; "The debates and discussions involve the bureaucracy, political actors etc. while those working on these issues or those who are impacted by these are seldom there to share their views"; "The talks usually happen at high-level meetings or workshops where poor communities are not part of the audiences"; "There is barely some involvement of civil society other than business organisations"; and "[p]oor communities rarely have their voices captured or documented to inform policy briefs written by either NGOs or the various government sectors".

Moreover, some global forums do not readily admit multistakeholder engagement, including the fields of intellectual property and security: "Here it is very hard to tell governments to back off and say have multistakeholder engagement. These are the toughest nuts to crack. They take seriously the obligation to protect state and its interests. Sometimes you can't change stuff – you have to cope with it."[75] Similarly, some key policy discussions, such as those involving network and information security, do not take place in "limited identifiable institutions", but rather in multiple fora and institutions with different responsibilities: "Some operate well out of public view".[76]

Finally, multistakeholderism was seen as a "framework for engagement, not a framework for sensitisation". It was a "good construction for dialogue, but did not negate the need to advocate very strongly from the grassroots".[77]

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73 Inv 13

74 It is important to note that several survey respondents stated that consultation was sufficient. For example: "In most cases, the views of communities are represented either through policy engagement forum or through Policy briefs highlighting farmers concerns and presented to policy makers and different stakeholders". In one instance, consumer groups were also identified as meeting the needs of poor people.

75 Inv 3
76 Inv 3
77 Inv 6

Survey findings

Poverty eradication

The survey suggested that globally the goal of poverty eradication remains a low priority in policy discussions dealing with the information and knowledge-sharing society. Forty-seven percent of respondents rated this priority as "low", while 20% of respondents rated it as a medium priority, and 22% of respondents gave it a high priority. This is reflected in the inclusion of poor communities in policy discussions that affect them: 66% of respondents stated that poor communities were "never" (26%) or "only sometimes" (40%) included in these discussions.

Challenges cited included a lack of political will, low accountability and transparency, and an "unclear" policy environment: "At this stage of the process, the political will is not clear. Despite numerous meetings and multitudes of political discourse, 80% of the Congolese population still lives on less than a dollar a day." The high price of internet access was mentioned by at least two respondents.

Some respondents expressed a distinctly negative perception of policy makers or of political contexts, one stating that efforts to bridge the poverty divide using ICTs came from civil society and "not government". Similarly, "policy makers are NOT grass-root centred; they never encourage information and knowledge sharing solutions/INNOVATIONS for problems that affect the masses". Corruption and mismanagement were two key negative factors cited: "The effectiveness of poverty alleviation programmes in Sri Lanka, like Janasaviya, Samurdhi and Maga Neguma have been hindered by political patronage and misallocation of resources" or "nearly all programmes on 'informatisation' in Ukraine suffer from corruption."

Poverty eradication was also felt to be a low priority in discussions concerning the information and knowledge-sharing society in some developed countries: "It does not rate a mention in Australian bodies discussing these matters."

However, counterbalancing these observations were several positive statements of poverty goals being integrated into policy discussions: "The fight against poverty is part of the National Development Plan and leads the major policies and programmes in the country" or "poverty reduction is a key priority issue in Uganda even though the Government has not fully responded to the different needs to address poverty in the country."

Perhaps incongruously, most (63%) respondents stated that there were state efforts to bridge the digital divide in their countries, including through financial resources and policy interventions. This may suggest that efforts to bridge the digital divide tend to be "top-down" policy interventions with the overall aim of e-inclusion or technological roll-out, but with little or no understanding of the nuanced needs of poor or marginalised communities. While in some instances representatives from poor communities were involved in policy discussions, through, for instance, consumer groups, or a multi-levelled process of consultation, in others "[t]he talks usually happens at high level meetings or workshops where poor communities are not part of the audiences". A distinction was also drawn by several respondents between policy and practice, suggesting that a divide existed between roll-out plans and strategies, and their successful implementation on the ground: "It is necessary to distinguish (nice) discourse from (tough) reality."

An issue of concern is that 20% of respondents stated that their governments had no clear plans to bridge the digital divide in their countries: "This is a very low priority area."

Regarding the transparency of the management of public funds to bridge the digital divide, 48% of respondents were emphatic that these funds were not open for public scrutiny. Only 27% stated that these were transparently managed. A challenge in the public management of funds appears to be a lack of systematic checks and balances. Comments in this regard included: "In Uganda things are always messed up from the procurement process to implementation in addition to political interferences" and "one weakness is the lack of systematisation of public spending in this sector".

Gender justice

Fifty-six percent of respondents felt that there were medium (34%) to high focus on addressing gender injustices in policy processes, while only 16% said this was a low priority in their country: "Information and knowledge-sharing is still a new idea and adding the gender dimension to it will take quite some time."

Thirty-eight percent of respondents said that women are "often" (32%) or "always" involved in policy discussions, compared to 36% who said they were only sometimes involved, and 6% who said they were never involved. Although there is a clear need for stronger voices for women in policy processes (some participate "only when invited"), it does appear that gender rights are more actively represented in these processes than the rights of poor people generally. This could reflect a stronger lobbying caucus amongst women's rights groups, compared to poverty eradication groups generally.

Importance of youth

The needs of youth appear to be unrepresented in policy discussions dealing with the information and knowledge-sharing society – although there was a relative balance of responses to this overall. Twenty percent of respondents "strongly disagreed" with the statement that the youth were included in these processes, while 25% "disagreed somewhat": "There is a Youth Ministry with a discourse on ICT… yet actions have to be seen" or "[a]lthough Pakistan has one of the largest cohorts of youth, this huge population is still not an active player in policy or decision-making forums" or "Sri Lanka is a democratic country, but there is an absence of affected youth after the three decades of war and a lack of their involvement in recovery planning". Only 10% agreed strongly with this statement, with a further 25% "agreeing somewhat".

Despite this tendency towards exclusion of the youth in policy processes, young people received comparatively strong attention in the development of programmes to empower them in the information and knowledge-sharing society, with 58% of respondents saying these programmes existed in their country, compared to 28% who said they did not. Nevertheless, given the importance of the youth in the development, shaping and sustainability of the information and knowledge-sharing society, a lack of clear programmes targeting the youth in nearly a third of the countries surveyed is a clear concern.

At times the problem appears to be how the "youth" were framed in policy discussions: "Youth policies are in the process of reconfiguration, and… traditional NGOs promote a paternalistic view [that is in line with] the doctrine of 'Comprehensive protection of adolescence'. Under this logic participation is limited and restricted to approaches and discourses promoted by some organisations."

The youth were also seen as "consumers" rather than active shapers of policy: "The use of ICTs by youth is consumer and market-based. The youth organisations are not involved."

Access to information and the means of communication

There was a mixed picture of the extent to which universal access shaped policy goals in countries. Thirty-two percent of respondents felt that universal access to all forms of communications technologies strongly informed policy discussions and strategies in their country. Thirty-four percent felt indifferent about this, and the same percentage felt that universal access was not a priority target.

However, the extent to which freedom of expression existed in practice in countries received a stronger response in favour of a positive communications climate – suggesting that freedom of expression is not always conceptually linked to individual or group access to infrastructure to communicate when it comes to policy-making. Thirty-seven percent of respondents felt ambivalent about whether or not people were free to express themselves politically or otherwise (scoring this 3 on a scale of 1-5), while 51% felt strongly that it did exist in practice. Only 13% gave this question a negative rating, with 2% of respondents stating that there was "no freedom of expression" in their country.

The real-world application of freedom of expression was critiqued, with the distinction between "principle" and "practice" made: "Freedom of expression exists in legal texts, but few people can openly express their political views" or "[f]ormally freedom of expression is wide and respected; however there is a complex network of interest between government and media which provide a subtle but real statistical bias in media opinion and what could be called 'freedom of expression under influence'".

Some groups were less likely than others to be able to contribute effectively to the information and knowledge-sharing society. People with disabilities, displaced peoples and indigenous people were the least like to be able to contribute effectively. This was followed by girls, and women.

Access to health information

Respondents were asked to what extent they agreed with the following statement: "ICTs are used to secure the rights of marginalised groups to access health and education services in your country." The responses painted a mixed picture, with, however, a strong percentage of respondents saying this was *not* the case. While 15% of respondents felt ambivalent about the statement, 15% agreed that this was the case at least some of the time, with 11% feeling that this was strongly the case. In contrast, 23% felt strongly that this was not the case, with 18% disagreeing "somewhat" with the statement.

Basic literacy

Basic literacy (reading, writing, numerical literacy) is seen as a key goal in the overwhelming number of countries surveyed, with 83% of respondents saying basic literacy programmes were actively pursued in their countries. However, more challenging is that 11% of respondents felt that basic literacy programmes were not actively pursued in their countries. Some respondents pointed out that standards of education remained low: "Under Universal Primary Education in Uganda, there is poor quality and standards. The Education system is rotten and the children leave schools at times with limited knowledge to competently read. The Education system needs to be revamped and strengthened."

Information literacy programmes targeting marginalised and poor communities fared worse. Thirty-five percent of respondents said that these were not pursued by governments or any other groups in their country, while 48% said they were: "The net choice between yes and no to these questions is problematic: there are opportunities offered, mostly by NGOs and grassroots groups, but they are marginal and do not reflect political commitment."

Development of sustainable and community-based ICT solutions

The majority of respondents felt that community ownership was not encouraged in the information and knowledge-sharing society in their country, with 41% of respondents giving this a low rating: "It's a hard struggle between repressive laws and open initiatives". Thirty-four percent of respondents were ambivalent about whether or not this was the case, while 20% of respondents felt that community ownership was strongly encouraged: "To a greater extent, many civil society organisations have embraced this. There also some government programmes e.g. the Community Driven Development, which has aspects of community ownership of projects and programmes."

Similarly, 41% of respondents felt that environmental sustainability was not given concrete priority in decisions relating to the information and knowledge-sharing society: "Approaches [in these two fields] are different and there is no one decision-making centre" or "although Uganda has a draft e-waste policy, not much in terms of awareness creation about environmental sustainability, or e-waste management is practised. Only a few organisations are actively involved in this area". Seventeen percent felt that it was a strong policy consideration. Again, the distinction was made between policy and practice: "In public discourse the Bolivian government is giving a lot of attention to this theme. Also in world scenarios such as the UN. In concrete politics they are acting contrarily."

Conflict situations

Overall, there was a sense that the rights of journalists and information workers were respected in conflict situations, with 47% of respondents saying this was often the case, and 15% saying this was always the case. However, of more concern, 32% said that their rights were only sometimes respected, and 5% felt that their rights were never respected. This means that the rights of journalists and information workers could be in jeopardy in conflict situations in a third of the countries surveyed.

Comments offered by respondents by way of explanation for these ratings were overwhelmingly negative: "Activists of human rights and journalists are murdered for trying to enlighten national opinion" or "[t]he government tends to put journalists on payroll to support its policy and many events have occurred where free journalists have being threaten by legal action when documenting corruption of high level government staff" or "three weeks ago a radio-journalist was burned with gasoline while communicating his criticisms of the local government. Brutalisation and indiscriminate traumatisation of journalists and the general population is common."

Centrality of Human Rights

Global human rights standards were considered a priority in policy discussions dealing with the information and knowledge-sharing society by only 29% of the respondents, while 37% of respondents felt strongly that this was not the case: "Politicians in power stifle any debate in this direction." Despite suggestions in the interviews conducted as part of this report that human rights were being mainstreamed in policy discussions, the survey hinted that this frequently might be due to the activism of a select number of organisations only: "The Human Rights discussion is only promoted by NETS Foundation in Bolivia. It partially involved the Ombudsman in 2012."

Media freedoms

Sixty-one percent of respondents described their country's media as "free", compared to 38% who said they would not describe their country's media in this way: "The media are gagged." The notion of a "free media" was also shown to be a complex phenomenon: "A clear cut answer yes/no is not easy. There is a strong government influence on media through economical advantages which is a huge bias factor. Yet there are free media exercising their activity" or "a well known situation in the Italian media landscape: the duopoly between Berlusconi's mediaset and the PBS Rai, widely 'occupied' over decades through party logic. Some changes have taken place recently, with more pluralism in sources and channels and governance changes including at Rai. But this is not enough to state the media system is free and reflects democratic standards".

"Media freedom" was also seen as vulnerable, and where it existed it could not be seen as a given: "The media can report on many issues, but on issues that are critical for useful transparency and holding government accountable, media freedoms can be seriously curtailed."

A greater percentage of respondents (70%) said they would describe the content published by their country's media as plural and diverse (compared to 28% who said they would not). Regarding the latter, challenges included political influence, and the reach of plural content: "When it comes to publications, there are newspapers and television stations around the majority political party in power and the political opposition. But very few publications or debates on the set of television and radio are constructive" and "[i]t takes some effort to get plural and diverse media coverage when it is not easy to reach to the majority of uneducated citizens who are conditioned by the mainstream".

This latter percentage (28%) also did not entirely agree with the diversity of ownership of a country's media, with only 30% saying that the ownership of their country's media was diverse, in that different groups from different political and other backgrounds own or had a strong interest in those media institutions. Twenty-four percent of respondents "agreed somewhat" with this being the case. However, 19% strongly disagreed that ownership of their country's institutions was diverse: "In Bangladesh 99% of the media is hijacked by a highly corrupted corporate sector." Here, the implementation of regulations was also seen as a problem: "We have a new law that promotes this, but it is still not respected."

There was an ambivalent response to the question whether or not respondents felt their country's mainstream media handled coverage of stories responsibly. Thirty-five percent of respondents gave their media an average rating in this regard, with 47% rating their media just either side of the mean. Only 2% of respondents said their media was definitely not responsible, while 11% felt that their country's media was responsible.

Perhaps surprisingly, 59% of respondents "agreed somewhat" (49%) or strongly (10%) with the statement that broadcast spectrum for television and radio was managed in the public interest in their country. This can be compared to 15% who disagreed strongly that this was the case, and 16% who "disagreed somewhat" that this was the case: "Agencies that manage broadcasting including licensing are state institutions and in most cases they tend to promote the interest of the state at the expense of the interest of the citizens." One respondent pointed out that notions of "public interest" shift according to context:

> Public interest may be a driving force for (at least some) programmes and channels in PBS, but the strong polarity of the current political situation, the financial crises, the party politics crisis, these are all affecting the understanding of public interest. Consequently political choices are seldom made having the public interest in mind, in terms of promoting a people-centred knowledge society.

A similar ratio was found when asked if government policy and regulation actively supported community media in their country. Eleven percent agreed strongly that this was the case, while 46% "agreed somewhat" that this was the case. However, 21% said that this was definitely not the case in their country (8% "disagreeing somewhat" that this was the case): "I am afraid policymakers and regulators do not even know what community media are and how and why they could contribute massively to the knowledge society."

Again, issues of definitions were raised: "The problem is the definition of community media. In practice it means that news coverage by the media is managed by the government."

Nevertheless, it was felt by the majority of respondents that the community media that do exist contribute strongly to the plurality and diversity of views and voices in their country. Forty percent of respondents said that this was definitely the case, while only 2% said that this was not the case. This suggests that community media are contributing to diversity and plurality, even in the absence of direct government policy or regulatory support: "Bolivia has a tradition of community media, mostly radios, merging the experience of popular, educational and community radio. ERBOL, the national platform of Educational Radio, is the most prestigious network and consists of +- 150 radios all over the country."

It is worth noting that one respondent pointed to the partial success of community media, which is often the norm: "there are good experiences and they certainly do contribute, but too few to be visible and meaningful and become good practices".

Similarly, it was felt that the internet contributed strongly to the plurality of voices and views in countries, with 61% of respondents saying this was the case: "We have seen some strong online action groups in recent times, including on media bias" or "blogging, twitter etc. are fast becoming the most popularly used means of information-sharing in Pakistan" or, even more forcefully, "the internet is the only one source to receive pluralistic information."

Only 7% of respondents said that this was definitely not the case in their country, with one attributing this to a lack of infrastructure: "The internet is not accessible: bad quality, high price, few connections."

Interestingly, given the common perspective that the internet does promote content plurality and diversity, 33% felt some ambivalence as to whether or not this was the case. The government's ability to block online content was one suggested reason for this: "The government has often used its agencies to block even internet access; for example in the wake of the Buganda riot and walk-to-work demonstrations."

Security, privacy and protection

Sixteen percent of respondents felt that their privacy was not adequately protected by legislation when they used their internet for transactions (including their online data and other personal information): "This kind of discussion is not yet on the agenda of the public sector." Only 5% felt it was strongly protected. The majority of respondents (34%) felt ambivalent about whether or not it was protected:

> The government recently passed a law that allows it to monitor mobile phones and internet traffic for purposes of national & public security.

or

> Generally, there is a good privacy protection undermined by law enforcement and surveillance technologies.

or

> The issue is under discussion through projects that are being discussed in the legislative chambers. A set of laws has been passed to protect privacy online, although their implementation is quite sluggish.

Forty-seven percent of respondents said there were no public information programmes or learning events that taught vulnerable groups (such as children) about the dangers of using the internet in their country. Only 34% said there were such programmes.

One respondent attributed this to a failure on behalf of civil society: "It should be recognised that this is an error on our part, civil society engaged in the information society."

Another pointed out that there was a conflict between free educational information and government attempts to securitise the internet: "Government blocks and filters information instead of educating children and parents."

Right to participate in public affairs

Most respondents felt that a culture of public debate was openly encouraged and supported in the information and knowledge-sharing society in their country. Twenty-three percent said that this was strongly the case, while 29% said that this was "somewhat" the case. However, 9% said that this was definitely not the case, with 23% "disagreeing somewhat" that this was the case in their country. Again, the issue of political sensitivities was raised: "It depends who you are talking about."

When asked about the extent to which information was made available to the public by governments or other institutions in an open and transparent way so that this participation in public debate and discussion can be proactive and informed, 41% of respondents suggested that this information was not sufficiently available: "There are many examples of government acting to retain information, contradicting the law." Similarly, government was seen to censor the kind of information made available to the public: "In some instances information that may not be critical of government is passed on for discussion and public debate."

Issues of media and language were raised: "Information is usually shared online and in a few English-language newspapers, yet the wider majority do not have access to such mediums, so wider public participation is limited."

Only 27% of respondents said that a lot of information was provided by government and institutions, or that close to a sufficient amount of information was made available.

Workers' rights

The overwhelming majority of respondents (71%) said that workplace health and safety standards, as well as union rights in the communications industry were protected through legislation in their countries. However 16% said that this was not the case. Despite this ratio, the explanations for the rating were largely ambivalent, suggesting a complex picture of shifting rights:

> There are gaps in software and services companies and multinational service outsourcing. Gaps are labour, tax and customs.

or

> Implementation or effective mechanisms are not so bright. This is usually observed in public institutions, not private companies/organisations.

or

> Formally yes, for sure - EU legislation is adopted in Romania. But it is being chipped away all the time based on a combative model of union-employer relations.

Rights of displaced people

In the main, displaced people do not have appropriate access to important information that is critical to their livelihoods and the exercising of their rights (e.g. political information for voting, opportunities for displaced people, or information on health or safety). Only 17% of respondents suggested that this was approaching adequate. Twenty-five percent said that there was not much access to this information at all, while 31% suggested there was very little information available: "Half of Romania's inhabitants are living in rural areas. Those displaced are mainly elderly and poor - they are disconnected from political processes and disinformed."

Rights of indigenous peoples

Thirty-one percent of respondents felt that the rights of indigenous peoples were not actively pursued in policy discussions regarding the information and knowledge sharing society, while 26% suggested this was mostly the case. Only 7% felt that these rights were adequately pursued, with 15% suggesting that the attention to indigenous peoples' rights was close to adequate.

Twenty-six percent of respondents felt that indigenous peoples did not have appropriate access to important information that is critical to their livelihoods and the exercising of their rights (e.g. political information for voting, job opportunities, or information on health or safety):

> They do not even know what an information and knowledge-sharing society is. There is a need for high sensitisation.

or

> This is limited due to poor infrastructure, and the language and method of transmission.

or

> Often the language and medium of information dissemination is not appropriate for rural communities and the poor.

Twenty-six percent felt that this was close to being the case (they gave a rating of 4 out of 5). Nine percent of respondents felt that indigenous peoples had a "lot of access to information", with 15% suggesting the level of access to information was almost adequate.

Interestingly, a number of respondents either said that their country had no indigenous people, or took issue with the term "indigenous people":

> What does 'indigenous' people mean? This is an international survey. I don't even know what this means in South Africa. What does it mean in Switzerland?

or

> Hard to define what "indigenous people" would mean for Romania.

Women's rights

Conversely 15% of respondents felt that women had appropriate access to important information that is critical to their livelihoods and the exercising of their rights (e.g. political information for voting, job opportunities, or information on health or safety). Twenty-eight percent felt this was nearly the case. Only 4% of respondents felt this was not the case, with 24% saying this was mostly not the case.

Interestingly, one respondent pointed out that women living in *urban* settings lack appropriate information: "Women living in town have little access to information. That is the contrary for rural women and girls."

Rights of the child

Children's rights in the information and knowledge-sharing society appear to be reasonably well protected through legislation – however there remains work to be done. Fifty-six percent of respondents said this was the case, compared to 25% who said it was not the case ("It is a bleak picture"). With regard to the latter percentage, even developed countries failed to ratify the necessary laws. While "There is no legal framework in Uganda", Switzerland, "has not ratified the respective UN Convention".

Moreover, there was some anomaly between this finding, and whether or not respondents felt that online content that might be damaging to minors was adequately controlled through legislation: 38% said this was the case, compared to the same percentage that said it was not the case.

Reasons for a lack of protection given were a lack of political will: "It's an open space as even the policymakers are not interested in seeing that such legislation is vital" or "I think the approaches used are token rather than effective" or "few legislators seem interested in this issue" and "there is a lack of open debate on the matter".

There was a mixed response on the question of whether or not respondents felt that boys and girls had appropriate access to important information that is critical to their well-being and the exercising of their rights (e.g. appropriate information on sexual health, drug abuse, and other social issues such as the rights of children, child abuse and bullying). Twenty-seven percent of respondents gave this a relatively low score (2 out of five), compared to 35% who gave it a high score (4 out of 5). Six percent of respondents said there was a lot of information, while 8% said there was very little information available.

A key challenge remained a lack of access for children in some contexts, their awareness of information programmes where they existed, and an awareness of their rights:

> Most don't have internet access and generally information access is not good enough.

and

> The constitution provides for the protection of minors from all types of injustices, but it's not quite evident that children are aware of this. There are quite many cases of child abuse, neglect, bullying etc. Cases have only been when the offences are in extreme, and mostly by grown-ups not children.

Rights of persons with disabilities

Nearly half of the respondents surveyed (49%) felt that persons with disabilities did not have appropriate access to important information that is critical to their livelihoods and the exercising of their rights (e.g. political information for voting, job opportunities, or information on health or safety). This can be compared to 23% who suggested that this information was sufficient, or close to adequate. The commentary on these ratings suggests that both theoretically this is a relatively new topic ("Accessibility issues are mainly discussed in the academia, not yet part of the public discourse") and that, related to this, capacity in the public service was lacking for proper implementation of projects: "This is still minimal but the reason is more due to inadequate capacity and not policy neglect."

Regulation and the rule of law

Twenty percent of respondents stated that laws that affect the information and knowledge-sharing society in their country are in breach of international laws at the UN, compared to 51% who said they were not. Perhaps interestingly, 29% of respondents said they did not know whether or not this was the case.

While two respondents felt that UN charters on human rights were violated, examples of other breaches of UN laws varied. Generally, there could be better implementations of UN conventions and declarations (e. g. on children and refugees), while data and copyright laws were also cited:

> Data retention laws violate presumption of innocence and limitations to the right to privacy. The data protection law does not protect privacy properly and does not comply with the UN's principles on the matter. The copyright law over-punishes and over-criminalises copyright infringement which affects the right to access to knowledge, free speech, and due process of law.

or

> The National Law on Protection of Morality was criticised by the Council of Europe a lot.

One respondent pointed to the necessary role of the courts in securing rights:

> Recent regulations by the Nepalese prime minister to classify information is one example of a breach of international laws, but this was later challenged in the court and court stayed the decision.

Thirty-seven percent of respondents said online consumers were protected through consumer legislation in their country, compared to the same percentage that said they were not. One respondent felt that this was due to "very weak [consumer] associations".

Language and cultural diversity

Overall there was a sense that cultural and linguistic diversity was not supported in countries: 14% of respondents felt that it wasn't supported much, with 29% giving this a low rating (2 out of 5). This can be compared to 6% who said it was supported, and a further 22% scoring this relatively high (4 out of 5). Gaps existed in the practical implementation of policy, where it existed. Users also used the internet to translate websites: "At this stage, we google versions of Swahili, Lingala and Alur."

The public domain of global knowledge

Overall, it was felt that cultural institutions, such as museums and libraries and community centres, actively shared and promoted their resources and information with the public, whether through online projects, or "off-line" events, such as open days. Forty-three percent of respondents said this was the case, compared to 30% who felt that this was not generally the case. While some noted only "isolated efforts", one respondent pointed out that "marketing" of public events was poor where they existed.

The picture does not look as positive when it comes to governments and businesses sharing their public information. Fourteen percent of respondents felt that the government does not openly share public-interest information with citizens in its country, with 25% stating that only some information was shared. This can be compared to only 4% who suggested the level of openness was sufficient or almost sufficient (18%).

Sixty-five percent of respondents also suggested that businesses did not share public information sufficiently, compared to a low 12% who suggested this was sufficient, or approaching adequate. Research was one area where information was not widely shared: "Most research on mass media and internet use is conducted by public relations and advertising corporations. Other than short press releases, these studies are not shared with the public."

Copyright patents and trademarks

Thirty-seven percent of respondents "agreed strongly" (7%) or "agreed somewhat" with the following statement: "The balance between the need to protect copyright and intellectual property and the need to access content easily and affordably is a fair one in your country." In contrast 26% "disagreed strongly" (7%) or "disagreed somewhat".

In some countries, the issues of copyright and patents have "not yet surfaced", while in others, laws that existed were not implemented: "Uganda's law on copyright and intellectual property is not implemented at all since its enactment in 2006. It's been on the book shelves." Where policy discussion did take place, they were sometimes seen to be imbalanced in that they overrode other rights: "Traditional copyrights regulation - and their lobbies - is still undermining Open Access." In practice, and in certain sectors such as the ICT sector, copyright remained a theoretical rather than practical issue: "Even in governmental agencies there is counterfeited software."

As to whether indigenous people's knowledge was protected by copyright and patent laws in countries, only 4% of respondents said yes, compared to 41% who said no.

Software

Free and open source software solutions were more often than not actively explored as a way to increase access to the information and knowledge-sharing society by marginalised groups in countries. While 47% said that this was "only sometimes" the case ("through limited efforts of some CSOs and private sector initiatives"), 20% of respondents said this was often the case, with 14% suggesting this was always the case. Only 10% of respondents said this was never the case. In one case the use of open source was attributed to "good will":

> [The use of FOSS] depends on public administrations, especially at the local level. Some very good practices have evolved over time, but in the vast majority of cases, it is proprietary software that is adopted and open access is seldom fostered. [This is dependent on] the good will and initiative of individuals and groups, based, for instance, in public universities and libraries.

Research

Twenty-eight percent of respondents suggested that scientific and technical information was actively shared with the public by institutions working in the scientific and technical fields (whether online or "off-line"), compared to 51% who said this was not the case. Of these percentages, 6% said a lot of information was made available, compared to 10% which said not much information at all was made available. In this regard, respondents spoke of "ivory towers", and of this information only being available in universities: "Sharing is limited to scientific communities of universities. No information is made accessible to the general public."

Enabling Environment: Ethical dimensions

Overall it was felt that state security overrode the need to access information. Twenty-three percent of respondents disagreed strongly with the following statement: "There is a fair balance between the rights of people to access information and the need for state security (i.e. the need for the state to keep some information secret) in your country." In contrast only 11% agreed strongly with it. Twenty-three percent "agreed somewhat" compared to the same percentage that "disagreed strongly". One respondent pointed to the contradictory nature of these two demands: "We have laws that allow access to information but they have not been fully implemented due to other contradicting laws that tend to prioritise state security."

Overwhelmingly, 71% of respondents said there was legal recourse for people who feel affected by hate speech (including online hate speech) in their country, compared to 18% who said there was not. However, this did not imply that all human rights values were promoted and protected in the information and knowledge-sharing society – even though on balance they were. Only 45% of respondents felt this was the case, or nearly sufficiently the case, compared to 28% who felt this was not the case, or not sufficiently the case.

In this regard, one respondent suggested that human rights dimensions were not strong considerations in the information and knowledge-sharing society generally: "Human rights are not really in the horizon of policymakers for anything that relates to the development of the information and knowledge society." Moreover, legal recourse where it existed, was seen at times to be ineffective against rights abuses: "There are ineffective laws. They are not stopping continuing hate speech by 'shock jocks'. The cost and time involved with litigation makes the laws very ineffective."

Similar percentages were found when asked if opinions expressed by the public using communications platforms such as the internet or radio were generally respectful of the rights of others. Forty-five percent suggested that this was always or mostly the case, compared to 29% who suggested this was never, or seldom the case. Areas where challenges were found included the political arena ("generally yes, except from representatives of the right-wing party (SVP)") as well as the commercial sector: "Some commercial TV channels breach regulations, but they are fined."

Democratic and accountable governance

While multistakeholder engagement was an important outcome of the WSIS processes, on the whole, relevant civil society stakeholders still appear to be excluded from important decision-making processes to do with the information and knowledge-sharing society in their countries – or at least only some were included. Only 29% of respondents suggested that all relevant civil society stakeholders were sufficiently included, compared to an overwhelming 55% who said this was not the case.

In comparison, there was a mixed sense whether or not all relevant private sector stakeholders were included (or mostly included) in these processes. Forty-three percent of respondents said this was always the case, or suggested that this was often the case, compared to 37% who said this was not the case, or suggested this was often not the case. However, one respondent suggested that big business was more represented in policy processes: "Small business I do not think find their way to participate meaningfully in decision-making processes, though they may be the innovators and there are several excellent start-ups."

In general, respondents suggested that it was the comprehensiveness of the engagement that was problematic:

> Certainly communities, families, parents, and not even scholars and teachers are involved. Mostly those involved are private big businesses (telecoms, hardware and software producers).

or

> There is a noticable involvement of business communities, some universities and some professional associations. But no consumer protection organization is involved, and barely a civil society organisation works on the field.

or

> Only a few civil society organisations are invited; IT professionals and the private sector also attend.

One respondent put deficiencies down to a lack of systematic processes for inclusion: "Public participation is not strong enough in policymaking processes. The need is acknowledged, formal steps are made, but a systematic practice is lacking."

Five percent of respondents agreed strongly that local communities were empowered in the implementation of information and knowledge society projects so that they can own, share and use the technology. This can be compared to 7% who disagreed strongly with this statement. Thirty-seven percent "agreed somewhat" with this statement, compared to 24% who "disagreed somewhat". In this regard, one respondent pointed out that the sustainability of local level projects was a major inhibitor: "Most projects are donor funded and usually lack sustainability, more so if they are experimental in nature. Local communities do not get to fully own the projects. So once funding ends so does the project. It is top-down policy making in practice."

Infrastructure

Fifteen percent of respondents agreed strongly with the following statement: "Infrastructure projects openly explore collaborations with all stakeholders in the private sector, civil society sector and government to ensure that the goal of universal access is reached." This can be compared to 21% who disagreed strongly with it. Twenty-one percent agreed somewhat, compared to 26% who disagreed somewhat.

A number of respondents felt consultation in infrastructure was low, not visible, or "very technical" (and therefore excluding some NGOs) while one pointed out that corruption in the tendering processes was a challenge.

Global governance of ICTs and communications

There was a mixed response as to whether the Millenium Development Goals (MDGs) actively informed policy-making processes in countries. Twenty-six percent of respondents agreed strongly or "agreed somewhat" with this statement, compared to 29% who disagreed with this statement, or "disagreed somewhat" with the statement. Interestingly, two respondents felt that the MDG goals are seldom referenced by public authorities, or are simply unknown (as in Puerto Rico).

Similarly, 28% of respondents suggested that the Civil Society Declaration to the WSIS (2003) did not actively inform policy-making processes in their country. Only 13% suggested that they felt it did, at least from time to time. What is perhaps more noteworthy is that 26% of respondents said they did not know if the MDGs played a role in policy development in their country, compared to 40% who said that they did not know if the Civil Society Declaration played a role.

Twenty-four percent of respondents felt that the WSIS Declaration of Principles (2003) had some role in policy development in their country, compared to 27% who felt that it did not. Again, 40% said they could not say.

The Civil Society Declaration to the WSIS is, however, more visible in civil society itself – even if it is not used frequently as a lobbying tool. Twenty-four percent of respondents said it was often used as a tool for advocacy, compared to 27% who said it is never used. Thirty-seven percent felt it was only sometimes used, with a comparatively low 12% saying they did not know if it was used. One respondent suggested that over time the WSIS Declarations may have become less visible in policy processes.