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Summitry and strategies

In November 2005, the United Nations World Summit on the Information Society will meet for the last time in Tunis. In its five year history, the WSIS has failed to succeed in redressing the North–South "digital divide". Consensus in the WSIS has been elusive: the private and public sectors hold diametrically opposing views on issues such as market fundamentalism, free and open–source software, and intellectual property rights reform; while on issues of financing and internet governance, agreement between governments has been split along North–South lines. It remains to be seen whether civil society groups participating in the summit will be able to shift attention away from these competing interests towards human rights issues.

The "multi–stakeholder process" — the coming together of different interest groups on an equal footing, to identify problems, define solutions, and agree on roles and responsibilities for policy development, implementation, monitoring, and evaluation — is one response by civil society to the shift of important decision making from domestic to global platforms. It has been heralded as the evolution of international decision making from the "Realpolitik" of the twentieth century to a system that will better serve the collective needs and wellbeing of all peoples in the world; the definition of global solutions for global problems.

The United Nations World Summit on the Information Society (WSIS), the purpose of which is, in its own words, "to formulate a common vision and understanding of the global information society" but which, more specifically, is to redress the balance of the "digital divide" that separates North and South, has employed this approach during the four years of its existence from December 2001 to its culmination in Tunisia in November 2005. The eponymous "Summit" will provide an international platform where heads of state will publicly commit themselves to the laudable principles — and not quite so laudable actions — they have been negotiating throughout the four–year process.

The stark contrast between the stated aims of the WSIS:

Što build a people–centred, inclusive, and development–oriented Information Society, where everyone can create, access, utilize, and share information and knowledge, enabling individuals, communities, and peoples to achieve their full potential in promoting their sustainable development and improving their quality of life, premised on the purposes and principles of the Charter of the United Nations and respecting fully and upholding the Universal Declaration of Human RightsŠ

and the depth of disappointment with the formal outcome of the WSIS, is to some extent mirrored in the theory and sobering reality of the multi-stakeholder process approach it has embraced. But given that the summit is still operating largely according to the rules of twentieth-century diplomacy, WSIS presents serious challenges for civil society advocates.

Discussions on the multi-stakeholder process have come to dominate civil society and consume much of its collective energy, often at the expense of more important matters, such as substance and content. Although it has begun to reflect more critically on the multi-stakeholder process, it has yet to "unpack" the rhetoric or move much beyond broad platitudes, accusations, and counter-accusations. It has not reached a point where it can make informed choices based on a thorough understanding of the range of tactics, strategies, alliances, and partnerships that are available, and that are essential if real social change is to be successfully achieved.

It seems obvious in the extreme to say that the first problem facing civil society is: what is civil society? A working definition, one used by civil society during the WSIS but by no means unanimously accepted, draws on UN sources and includes the following:

Organizations — including movements, networks, and other entities — which are autonomous from the State, are not intergovernmental, or do not represent the private sector, and which, in principle, are non-profit-making, act locally, nationally, and internationally, in defense and promotion of social, economic, and cultural interests, defense of human rights, promotion of development objectives, and for mutual benefit.

Since the WSIS is a UN intergovernmental process, NGOs were forced to abide by national regulations governing their activity to gain accreditation. However, given that in many countries such regulations are designed specifically to cripple organizations that oppose or criticize their governments, the limitations of the approach are obvious. It precluded the involvement of, in particular, independent human rights NGOs from China and Tunisia, and no doubt affected many other organizations that are out of favour with their regimes, but facilitated the inclusion of a well-organized, pro-government civil society lobby from Tunisia that has continuously suppressed any references to human rights abuses by the Tunisian government and successfully exacerbated friction among civil society, particularly along North-South lines, by skilfully playing the race card. A well-organized and coordinated strategy succeeded in suppressing all criticism of the Tunisian government and prevented civil society from organizing around any other issues.

Quite apart from the difficulties of building consensus among such a diffuse and diverse grouping of individuals and organizations, and with the knowledge that civil society can include actors that promote government and corporate agendas, determining who speaks for civil society at the multi-stakeholder table is problematic.

During the first phase of the WSIS, civil society developed a reasonably coherent set of procedures that guided the development of positions and the selection of speakers who would present them in government plenaries and

working groups. Representatives were nominated and selected on the basis of commonly agreed criteria and processes. A certain sense of solidarity and commonality of purpose and vision shared by the majority, allowed civil society to focus on its message rather than the messenger.

The second phase was characterized by difference, division, and questions of identity and representation. The reasons were complex and, with the benefit of hindsight, it may even be that this is a perfectly normal phase through which civil society must pass as it matures in its new role as a global actor on this or any other international stage. The assumption that there is one single, homogeneous "civil society" position on any given issue, is given the lie by, for instance, the radically different views of NGOs on intellectual property rights. As the Institute for Policy Innovation, a non-profit public policy think-tank based in Lewisville, Texas, noted:

Organizations which have thus far represented themselves as representing civil society, in truth, represent only a portion of civil society. They represent only that portion of civil society which they represent.

There is no single civil society perspective on intellectual property. There are civil society organizations that believe that IP is harmful, and there are civil society organizations, like my own, which believe that IP is a powerful tool for economic development. It is important that member states not be misled to believe that all of civil society shares a single perspective on IP.

The assumption, often held by civil society groups themselves, that "civil society" is a homogenous mass representing certain universally held values and principles and working towards the same goals turns out to be misplaced. In reality, it is all a rather messy business, with wildly conflicting views held by an ever-increasing number and range of groups, taking advantage of their enshrined right to participate.

As civil society continued to explore its own nature and identity, it also had to contend with organizing itself to work "in partnership" with some unlikely bedfellows, notably the private sector. Although the UN has worked in "partnership" for some time with private companies through the UN Compact — itself subject to severe criticism by civil society organizations — the WSIS is the first UN conference to embrace participation by business interests as an equal stakeholder in its founding documents.

Generally speaking, civil society and the private sector held diametrically opposing views on a range of issues, including "market-fundamentalism" — the market as the solution to development — community media, "universal design for all", free and open-source software, intellectual property rights reform, and international interconnection costs.

Attempts by civil society advocates, or in some cases developing country governments, to lobby for actions or interventions that would constrain unfettered free trade, governed by existing global trade rules, were met with well-organized rebuttals from industry. The Coordinating Committee of Business Interlocutors (CCBI), the body that represents business in the WSIS, was instrumental in organizing opposition, often with behind-the-scenes support from powerful governments.

It would be unreasonable to suggest that there is no role for the private sector in a global initiative that aims to "connect villages with information and communications technologies and establish community access points" and "connect universities, colleges, secondary schools, and primary schools with ICTs" by 2015. The question is rather "who", "how", and "on what terms".

Civil society and the private sector find common ground in the promotion of the principle of the multi-stakeholder approach, though even this is contentious. In the eyes of many, the two stakeholders have become "joined at the hip" by promoting the approach, and many would add that the benefits of the collaboration are not equally shared. The private sector needs no help from civil society to find additional lobbying platforms; it is already represented through governments and, in some cases, has independent membership of intergovernmental organizations. The International Telecommunications Union is a case in point. In other cases, governments that may be broadly sympathetic to increased civil society participation reject both stakeholders for fear of increasing the power of the private sector.

Anriette Esterhuysen, executive director of the Association for Progressive Communications, an international network involved with the use of ICTs for development, concludes that much of the controversy around multi-stakeholder processes is sparked by the very general nature of discussion about policy issues. If debates about collaboration had been built around specific issues — the building of telecommunications infrastructure in Rwanda, for instance — she says the results would have been very different:

When dealing with specific policy issues, difference and agreement need to be pinned down concretely. Well-organized stakeholders (be they community-based, research organizations, rights advocates, or industry associations) will do their utmost to influence a policy process. How they go about it and who they work with will depend on what is at stake for them and the environment they work in. [The] degree of organization is relative, subject to constraints imposed by time, capacity, language, knowledge, geographical location.

Governments are the decision makers in any intergovernmental process, and in that respect, WSIS is no different. In a process where civil society's role is restricted to one that is largely advisory, its power to influence decisions that enter the realm of national sovereignty is at best tenuous. Governments held a range of positions on the WSIS agenda, and, after due consideration of interventions from the other two stakeholder communities, negotiated decisions among themselves that largely reflect the status quo on security, trade, and development policies as they intersect with the development of "knowledge societies". When it came to financing mechanisms — who will pay to close the gap in the digital divide? — and Internet governance — is the international community going to accept what is in effect unilateral control of a global critical resource? — consensus eluded them. The split broadly followed traditional North-South lines. The deadlock was resolved by asking the UN Secretary General to form two multi-stakeholder working groups of some 40 members, who would work over a series of months, to produce reconsidered recommendations for negotiation in special preparatory meetings during 2005.

Debates around financing mechanisms have been disappointing. No new financing mechanisms have been identified and little support has been given to the exploration of alternative financing sources. However, an alliance between

civil society and governments of the South was critical in leveraging a trade-off between wealthy and poor governments that may provide a small window of opportunity. If developing countries can align their national information society plans and incorporate them into broader development plans, existing overseas aid and development funds could be used to fund them.

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