

## **World Summit on the Information Society (Phase I)**

### **Report on the Process and Outcome of the WSIS and the Contribution made by the Heinrich Böll Foundation**

#### **I. Process and outcome of the WSIS**

##### **A hopeful process – A poor outcome**

The digital revolution and the transformation of the Internet into a mass medium is effecting change in the political, economic, social and cultural lives of the entire world. It was with the hopes and apprehensions associated with such far-reaching change that the United Nations passed a resolution at the General Assembly in December 2001 to initiate the "World Summit on the Information Society" (WSIS) and to commission the International Telecommunication Union (ITU) to hold the summit.

The UN summit has produced a new global forum which, in the tradition of the UN world summits in Rio (1992) through to Johannesburg (2002), is breaking new ground in two respects:

- The task with which the WSIS has been vested by the UN General Assembly, i.e. that of raising understanding within the global community of a vision of the information society as well as elaborating means and strategies for its implementation, is testimony to the change in the global perception of the problem: solutions to existing problems should not only be found *after the event*, instead, the world community should agree *before* the event on common goals and means which should be pursued with a view to achieving a just and sustainable constitution within the networked world.
- The negotiations process is also breaking new ground: the invitation to the world summit that has been extended by the UN General Assembly was not only directed to members of the UN, governments and member states, but also to the private sector and civil society. These have also been involved in the discussions leading up to the summit as part of the so-called multistakeholder process and have asserted their influence on the decisions of the governments.

Even though the high expectations of this process could not be met during the two-year initial phase of the summit, the impulses ensuing through the summit should not be underestimated: the vision of an "inclusive information society" can only be realized through the inclusion and active participation of all social players – politics, economy, and civil society. This commitment on the part of the WSIS must now be taken seriously by all players and, over and beyond the WSIS process, democratic participation in political processes must be made a resolute rule at all levels: locally, nationally and at the level of "global governance".

##### **Final documents: What is feasible and what is desirable**

Following the two-year marathon round of negotiations that included an array of regional and sub-regional conferences, scheduled and unscheduled PrepComs and informal meetings, the 176 government delegations were only able to reach agreement on the two final documents, the Declaration of Principles and the related Action Plan, the night before the summit conference was due to begin (December 10 – 12, 2003). The fact that an agreement could be reached at all and the feared "Cancunization" of the WSIS process, that had started so promisingly, could be avoided, was welcomed with relief by all those concerned.

Nevertheless, none of the sides felt a need to display euphoria. The final documents are too vague and have remained inconsistent; there is a lack of political will to be "visionary" about the future beyond confirming the status quo and agreeing on the aims and means to guide a globalized world burdened by conflict.

Given the rough international climate, the complexity of the issues to be addressed has made finding a compromise extremely difficult. On top of the contrasting economic and political interests came the various ethical persuasions and cultural values as well as the sheer lack of technical competence – which was the case with a number of issues – which confounded agreement and brought the negotiations to the brink of failure.

In spite of the significant heterogeneity, the international civil society involved in the WSIS process found it easier to agree on common standpoints and strategies during virtual and real-time discussions. Having had their hopes for exerting substantial influence dashed, civil society used the last few weeks in the run-up to the summit to shift away from its role of convincing others and devoted its attention to developing its own declaration – "Impact not Input" became their slogan.

Yet, the input certainly has had quite an impact. On comparison of the final documents and the earlier visions, the summit documents clearly reflect the impact of statements made by an extremely expert civil society. Most of all, they have not lost sight wholly of the human rights aspects.

### *Visions*

*"We, the representatives of the peoples of the world, assembled in Geneva from 10-12 December 2003 for the first phase of the World Summit on the Information Society declare our common desire and commitment to 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 Rights."*

The official Declaration of Principles "Building the Information Society: a Global Change in the new Millennium" (Annex 1) begins with this vision.

Yet the draft versions read quite differently. The fact that the final draft made reference to a vision that served the well-being of all people, including the information society - which should be based on the principles of access to knowledge and information for everyone as well as the UN Human Rights Charter – is in no small measure due to the persuasiveness of civil society, which issued numerous statements criticizing the technocratic approach of the official drafts and which, in its own declaration, presented an opposing vision, that of a society that is geared to human rights and development:

A quote from the civil society declaration "Shaping Information Societies for Human Needs" states:

*"At the heart of our vision of information and communication societies is the human being. The dignity and rights of all peoples and each person must be promoted, protected, respected and affirmed. Redressing the inexcusable gulf between levels of development and between opulence and poverty must therefore be our prime concern."*

As one commentator pointedly remarked, the government resolutions document what is truly feasible in politics without compromising the global framework conditions, whilst civil society scrutinized these framework conditions (WTO, intellectual property rights etc.) from the perspective of what is desirable, i.e. that of an inclusive and sustainable knowledge society.

A clear indication of the technocratic approach can be found in the very first article of the official Action Plan where it declares "promoting the use of ICT-based products, networks, services and applications" to be a silver bullet for bridging "digital divide". Accordingly, the recommendations of the Action Plan are limited to creating framework conditions in developing countries which are conducive to investment and competition with a view to enabling the private sector of industrial nations to invest in the information technology infrastructure of developing countries. The Plan calls for schools, libraries, hospitals, public administration and other local and national institutes to be connected to the global network by 2015 and national E-government, E-learning and E-health programs to be applied.

In criticizing the government documents, civil society opposed this alignment to the comprehensive and indiscriminate penetration of all countries with information and communications technologies as a means of solving their pressing problems of poverty, underdevelopment and marginalization. Civil society is convinced that the sustainable development of these countries cannot be achieved without taking into account the various socio-cultural conditions of implementing information and communications technologies and, above all, not without the enforcement of people's comprehensive communications rights. In effect, the much-vaunted "digital divide" is not primarily based on the technological inequality between poor and rich countries, and is not solely a matter of a lack of technology and technical infrastructures, but reflects the global political and economic development asymmetries and the lack of social, cultural and economic rights within societies – above all, access rights.

In turn, the declaration issued by civil society maps out a vision based on the principles of equality which must include the information and communication society, principles which offer everyone – primarily the marginalized and underprivileged social groups and, in this respect, women especially – the opportunity to develop equally and of their own free will. From this perspective, the specific potentials of ICTs are that they make human knowledge accessible to all people to an as yet unparalleled degree and, in the respective socio-cultural context, can promote new cooperative forums for acquiring, processing, producing and distributing new knowledge. Criticism of the "digital divide", which goes hand in hand with globalization, is not only directed against the unequal distribution of information technology equipment, but, above all, the increasing privatization and commercialization of communications and knowledge, which is robbing many people of their means of existence and development. In addition to providing technologies, civil society asserts that the recognition of comprehensive "communication rights", which place the principles of open access and open, non-proprietary infrastructures above the principle of private availability, must therefore be made a primary objective of development policy.

### *Digital solidarity?*

The consensus among governments that the "digital divide" requires a common effort and solidarity on all sides disappeared entirely as soon as the issue of funding was raised. The calls that were vigorously made by the developing countries for a "digital solidarity fund" almost became a stumbling block for the entire negotiation process, because, despite their commitment to have common accountability for the Millennium Goals of the United Nations and to overcome of the digital divide, the industrial nations – above all, the European Union, following massive pressure from Germany – refused to make any form of financial

commitment. They pointed to the transfer services which formed part of national development policy as well as the benefits of bilateral agreements and "partnership agreements" for private sector investments. Yet, the success of this policy necessitates that the telecommunications markets of developing countries must be liberalized, it was argued. The compromise that was reached at the last minute and which allowed both sides to save face, managed to avert a breakdown of the negotiations: The nations assigned as donor countries will wait for a study of alternative funding models to be presented, which is intended to examine the functionality of existing financial aid mechanisms and the need for new ones. To do so, a working group reporting to the UN Secretary-General has been asked to elaborate its recommended actions by January 2005. Irrespective of this, the Senegalese government and the cities of Geneva (as the host for the summit) and Lyon (the host for the "World Summit of Cities" which took place a week prior to this summit) took the concrete step of opening a solidarity fund by donating one million euros. This conflict, during which civil society backed the demands of the developing countries under the proviso that the resources from this fund would be allotted according to transparent, socially controllable criteria, will most likely lead to further pooking ensuing during the second phase of the summit.

#### *Internet Governance: Who controls the Internet?*

Another issue that provoked a difference of opinion and brought the negotiations to the brink of failure was that of which institutions are entitled to decide on matters of technical and political regulation and administration of the Internet. Here, too, a decision on this subject was postponed. To date, the *Internet Corporation for Assigned Names and Numbers (ICANN)* – a company organized within the private sector laws of the State of California – has assumed the task of Internet administration in tandem with other bodies such as the Internet Engineering Task Force (IETF) or the World Wide Web Consortium (W3C), and this is the preferred choice of the USA and the EU in spite of their lack of representation. In turn, many developing countries of the so-called G-20 Group have called for the administration of the Internet to be placed in the hands of a cross-national institution in future (such as the ITU) in order to eliminate American dominance and control over this type of administration. However, the civil society group of experts – which, for its part, seeks to defend the principle of developing the Internet from the bottom up and vigorously rejects the idea of limiting administrative power to one interest group (governments) - did not want to back this alternative. Both the coordination of cross-border technical infrastructures for the Internet (domain names, IP addresses, Internet protocols, root servers) and the political decisions on measures to counter abuse (spam, cybercrime, illegal content) must, in their opinion, be incorporated into the multistakeholder processes in order to create a balance of all interests, above all the inclusion of users. The experts representing civil society were split on the strategic question of whether the right option was to opt for ICANN or ITU, and whether a new authority should be established or ICAAN should be developed further.

In the end, a "multistakeholder" working group consisting of government representatives, the private sector and civil society – under the auspices of Kofi Annan - was commissioned to elaborate agreeable proposals by the next summit in 2005 as to which political aspects of the Internet require state regulation, which global players should be involved and what mechanisms should be used to administer the Internet.

Undeniably, progress has been made to the extent that the debate at the WSIS has made the Internet a global issue and has freed it from groups of technical experts with unclear political legitimization. At present, it is barely possible to assess the consequences that this process will have on the freedom of the Internet and electronic communication.

## *Human Rights*

After intense political negotiations in the last days before the summit a major setback in the international consensus on human rights was avoided in the final Declaration of Principles. The Declaration begins with human rights, not least due to strong civil society lobbying, and the first four paragraphs include many important human right principles. The essential principles of universality and indivisibility of all human rights are stressed and there are references to the Universal Declaration of Human Rights as well as to the Vienna Declaration and the UN Charter. Also Article 19 of the UDHR concerning freedom of expression and press freedom is quoted in full rather than in an abridged version as some delegations were proposing. However, the absences of reference to the fundamental principle of non-discrimination as well as to international labour standards, despite strong civil society pressure, are very unsatisfying. Further beyond principles, there is the question of enforcement. The Plan of Action is lacking any mechanism to advance the human rights agenda. Civil society proposed an Independent Commission to be established to monitor practices and policies on human rights and the information society, which is particularly urgent, given the tendency in many countries – both North and South -- to sacrifice human rights in the name of "security". Up until now, no such mechanisms have materialised.

### *Information security vs. rights of free communication*

In spite of several differences of opinion on details, the major consensus in place among powerful nations such as China, Russia and the North Americans and Europeans, who seek to safeguard interests of national security by establishing a "security culture" in the information networks, has given rise to fears that uncensored, free communication within the electronic networks might fall by the wayside when faced with the regulatory appetite of many governments. Ambiguous terms found in government documents such as "information security" lay them open for interpreting that it is not the security of the networks that might be meant but the security of information conveyed through the networks. For this reason, many representatives of civil society are warning of a disproportional limitation of democratic civil rights on behalf of national security interests which are often not even controllable by democratic means. In the course of passing national anti-terror legislation, reaching cross-national agreements (Cybercrime Convention of the Council of Europe), and the "infowar" doctrines of the USA as well as the shielding measures installed by many countries to prevent the "free flow of information" to and from their citizens, surveillance and censorship of cross-border electronic media have already taken on alarming scales for the freedom of communication and the private sphere.

In turn, civil society has called upon governments to acknowledge broad-ranging rights of information and communication in the WSIS declaration and also to make universal human rights a starting point for the WSIS. On this normative basis, civil society argues that the success, which the open structure of the Internet has undeniably brought about, should be safeguarded. This also entails effectively protecting the private sphere from intrusions through state or commercial players, plus people's self-determination of information as well as the freedom of information as a right to gain access to information in public administrations. However, governments were as reluctant to react to this issue as they were to react to calls for an international monitoring and admonishment of infringements against the freedom of opinion, the press and communication.

### *Diversities of culture, language and media*

The diversity of language and cultures is internationally acknowledged in the UNESCO Declaration on Cultural Diversity. In this context, the new means of digital technologies for

saving, archiving and accessing the cultural heritage of the human race and conventional wisdom is being underlined at an ever-increasing rate, and the necessity for promoting multilingualism is being stressed in the new electronic media.

However, in terms of what framework conditions are required to protect and nurture regional cultures and cultural identities, the opinions of various players in the government, the economy and civil society differ greatly. This became apparent when the nations of the North upheld the view that promoting local cultural values "must not establish unjustifiable trade barriers". During the resulting fierce dispute on the role and "governability" of traditional media in the light of enormous concentration processes on national and international media markets, it became clear the extent to which media concentration has eluded national control and regulation. Ultimately, the governments could not see their way to agreeing on a declaration in favor of a common plan to limit the concentration of infrastructures, media networks and exploitation rights in the hands of a select few media groups.

In turn, civil society warned against further limiting the diversity of the press and of opinions in a censorship-like manner and against cultural impoverishment through the unlimited liberalization of the media, culture and education markets, the policy currently pursued by the World Trade Organization (WTO) during the GATS talks. Civil society failed in its attempt to have people recognize the great significance of the so-called community media, i.e. the citizen-friendly, non-profit and state-independent media for the maintenance and development of culture and democracy within local communities. The recognition and promotion of such media, above all of the low-threshold community radios, which, in the near future, will also represent the most important source of information for the majority of people worldwide, is as much an essential governmental task as the creation of equal, non-discriminatory terms of access to digital and non-digital media in community media centers and the promotion of media competence, especially among women and marginalized groups.

#### *Knowledge as public good: Access to knowledge vs. Intellectual property*

With its unanimous and vigorously represented view that information, knowledge and culture must be recognized and protected as public property and must not be ceded to goods logic, civil society has taken a stand that runs counter to the liberalization policy of the free trade organizations which, by means of a comprehensive regime of intellectual property rights, aim to achieve the privatization and monopolization of public knowledge in the interest of the knowledge corporations in industrial nations.

In spite of efforts on the part of the private sector and industrial nations to keep this contentious issue off the WSIS agenda and to refer to the "incumbent" framework of the WTO and the WIPO, which is more favorable for them, the debate ignited. It revealed a fierce North-South conflict. In this context, civil society sided with the developing countries. It supported their argument even though its own criticism was far more axiomatic: In the context of inventions (patents) and cultural, scientific knowledge products (copyrights) - so the argument went - the term "property" is in itself misleading because it clouds the fact that industrial property rights on "knowledge" represent monopoly rights limited in time, but do not constitute titles to property. And even this time limit can only be justified for as long as it works in the interest of the general public as an incentive to be creative, to publicize inventions and to facilitate innovations. It is not the "protection of intellectual property that is the vital prerequisite for creativity and innovation", as all official drafts maintain, but free access to knowledge. The common welfare must have priority over the protection of exploitation interests.

Even if, within civil society, the eligibility and yield of commercialization - of conventional wisdom, for example - continued to be highly contentious, there was consensus on the fact that the overpowering of developing countries with technologies and a market order must be seen as a form of expropriation which will further aggravate the existing disparities and dependencies between industrial nations and developing countries as well as the

marginalization processes within the societies of the North and the South. Access to knowledge within the bounds of comprehensive rights of communication is of great significance to the bridging of the digital divide, it was argued.

Following long and drawn-out discussions during the official summit talks, the developing countries appeared to accept the formulation that "[having] a balanced relation between protecting and using intellectual property as well as general access to knowledge [is of] vital importance for the information society." However, they did not want to unequivocally accept that such a balanced relationship had already been guaranteed on the strength of the existing international treaties and agreements on intellectual property (TRIPS, WIPO). As in Cancun, Brazil, India and South Africa assumed the role of spokespersons. They drew attention to the rights fought for during the Doha round of talks to establish protective regulations flexibly within the bounds of national priorities (e.g. where particular needs apply, such as compulsory licenses for patented drugs to treat HIV/ Aids and other epidemics) and therefore to the possibility of deviating from the torpid regulations of the TRIPS agreement. This demand was met with the rejection of those industrial nations who failed to show any compromise on this issue. The references to TRIPS and WIPO were deleted from the final communiqués, however.

Overall, the outcome of the negotiations - despite its vague general nature – has indeed put the principle back on its feet to some extent after having been turned on its head by TRIPS and other international regimes, and it can be assessed as a modest points victory for the developing countries. The conflict itself is masked more than anything else and will need to be 'slugged out' during other international rounds of talks.

The insight into the strategic significance and the consequences of the conflicts surrounding patents and copyrights for the future of the information society is drawing a broad spectrum of civil society protest and grassroots movements in industrial and developing countries in the battle against privatization and commercialization of public property, whether this be the privatization of public knowledge through patents on agricultural and software products or patents on life, or the privatization of knowledge through copyrights.

Among the documents produced by civil society, which take up the civil society debate through raising the problem of access, inclusion and sustainability and have found their way into the standpoints, are the "Charter of Civil Rights for a Sustainable Knowledge Society" (Annex 3), which has been prepared by German civil society under the auspices of the Heinrich Böll Foundation (see below).

### *Proprietary vs. Free software and standards*

It is the conviction of civil society that the "neutrality of technology" and the postulate of freedom of choice imputed in the government documents cloud the issue of social life being invaded by technology. Especially where digital technology and the configuration of software (coding) are concerned, functionalities have already been established and decisions on user rights have been foreclosed ("the code is the law") which severely limit the "freedom of choice" of users. At the same time, the argument was made that there is no true competition between software suppliers on a heavily monopolized market and, accordingly, no freedom of choice for users.

Civil society therefore believes that, for new information and communications systems to be introduced, it is vital that socially acceptable, error-friendly solutions and participative models be developed for their configuration so as to avoid any negative and barely correctable implications. The embodiment of such an approach is free software and open standards, argues civil society, which help to prevent both national infrastructure monopolies and private sector technical monopolies.

Whilst the development of software was a "culture technology of the information age", the

development of free software embodies the new "virtues" of the information age: innovation through cooperation and exchange of knowledge. In contrast to proprietary software (and even open source software), the license provided by free software guarantees the utilization of broad-ranging rights to use, modify, copy and disseminate the software under the same conditions. For this reason alone, free software systems are the most cost-effective and they should be given priority over proprietary systems that build critical dependencies, especially in poor countries.

The fact that free software is afforded an equal mention in the official declaration alongside open source and proprietary software in spite of heavy resistance from the USA has been appraised - not least of all by the press - as a succès d'estime, and by civil society as a step towards overcoming the marginalization of this vital resource.

## **Multistakeholder approach: Unequal influence**

Civil society and the industry both made very different use of the opportunity given to them to participate in the WSIS process. Whilst it was impossible to overlook the lack of interest shown by trade associations – including German trade associations – in the overall negotiating process, their representative body, the International Chamber of Commerce (ICC) organized a few public events and otherwise devoted its time behind the scenes to organizing its lobby effort with the governments obtrusively. The various "high level" panel and public discussions were all the more striking because of the disproportionately high presence of managers courted from the executive echelons of major high-tech corporations, which left no doubt as to the unequal power potential among formally equal stakeholders.

Civil society, which was committed to the process, was unable to bring forth such VIPs. Its power and influence were founded on its arguments and strategic alliances with individual governments and regions. Its representatives, who came from a broad selection of grassroots organizations, NGOs and academic networks, often had to overcome obstacles and resistance before even being able to assert their hard-fought rights to speak during the constrictive time frames of the plenary meetings and working groups at the preparatory conferences as well as on the panels of the summit conference.

During the two-year preparatory phase, they developed their own virtual and real-time structures - with thematic working groups and so-called "families" on a regional and sectoral basis - which sent their representatives to the "bureau" of the Summit Secretary, which was responsible for all procedural issues. Open communication processes via mailing lists, live broadcasting of crucial meetings via the Internet etc. enabled participants from all over the world to be included in formulating standpoints and strategies between and during conferences, and lent the decisions/declarations/documents issued by civil society a high degree of transparency and legitimacy.

Men and women from civil society groups and organizations were also appointed to certain national WSIS delegations (Germany, Switzerland, Denmark, Finland, Canada) in addition to those representatives from industry who had been appointed. Although they were not afforded their own right to speak at the official rounds of talks, as advisers to "their" governments and as observers for a civil society that had been excluded from the majority of internal governmental discussions, they were nevertheless able to play a significant mediation role.

Besides the numerous statements, negotiation papers and speeches that resulted through the communicative and collaborative efforts of civil society, the "visionary" declaration entitled "Shaping Information Societies for Human Needs" deserves a special mention. It forms the core civil society document that was approved unanimously at a civil society plenary session on December 8<sup>th</sup> and which was incorporated into the official summit documents as a

contribution made solely by civil society. Both this document and the undeniable expertise and sense of responsibility for the WSIS process have earned civil society tremendous recognition and strengthened its role as a negotiating partner and advocate for the common good.

For the second phase of WSIS, which has already commenced and which will end after the second summit conference in Tunis in November 2005, it is urgently necessary to consolidate and expand on the level of civil society participation on the one hand, whilst also further developing the networking structures that have been formed within civil society along the lines of greater participation, transparency and legitimacy. On the other hand, civil society groups also perceive their task as being to impart their knowledge and momentum gained from the summit to those at national level, to translate these into practical policy and to link global and local discourse and fields of activity.

## **II. Germany's civil society contribution to the WSIS and the role of the Heinrich Böll Foundation**

Both the path taken and the content orientation of the commitment of the Heinrich Böll Foundation (hbs) during the WSIS were characterized, on the one hand, by our self-conception of being a foundation that is part of civil society and, on the other, by perceiving our task to be to raise civil society's right of participation and capacity to act. Our contributions, collaboration and coordination work were based on the work of papers, new media, education and science on the subjects of knowledge society, knowledge politics as well as media and communications policy. In this context, the solid relations that have been established with the relevant cooperation partners and networks have been of vital importance.

hbs has closely pursued the preparatory process of the WSIS at various levels:

- Impulses for the content of the WSIS issues
- Empowerment of civil society and promotion of the multistakeholder dialog
- Raising public awareness for the WSIS process

Our first activities involved initiating and controlling a discussion process for developing the content of the standpoints of the summit, supported by the concept of a sustainable knowledge society. A group of scientists and people working in networked NGOs geared to upholding civil rights was formed to draft a "*Charter of Civil Rights for a Sustainable Knowledge Society*". All told, three draft versions were prepared. Charter 1.0 was put forth by the hbs in February 2003 as a contribution to the summit documents. The positive reception it was given, but also the criticism it received, has helped tremendously to raise interest in this document among a larger audience. As a result of a public off- and online discussion process, Charter 3.0 emerged, which was recognized as being the platform that "fed ideas" to German civil society groups. The Charter was subsequently printed in three languages (German, English and Spanish), and has also been well received at international level. The tenor of the "Charter" was to draft principles of a global knowledge society which safeguards people's right of communication and thereby ensures that the knowledge resources crucial to innovation and creativity are made available to all people and are organized in line with the principles of sustainability.

The WSIS civil society coordination group, which was founded and has advanced with the active assistance of the hbs, was to be structured, coordinated and equipped with convincing arguments with which it could enter into critical debates with Germany's government and participate in international civil society activities. The coordination group soon became a

magnet for interested parties from the spheres of academics and trade unions as well as for NGOs spanning the realms of networked, civil rights, youth rights, women's rights and development policy (ranging from the Humanistische Union, Terres des Femmes, EED, CAMECO to the New Media Network, odem.org, the "Save the Private Copy"-Initiative, the Information Society and Security Policy Research Group and the "Big Brother Awards" Germany). Through a variety of activities (conferences, events and press releases), competent statements on the summit documents, and active participation in international civil society workgroups, the coordination group has become not only a serious contact for the German government, but also a source of information for the media that, at first, showed little interest in the summit.

As part of the "multistakeholder process", the Federal Ministry for Economic Affairs, which had been given charge of the process, issued an invitation to attend a "trilateral" informative meeting at which civil society groups were given an opportunity to present their arguments, but did not obtain sufficient information as to the standpoints of the German government on the moot issues. It would appear that the German government has preferred to develop its standpoints in the EU advisory groups to which civil society has no access. In addition, the appointment of both one representative of the coordination group to the German government's delegations for the PrepComs and of 6 representatives to the summit delegation has provided German civil society with a relatively high degree of potential influence. After all, German civil society contributed some impulses for coordinating the European groups, which ultimately led to their syndicating to form a European caucus. Due to Germany's contribution, the 3<sup>rd</sup> PrepCom saw the first ever talks between representatives of the European civil societies and the government delegations of the EU.

The communicative and public relations work performed by German civil society was, and will continue to be, organized via mailing lists and the bilingual website made available by the hbs: website [www.worldsummit2003.org](http://www.worldsummit2003.org). In Ralf Bendrath and Arne Hintz, the website has acquired two highly skilled, media-savvy and extremely dedicated employees. They have expanded the website into one of the key and most widely recognized information platforms around, which keeps the German and international public abreast of the central issues, debates, events and crises surrounding the summit process through reports and background information, and which, at the same time, was, and still is, a means of networking civil society.

The hbs publication entitled "*Visions in Process - World Summit on the Information Society Geneva 2003 - Tunis 2005*" was met with a very warm reception at the summit conference in December. In this collection of essays, German and foreign civil society players analyze the essential fields of conflict within the WSIS process and attempt to make the discussions accessible to a non-specialized audience. Since the input that the German government had promised to make regrettably never materialized, the publication only contains one contribution from one representative of German industry.

In addition to the above, the Heinrich-Böll-Foundation also contributed to the summit's accompanying program. This included the *ICT for Development (ICT4D)* exhibition, a rich market of possibilities involving over 250 commercial and non-commercial exhibitors and initiatives from all over the world, as well as the ongoing event program for around 14,000 people who visited the summit. As part of the exhibition, the German government and economy set up a booth under the name "germany@wsis" which also provided exhibition space for the civil society coordination group which was kindly sponsored by Siemens. The stand proved to be highly useful for the hbs and the participating groups in terms of contacts and public relations. However, the scheduled series of lectures and presentations drew very little attention due to the flood of information and events and the extremely unfavorable surroundings as well as a lack of marketing.

In contrast, the *World Forum on Communication Rights (WFCR)* ([www.communicationrights.org](http://www.communicationrights.org)), a one-day event held on December 11, 2003 and organized by the international campaign *Communication Rights in the Information Society (CRIS)* ([www.comunica.org](http://www.comunica.org)) and the Heinrich Böll Foundation, was a great success. The aim of this forum was to transform the abstract level of rights of communication to a worldly context and to highlight their significance for combating poverty and underdevelopment. The degree of cooperation with organizations such as *APC - Association for Progressive Communications*, *AMARC - World Association of Community Radio Broadcasters*, *WACC - World Association for Christian Communication* at the WFCR has opened up perspectives for further collaborative efforts in the second phase of the WSIS.

### **III. Outlook for WSIS II: Tunis Phase**

To date, it is still largely unclear what shape the Tunis Phase will take. An initial, informal meeting of the new summit secretariat was held in early March 2004 with a view to determining the process goals and to setting the dates for the PrepComs, conferences, etc.

It is already foreseeable that the two recessed and especially disputed issues of "Internet Governance" and "Digital Solidarity Fund" will be on the agenda. Two conferences have already been tabled on the subject of Internet Governance, one by the ITU and one by the UN-ICT Task Force, that both will define their positions on this issue prior to the official working group being convened. The conferences will also take up the issue of implementing the action plan.

Whether and how other contentious issues (security, knowledge politics and "intellectual property", media concentration, cultural diversity, communication rights) will once again be taken up is unclear at this point in time. Regardless of what happens in this context, several countries have announced their intention to hold thematic conferences even though their role within the summit process is as yet unclear.

These unclear framework conditions also somewhat confound matters for civil society in its determination of goals and strategies for the second phase and presentation of these in a coordinated fashion, because the onus will be on civil society to establish which issues will or will not be put on the summit agenda.

Finally, it remains to be seen how the host country, Tunisia, reacts to the criticism of its press censorship and its failure to embrace the participation of the country's own civil society. Even today, civil society circles are considering strategies on how to react to the restrictions placed on the freedom of movement of participants from home and abroad in the WSIS process. Overall, pressure is being exerted on the Tunisian government to uphold and not to limit the established rules of civil society involvement.

[www.worldsummit2005.org](http://www.worldsummit2005.org) will continue to provide information on the 2<sup>nd</sup> phase of the WSIS as well as reports and analyses.

xxx

Olga Drossou,  
Heinrich-Böll-Foundation New Media Desk