Towards a Just and Equitable Internet for All

- Area: SET OF INTERNET GOVERNANCE PRINCIPLES
- Entitled by: Sen Siochr
- Region: Global
- Organization: Just Net Coalition: This Coalition was formed at a meeting in Delhi in February 2014.
- Sector: Civil Society
- Keywords: Human rights, social justice, global commons, democracy

Abstract

In this submission, the newly formed Just Net Coalition proposes a set of principles to underpin the emergence of an Internet that advances human rights and social justice globally, and the reconfiguration of Internet governance into a truly democratic space.These are based on a recognition that the Internet has become a vital social infrastructure that profoundly impacts our societies; and on the observation that opportunities for the many to participate in the very real benefits of the Internet, and to fully realise its enormous potential, are being thwarted by growing control of the Internet by politically, economically and socially dominant actors.Existing global internet governance arrangements suffer from a lack of democracy; an absence of legitimacy, accountability and transparency; excessive corporate influence and regulatory capture; and too few opportunities for effective participation by people, especially from developing countries.

Document

Towards a Just and Equitable Internet for All

The Just Net Coalition was formed at a meeting in Delhi in February 2014. It comprises several dozen organisations and individuals from different global regions concerned with internet governance, human rights and social justice, and the relationship between them.

The Internet has become a vitally important social infrastructure that profoundly impacts our societies. We are all citizens of an Internet-mediated world whether as the minority who uses it or the majority who does not. *The Internet must advance human rights and social justice. Internet governance must be truly democratic.*

The Internet is reorganising public institutions, including for governance, welfare, health, and education, as well as key sectors such as media, communications, transport and finance. It has transformed the way we do many things but the benefits promised for all have not been adequately realized. On the contrary - we have seen mass surveillance, abusive use of personal data and their use as a means of social and political control; the monopolization, commodification and monetisation of information and knowledge; inequitable flows of finances between poor and rich countries; and erosion of cultural diversity. Many technical, and thus purportedly 'neutral', decisions have in reality led to social injustice as technology architectures, often developed to promote vested interests, increasingly determine social, economic, cultural and political relationships and processes.

Opportunities for the many to participate in the very real benefits of the Internet, and to fully realize its enormous potential, are being thwarted by growing control of the Internet by those with power - large corporations and certain national governments. They use their central positions of influence to consolidate power and to establish a new global regime of control and exploitation; under the guise of favouring liberalization, they are in reality reinforcing the dominance and profitability of major corporations at the expense of the public interest, and the overarching position of some national interests at the expense of global interests and well being.

Existing governance arrangements for the global Internet are inadequate. They suffer from a lack of democracy; an absence of legitimacy, accountability and transparency; excessive corporate influence and regulatory capture; and too few opportunities for effective participation by people, especially from developing countries. The situation can be remedied only through fundamental changes to the current governance arrangements.

The governance of the Internet must proceed from the position that inter-connectivity cannot serve human rights and social justice unless it leads to and supports distributed power, particularly to the grassroots but also across the various Internet divides—social, economic, political. Ensuring that the Internet does not in fact lead to greater

centralisation of power will therefore require appropriate interventions at all levels of Internet governance. Building an effective framework to achieve these objectives is the greatest challenge today in terms of global governance of the Internet.

In this light, we put forward the following principles. These should underpin the emergence of an Internet that advances human rights and social justice globally, and the reconfiguration of Internet governance into a truly democratic space.

The Internet as a Global Commons for Human Rights and Social Justice:

1. The Internet is a key social medium and, in crucial respects, a global commons: it isa site for global knowledge and information exchange, a space for free expression and association, a means for democratic deliberation and participation, a channel for delivery of essential social and public services, and a scaffold for new models of economic activity. Therefore, **all the world's people,** including those not at present connected to the Internet, **must be able to collaboratively shape the evolution of the Internet** through appropriately transparent, democratic and participatory governance processes.

2. **The Internet must be used only for peaceful purposes** and this must be recognised by states **in a binding and enforceable instrument.**

3. **The Internet economy,** like other areas of the global economy, **must be subject to fair and equitable collection and distribution of tax revenues around the world** recognising that the concentration of global North based international e-commerce is a threat to the tax revenues of the global South.

4. The Internet must be maintained as a public space. Where a divergence emerges between the utility of the Internet for public interest purposes and the particular interests of Internet service or technology companies, **the public interest must take priority, and the service must be subjected to regulation as a public utility**.

5. **Net neutrality,** and similar 'platform neutrality' in higher layers of the Internet, **must be ensured in order to preserve online diversity and to prevent monopolies** in either content or in the provision of essential public services, in mobile as well as fixed

network architectures.

6. An open and decentralized Internet requires strict enforcement of open and public standards. Open standards allow fully interoperable implementation by anyone in any type of software, including Free and Open Source Software (FOSS). **The trend towards privatisation of digital standards must be stemmed and measures must be introduced to ensure that standards are publicly owned, freely accessible and implementable.**

7. **The architecture for cloud computing should enhance digital functionality and efficiencies without reducing user control and choices**. It should also enable users to have adequate legal protections either through domestic jurisdictions or effective international agreements.

8. **The Internet's basic or essential functionalities and services,** such as email, web search facilities, and social networking platforms, **must be made available to all people as public goods.**

9. **People must be able to enjoy all their rights and entitlements as citizens, even if they choose not to have Internet access.** Access to and use of the Internet should not become a requirement for access to public services.

10. **Community-owned and not-for-profit infrastructure, applications, services and content, must be encouraged and enabled including through access to public funding and by other means.**

11. **The right to access and contribute to the development of the Internet** , including its content, particularly of marginalised and/or minority groups is essential to maintaining cultural and linguistic diversity and **must be secured through protective discrimination and affirmative action.**

12. **Personal and social data must belong respectively to the relevant individual and social group. Policy frameworks for operationalising such effective control and ownership of digital data must be developed.**

A Rights Framework for truly Democratic Governance of the Internet

13. **The Internet must be governed recognising that in crucial respects it comprises a global commons. All layers of Internet architecture must therefore be designed to safeguard against concentration of power and centralized control.**

14. **All people have the right to freedom of expression online**. Any restrictions, on grounds of security concerns or otherwise, must be for strictly defined purposes and in accordance with globally accepted principles of necessity, proportionality and judicial oversight.

15. **All people must have the right to use the Internet without mass surveillance.** Any surveillance, on grounds of security concerns or otherwise, must be for strictly defined purposes and in accordance with globally accepted principles of necessity, proportionality and judicial oversight.

16. At the global level, there is a severe democratic deficit in Internet governance. Appropriate platforms and mechanisms for global governance of the Internet, that are democratic and participative, must be established urgently. **These must be anchored to the UN system, and include explicit provisions to design and enable innovative methods for ongoing and deep participation of non-governmental actors in policy making processes.** Participating non-governmental actors must in turn be subject to appropriate transparency requirements, in particular regarding sources of funding, membership and decision-making processes.

17. **The right to make Internet-related public policies must lie only with those who legitimately and directly represent people.** While there is a pressing need to deepen democracy through innovative methods of participatory democracy, these cannot include – in the name of multi-stakeholderism – new kinds of formal political power for corporate or partisan interests.

18. **Governance systems must be based on the recognition that the Internet has an impact on society that the technical community, with its singular focus on technical issues, lacks the legitimacy to determine.**

19. The laws of any one country or one group of countries cannot control or constitute international technical and public policy governance structures.**Management of critical resources of the Internet must be internationalised.**Current control by the US of the DNS/root zone must thus be replaced by a new transparent, accountable and internationally representative institution responsible for the oversight of critical Internet resource management functions.

20. **Every country must have the right to connect to the Internet.** No country can have the unilateral ability to disconnect another country or a region from the Internet.

21. **The rights of individuals and states must be articulated and protected with regard to the Internet** including through the creation of appropriate enforcement mechanisms. Such mechanisms are required at both the domestic and international levels, and should include dispute resolution mechanisms.