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## The issue

In an increasingly digitized world, Information and Communication Technologies (ICTs), in particular the Internet, offer countless opportunities: facilitating the acquisition of knowledge and skills, creating financial opportunities, enhancing communication and more. ICTs are a vital component of social and economic advancement, especially in developing countries. In addition, the Internet and ICTs provide a unique platform that enables individuals to exercise their human rights more fully. They are an important tool for human rights defenders as affirmed in the FOC's Joint Statement on Defending Civic Space Online. For instance, the Internet and ICTs allow people to express and exchange opinions and thoughts freely, gather information, participate in democratic processes and organize public protests as well as advocacy campaigns.

However, a persisting lack of digital inclusion prevents people from realizing the full potential and benefits provided by the Internet and thereby creates digital divides. These digital divides are plural because discrepancies in access exist across demographics and abilities, including geography, area/location, gender, class, ethnic background and differently abled individuals. Moreover, a lack of digital inclusion also affects those who already are connected, often preventing a full or meaningful use of the Internet. While the Internet and ICTs have the potential to empower marginalized groups, it also carries the risk of reinforcing existing social and economic inequalities, particularly impacting already marginalized or vulnerable groups: a tendency which appears particularly serious in times of ubiquitous digitalization.

There is a growing awareness of the problems posed by a lack of digital inclusion, as highlighted by recommendations 1a, c and d of the Report of the United Nations Secretary General's High-level Panel on Digital Cooperation, and calls made by the UN Broadband Commission and the Internet Governance Forum. However, these messages have not yet been sufficiently translated into concrete action.

In order to address the multiple digital divides, long-lasting measures should address access and use of the Internet. Supply-side factors can include: the availability of relevant infrastructure, spectrum, bandwidth and/or devices; the amount and intensity of competition in the market; appropriate regulatory policies and market forces that affect the ability and cost of supply, such as competition in the market, infrastructure and licensing policies; as well as state-ordered network disruptions. Demand-side factors can include: cost of data and devices; taxation, including both fees on service as well as duties and taxes on equipment and providers; level of education/digital literacy; availability of relevant content/language online; structural and cultural barriers, including discrimination against

women and girls; as well as censorship, arbitrary or unlawful surveillance and other privacy-related concerns.

Promoting digital inclusion is of concern to the FOC as it is directly linked to its mandate of protecting and promoting both the exercise of human rights online and supporting an open and interoperable Internet, as affirmed in the FOC's Tallinn Agenda. The Internet and ICTs provide a unique platform to enable individuals to exercise their human rights more fully. Only with meaningful access to the Internet will all individuals be able to reap the economic, social and educational benefits of ICTs and fully exercise their human rights online.

## Challenges

A. One of the key challenges in ensuring that all relevant stakeholders coherently and systematically engage in promoting digital inclusion and thereby contribute to an open and interoperable Internet is **the need for reliable data and metrics**, as recognized by recommendation 1c of the Report of the United Nations Secretary General's High-Level Panel on Digital Cooperation. First, there is a crucial need for governments to gather better and more consistent data in cooperation with the private sector and institutions responsible for collecting data, disaggregated to provide information across demographic groups for those who face challenges to digital inclusion. Besides cooperating with local statistics offices and government agencies responsible for data gathering, the private sector should be encouraged to share anonymized data within ethical, privacy-protecting frameworks and in accordance with data protection laws.

Collecting disaggregated data at the sub-national level is expensive, a cost many developing countries cannot afford. Donors, including multilateral development banks, should fund this detailed data collection as part of larger investments in ICT and other infrastructure in developing countries. It also means assisting developing countries to use data collection methodologies that measure the degree of exclusion of marginalized groups, and use common criteria to enable identification of groups needing support.

B. Given the complex and broad nature of the digital divides, **it is important that efforts to address inclusion involve all relevant stakeholders**. This vital multi-stakeholder model of governance requires effective partnership between the private and the public sector as well as the private sector and civil society through fora like the Internet Governance Forum.

While governments have an important role to play in promoting digital inclusion, the process of Internet governance should also include active participation by the private sector and civil society. Governments should recognize the important role a competitive private sector and vibrant civil society play in Internet governance. Government should bring relevant actors together and establish conditions that allow enhanced cooperation to take place, including ensuring that policy processes are inclusive, bringing in necessary expertise and input from affected communities.

Additionally, governments should work with the private sector and civil society to create a regulatory environment, which provides for open, interoperable, reliable and secure Internet services that empower users, build trust and foster transparency.

C. It is important to recognize that digital divides often reflect and reinforce existing social and economic inequalities. In supporting digital inclusion, governments should **consider not only access but the online experience itself**, with special attention to novice or non-skilled users of ICTs and/or members of vulnerable or marginalized groups. Challenges include illiteracy, language barriers, social norms that exclude women from using ICTs, wide-spread infringements upon copyright and related intellectual property rights, online fraud, abuse and gender-based violence online, harmful content and disinformation online, surveillance, cybersecurity threats, and the impact of the “gig economy” on workers’ rights.

Governments should address such challenges with policies that support enabling environments, such as programs supporting digital literacy as well as inclusive policy processes, and appropriately address the social norms and other barriers that contribute to digital divides.

Efforts by governments to address these negative implications must themselves be consistent with international human rights obligations. Indeed, adopting human rights-based approaches to access is an important enabler of digital inclusion that both encourages open dialogue online while providing safeguards for vulnerable populations.

D. Given **the immense range and number of policies that can potentially affect Internet access**, it is especially important to make focused and systematic efforts to better influence the broad spectrum of policies, regimes, and legislation that can impact digital divides. These efforts have to address supply-side as well as demand-side barriers to digital inclusion. Moreover, these efforts should pay due regard to the underlying obstacles to digital inclusion, including, inter alia, a lack of education and/or digital literacy, poverty, cultural and social barriers and discrimination.

Moreover, an effective approach to Internet policy should also include an impact assessment mechanism that would assess a policy’s capacity to further digital inclusion.

## Call to action

To address these challenges and to advance the common goal of promoting digital inclusion, the FOC suggests:

- The conduct and support of **good quality, independent research**, on supply and demand-side challenges affecting digital inclusion and digital divides. Research activities should investigate existing and emerging issues related to digital access that may negatively affect digital inclusion by deterring Internet use, such as human rights violations and abuses relating to privacy, online abuse, censorship, surveillance and other cybersecurity methods that limit individuals' ability to exercise their human rights and fundamental freedoms. Governments should also encourage more efforts by the private sector to publish independent, research-based reviews on their data sets, conducted within an ethical, privacy-protective framework.
- **Civil society organizations should be supported in their efforts to address barriers and bottlenecks** to digital access, cybersecurity risks, and on how to develop policy that drives positive outcomes related to the improved access and use of digital technologies. Moreover, all stakeholders should be encouraged to share best practices on issues pertaining to bridging digital divides, especially in support of community networks, and enabling digital inclusion, and governments should play a supportive role in facilitating this.
- **Welcoming contributions, and leadership, by the private sector and civil society** to promote digital inclusion. Encourage the private sector to ensure that resources accrued for the purpose of overcoming digital divides are used transparently for their intended purpose in line with the UN Guiding Principles on Business and Human Rights.
- **Encouraging the availability of free Internet access points in public spaces**, especially in schools and libraries in economically underprivileged communities.
- **Promoting open-source** software, open access technologies, open data, and open learning towards enabling meaningful access, as well as supporting the people who develop these resources.
- Enacting digital policies which give **special consideration to those who face particular difficulties** in reaping the benefits of digital inclusion. Governments should build into their programs and policies safeguards to make sure these persons are able to benefit fully in the push for digital inclusion. These may consist of, inter alia, creating safe and accessible spaces, childcare facilities and specially trained support staff.
- Advancing, with the help of public-private partnerships, **digital literacy and other technology training** in trusted and comfortable locations (libraries, community centers, places of worship, schools, recreation centers, senior centers, etc.) which is tailored for different levels of education and specific needs and supported.
- Facilitating, reinforcing, and developing **multi-stakeholder models of Internet governance**, including growing capacity of civil society to participate in fora like the Internet Governance Forum, expanding availability of independent Internet exchange points, ensuring ability of private sector providers to connect and exchange data traffic directly with one another, and similar inclusive models.

- **Addressing underlying causes of digital exclusion** (economic, social, political and cultural contexts) because technical solutions alone will not bridge digital divides; and support initiatives at intergovernmental spaces that further digital inclusion.

Access is a critical component to furthering digital inclusion but not the only component. Building a digitally inclusive community characterized by access to ICTs and by digital literacy is a multi-faceted process that requires the involvement of both state and non-state actors backed by comprehensive and sustainable policies. These efforts will eventually lead to open and accessible platforms, which allow individuals to benefit from the countless opportunities offered by ICTs and exercise their human rights more fully online.

## Freedom Online Coalition Background

The FOC is a multilateral coalition of 31 governments that collaborate to advance Internet freedom worldwide. The Coalition provides a forum for like-minded governments to coordinate efforts and work with civil society, the private sector, and other Internet stakeholders to support the ability of individuals to exercise their human rights and fundamental freedoms online. The FOC invites all states that support an open and interoperable Internet to apply to join the FOC.

The mission and vision of the FOC are founded upon the notion that the same rights that people have offline must also be protected online; a pioneering notion originally outlined in the founding FOC Hague Declaration, reaffirmed in the Nairobi Terms of Reference , Tallinn Agenda and San José Statement, and further confirmed in UN Human Rights Council resolutions 20/8, 26/13, 28/16 and 32/13, adopted July 5, 2012, June 26, 2014, March 26, 2015, and July 1, 2016, respectively, as well as resolutions 68/167, 69/166 and 71/199 adopted by consensus by the UN General Assembly respectively on December 18, 2013, December 18, 2014, and December 19, 2016.

The FOC seeks to identify best practices regarding the application of human rights obligations and commitments in the evolving online landscape, as well as to call attention to conditions that undermine those rights.

The FOC, through the Digital Defenders Partnership, also provides rapid response to a range of threats to Internet freedom; from supporting bloggers and cyber activists who find themselves under digital attack, to helping them exercise their human rights online in Internet repressive environments. More information on the Digital Defenders Partnership is available at: <http://www.digitaldefenders.org/>.

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