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FOC Regional Consultations

Summary of Regional Consultation
in North America

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Context

- As 2022 Chair of the Freedom Online Coalition (FOC), Canada facilitated six multi-stakeholder regional consultations to engage directly with stakeholders and gather knowledge about Internet freedom challenges at the regional and sub-regional level.
- During the North America regional consultations held under Chatham House Rule, Canada brought together experts from civil society, media, academia, and the private sector to discuss the most pressing threats to Internet freedom.
- The multi-stakeholder consultations will feed into the FOC's upcoming "Ottawa Agenda", which will update the group's founding document, the **Tallinn Agenda**, with a set of commitments for promoting human rights online.



Summary

- Experts saw the Ottawa Agenda as a valuable opportunity to reaffirm FOC members' commitment to a free, open, interoperable, secure and reliable Internet, and to identify key priorities for international engagement in light of ongoing threats to that vision, including increasing fragmentation, shrinking online civic space, and the persistent inequalities of the digital divide.
- Participants underscored the necessity of continued and more robust multi-stakeholder engagement, as Internet governance requires the expertise of civil society, academia, the technical community, and industry, working together with governments to set the agenda and identify rights-respecting responses to complex challenges.



Trends

At a time of growing **digital authoritarianism**, experts underscored the necessity of a free, open, and connected global Internet, and of supporting technologies that preserve avenues for free expression. Participants highlighted in the years since the adoption of the FOC's Tallinn Agenda, we have witnessed foreign actors manipulate social media to interfere in elections; the Cambridge Analytical scandal; and more instances of online extremism and hate causing tragic real-world consequences. As such, participants welcomed the opportunity to update the FOC's list of priorities and areas of engagement.

The Internet and digital technologies are critical to our everyday lives, with experts highlighting how we benefit from a free, open, interconnected and interoperable, and secure Internet. They also highlighted the connective power of the Internet in fostering innovation, economic growth, and creativity.

Participants agreed that digital inclusion and its four pillars – connectivity, literacy, civic participation and safety – represent a great point of departure to renew the FOC's mandate in its second decade of existence. Some experts argued that digital inequality reinforces inequalities on a global scale, thereby undermining the appeal of democratic governance globally. Some regions of the world do not have the basic **connectivity** and infrastructure needed to access basic digital services, let alone the Internet. Others have access, but at unaffordable costs, at insufficient speeds, and with limited content.

Experts noted that governments tend to “*overestimate*” their citizens’ (as well as their own) **digital literacy** capabilities. Rather than ad hoc projects, experts encouraged governments to include digital literacy training in school curricula. They argued that digital literacy needs to include critical skills to properly navigate information ecosystems online. One expert called on FOC countries to create national digital literacy strategies. Canada was praised for advancing the FOC's commitment to improving digital literacy and inclusion.

To ensure meaningful **digital inclusion**, participants called on the FOC to help clarify how existing international human rights law applies to digital spaces and can be harnessed to remedy the systemic injustices caused or exacerbated by digital technologies.

Experts raised concerns that many policies and practices risk fragmenting the Internet, with consequences for human rights and democracy. Governments should take holistic approaches to **Internet fragmentation**, including by addressing technical fragmentation through changes to the underlying layer of the Internet which impedes the Internet from interoperating; policy and government fragmentation through practices such as content moderation, network shutdowns, and data localization; and commercial fragmentation through practices such as Internet throttling, walled gardens, and geo-blocking.

An increasing number of government actors are stifling their opponents' speech by labeling it as **"disinformation"** or pressuring social media companies to moderate content for political ends – often leveraging in-country personnel requirements to pressure companies to follow their direction. Experts discussed how Russia's illegal invasion of Ukraine underscores the necessity for multilateral and multi-stakeholder responses to online threats such as disinformation, which erode civic participation online. Participants highlighted that members of the FOC must *"grapple with their own hard questions"* about the ways to respond to online disinformation or other unlawful online activity, while respecting human rights and the rule of law. The Russian war of aggression has also underlined, for many participants, the need to emphasize the importance of Internet freedom in conflict situations and to continue collaboration on addressing how conflict situations impact human rights online.

Many participants expressed that the FOC will need to think about how the Ottawa Agenda can add value in the face of an increasing number of normative documents in the field of digital and Internet policy. Participants flagged that *"we don't need another document outlining high level principles"*, given the OECD AI Principles and the Declaration on the Future of the Internet, among others. Rather, the Ottawa Agenda could help make the FOC the *"implementing arm"* of these declarations

by identifying key priorities for FOC members in their domestic and international work, as well as practical next steps in other multilateral forums as well as development and programming.



Recommendations

Participants recognized that the FOC can play an essential role in articulating and defending a democratic and inclusive vision of the global Internet. Participants recommended several actions that FOC members, individually or collectively, could undertake to increase Internet freedom regionally and worldwide. The FOC should:

- Condemn in bilateral and multilateral fora harmful practices like Internet shutdowns and limitations on encryption.
- Encourage member states to create a holistic vision of the Internet that is rules-based, democratic and inclusive, and rooted in human rights, both domestically and internationally; this vision must be promoted at the technical and policy levels by governments and embedded across different government departments.
- Push for governments and industry to enforce and comply with existing legislation and international human rights law protecting human rights in online and digital contexts.
- Broaden its tent to increase the number of countries participating in the Coalition and ascribing to its values, with a particular focus on the Asia Pacific, Middle East, African, and Latin American regions.
- Share information and lead robust and proactive dialogue about effective strategies that protect users' rights, increase company and government transparency, and are grounded in a commitment to human rights and the rule of law.

- Continue to strengthen the Coalition's multi-stakeholder approach and encourage other international processes impacted by Internet governance to follow suit.

Annex

Discussion Questions

- What regional or global trends related to the evolution of digital technologies and the internet will have the greatest impact on human rights online and offline in the coming 5-10 years?
- What are the most pressing challenges to the protection and promotion of human rights online, both regionally and internationally?
- How do we define free, open, interoperable, secure and reliable Internet at the infrastructure and governance levels? How can governments defend against Internet fragmentation?
- Where should governments focus their attention and international assistance support in bridging digital divides and increasing digital literacy?
- How should the FOC respond to growing attempts made to restrict democratic voices online (i.e. internet shutdowns, disinformation, spyware technologies)?
- What programs, initiatives or processes should the FOC engage on in the next 5-10 years to help protect human rights and fundamental freedoms and advance meaningful digital inclusion?
- How can the FOC deepen dialogue and cooperation with the private sector on the effective implementation of the UN Guiding Principles on Business and Human Rights?