

DiploFoundation contribution to the UN SG High-Level Panel on Digital Cooperation

Introduction

Prior to becoming a universal phenomenon, the Internet was, in certain instances of the not-so-distant past, considered a privilege and its resources were regarded as national property (Internet Activities Board, 1989). This perception stands in deep contrast with the realities of today's ever-increasing digitalised world, where the Internet permeates every sphere of our lives and the concept of Internet universality is widely accepted. In this context, it is of utmost importance to strongly emphasise the underlying Internet principles and values, and embed these principles and values in the ongoing architecture, design, governance, and development of this medium.

Principles have been historically relevant for the development of the digital field. The World Summit on the Information Society (WSIS) Declaration of Principles, for example, has been called a constitution for the information age (Stauffacher and Kleinwächter, 2005). Over the last few decades, sets of principles aiming to guide Internet governance and policy development have been put forward by several organisations, leading some to call it a 'constitutional moment' for global Internet governance.

Efforts to map, compare, and identify commonalities among sets of principles have been undertaken. Probably, the most notable of them took place in preparation for the 2014 NETmundial meeting (Maciel *et al.*, 2015) One of the goals of this conference was to identify a set of universally acceptable Internet governance principles, and, in order to do so, multistakeholder consultations of global scope were carried out.

Given the dynamic and developing nature of Internet policy, a considerable number of documents on guiding principles are constantly put forth. This contribution represents an effort to map and compile sets of principles that have a general scope, building on previous endeavours. This document will, therefore, explore existing widely accepted digital principles and values, and draw conclusions on their convergences. The goal is not to be exhaustive, but to present a contribution that should be seen as a living document and serve as the base for further work by the UN High-Level Panel on Digital Cooperation and other interested stakeholders.

Methodology

After exploring over 100 declarations, communications, strategies, and other relevant documents from international organisations, civil society, the business sector as well as the technical community, 27 documents addressing general Internet principles were chosen for the purpose of this document. The research also identified documents containing sets of principles that are solely focused on certain thematic areas, such as cybersecurity, specific human rights issues, economic issues, and artificial intelligence, for example. However, our

preference on this first phase of the mapping was to select sets of principles that have a broader and more general scope.

The first step was to analyse and identify common concepts and keywords. This was done using relevant terms from the Internet governance taxonomy, which clusters digital policy issues into thematic baskets.¹ A review of the principles documents was conducted which allowed for the identification and understanding of the most frequent principles and values. The principles were then categorised according to their relevance. The sorted principles are available in the appendix of this document.

The ensuing paragraphs present the principles that were identified as most relevant because they are found in most of the principles documents analysed, signaling that there is growing convergence around them. It is worthy to note, however, that the distinction between Internet principles is not always clear-cut; the analysis will highlight the interplay and overlap among them.

Analysis of core values and principles

1. Human Rights and fundamental freedoms

- *Protection of human rights and fundamental freedoms (observed value)*
- *Freedom of expression*
- *Right to privacy and protection of personal data*
- *Inclusion (see sociocultural issues and development)*

One of the underlying values that permeates almost every analysed document is the **protection of human rights and fundamental freedoms**. In fact, in many of the analysed documents, there are recurrent references to the Universal Declaration of Human Rights, which serves as an inspiration to the identification of principles. The protection of human rights could be regarded as the overarching principle that underpins most of the principles and values included in this review (see point 1, 2 and 3). Or, put differently: rights that apply offline must also apply online.

Two principles stand out from the analysis, as they are mentioned by the vast majority of documents: **freedom of expression** and **privacy and data protection**. The former includes the right to seek, receive, and impart information. It depends on the **availability of diversified digital and publicly held data** as well as on the **free flow of information online** and the **curbing of online censorship**.

The right to online privacy/respect of private life needs to be safeguarded from arbitrary interference, which includes undue electronic surveillance, intrusion, inappropriate and unauthorised data sharing, and other forms of privacy breaches. This also means that personal data should be protected and kept confidential. These two principles are frequently

¹ The term 'basket' was introduced into diplomatic practice during the Organization on Security and Cooperation in Europe (OSCE) negotiations.

grouped together, considering that if the right to privacy and data protection is respected, individuals will be able to exercise their right to freedom of expression.

2. Sociocultural issues and development

- *Openness (observed value)*
- *Inclusion (observed value)*
- *People-centredness (observed value)*
- *Accessibility*
- *Affordability*
- *Cultural diversity and multilingualism*

The information society should be **inclusive, open, and people-centred**; these are the core values that should underpin the development of the Internet and digital policies.

To achieve this, the importance of **accessibility** and **non-discrimination** was particularly stressed by the documents analysed: The Internet has to be inclusive of everyone including vulnerable and marginalised groups such as children, women, elderly, minorities, and persons with disabilities.

An important area of digital co-operation that the panel should focus on to add value to its work is to address specifically and strongly the points raised in sociocultural issues and development. The panel could make a significant contribution to digital co-operation by addressing greater practical inclusion of unheard and marginalised groups with concrete steps to foster inclusion and to eliminate exclusion, an argument that was also stressed by the UN Secretary-General Antonio Guterres at the opening ceremony of IGF 2018,

For example, are there any poor/elderly/excluded people on the panel? They probably do not even know the panel exists. Are the people who do not and cannot respond to surveys missing because their separation from the trending world is so great that their voices cannot be heard from the ever-growing distance? Achieving representation of their viewpoints is challenging, but necessary.

The panel will share its findings but should include good practices and examples such as, for example, leading a workshop or main session at IGF 2019 discussing and initiating practical mechanisms. With a focus on **Battling exclusion -- practical steps**, it could include interviews with 'most excluded' people, to help digital policy shapers to understand the problem; hear from experts about what is already being done; and facilitate an open discussion with 'the excluded' to gather information for sustainable plans of action.

Accessibility goes hand in hand with the **affordability** of Internet connectivity, as well as with the ability to **have access to information, content, and data**. Affordability on its own is not enough, emphasising therefore the fact that measures such as capacity building and promotion of digital literacy intended to **bridge the digital divide** are necessary in order to ensure barrier-free access.

To foster inclusion, the importance of principles related to people's participation and empowerment such as promotion of **cultural diversity**, local content, and **multilingualism** are emphasised.

3. Security, safety, and stability

- *Security, safety, and stability*

The Internet should be secure, safe, and stable. This not only entails the security and stability of the Internet infrastructure, but also encompasses that of individuals in the online community. For this security culture to prevail, trust and co-operation among different stakeholders at different levels are required. To achieve a secure and stable Internet, the underlying security infrastructure cannot be compromised to meet short-term political objectives such as more pervasive surveillance targeting specific user groups.

4. Governance principles

- *Multistakeholder governance*
- *Transparency*
- *Democracy*
- *Accountability*
- *Innovation*

The Internet is a 'collective creation' (CGI.br 2009), and therefore not meant to be governed by a single actor. Most of the analysed documents refer to the principle of **multistakeholder governance**, which requires the participation of all stakeholders at all levels (international, regional, national, and local) in the development of the Internet and in decision-making processes, also making them all **accountable** for its integrity.

The governance of the Internet should be carried out in a **transparent** and **democratic** way, and be based on the rule of law. The development of the Internet should allow unimpeded **innovation**, while at the same time safeguard the rights of others.

An important historical reason for why the Internet has been an excellent platform for innovation relates to open standards. It is because of open standards that many developments have taken place, building on and adding to the initial platform by allowing new developments to easily flourish. This principle is currently challenged by the domination of Internet usage and the Internet economy by a small number of proprietary applications.

Even though the panel is committed to building on existing processes and mechanisms, it must also take into consideration increasingly important emerging technologies such as artificial intelligence (AI) and the Internet of Things (IoT). For instance, a people-centred

approach to AI is underscored by the principle of transparency illustrated by the so-called black-box phenomenon² as well as accountability and societal benefit.

Conclusion

Digital principles are intertwined; they cannot always be singled out. However, Internet universality and the protection of human rights are two concepts that serve as the foundation for all other principles, and summarise the stands of many actors involved in Internet governance.

Recognition of the main accepted principles is an important step for digital governance and co-operation. Further development of this work will be necessary as the Internet and its underlying principles and values continue to evolve and be challenged by emerging technological developments.

It is very important to find the universalities in our principles and support them. But the panel's work should define and address not just the principles, but the people who are missing from our examinations. This includes finding the ones we cannot see, and offering support with practical mechanisms. **Co-operation cannot take place without maximum inclusion.**

² As explained, for example, by Ariel Bleicher on 9 August 2017 in Scientific American's *Demystifying the Black Box That Is AI*
<https://www.scientificamerican.com/article/demystifying-the-black-box-that-is-ai/>

APPENDIX

Table of results per principle

Principle	Frequency (out of 27 texts)
Freedom of expression	23
Free flow of information	22
Accessibility	22
Bridging digital divide	15
Accountability	17
Protection of human rights and fundamental freedoms	22
Protection of personal data	17
Right to privacy	21
Openness	19
Affordability	11
Security, safety, and stability	19
Cultural diversity	20
Multistakeholder governance	21
Transparency	20
Democracy	19
Inclusion	18
Innovation	14
Freedom of assembly	6
Intellectual property rights	8
Strengthen and improve access to the IGF	3

ANNEX I

Breakdown of principles available [here](#).

1. Table of results per principle (appendix)
2. Principles per text
3. Short excerpts per text

ANNEX II

1. Relevant documents on principles and values available [here](#).

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