

Introduction

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This section offers a succinct assessment of how five international institutions have performed in relation to information and communication technology (ICT) policy, including the outcomes of the World Summit on the Information Society (WSIS). A theme of special interest is *participation* in policy-making, particularly the participation of civil society, of women, and of actors from the South.

Our authors examine the Internet Corporation for Assigned Names and Numbers (ICANN), the International Telecommunication Union (ITU), the United Nations Development Programme (UNDP), the United Nations Educational, Scientific and Cultural Organisation (UNESCO), and the World Intellectual Property Organisation (WIPO). The World Trade Organisation (WTO), an important institution with extensive and complex relationships to ICTs spread over a number of its agreements, is notable for its absence here and will be included in the next edition of this publication.

Each relates to ICTs differently. ICANN and ITU would normally be considered as core ICT governance institutions, around internet and telecommunication infrastructure respectively. UNESCO, on the other hand, sees itself as a major contributor to *content*, in science, culture and education: a full UNESCO sector is devoted to communication and information, and communication is at the heart of its mission. WIPO, concerned with intellectual property, might initially look out of place. But copyright exerts strong influence on access to ICT content, and WIPO is carving an important niche for itself in relation to digital content, by policing internet domain names on behalf of trademark holders and promoting new varieties of intellectual property in broadcasting, webcasting and all kinds of internet audio and video – all the while reinforcing and extending protection to owners. UNDP's interest is long standing and focuses on the ultimate application of ICTs specifically as enablers of development. Thus between them they cover ICT infrastructure, the generation and ownership of knowledge shared over that infrastructure, and the final application of ICTs to development.

So what do our authors conclude about them?

The WSIS process was unique. For the first time it brought together virtually all shades of ICT actors into intense debate, an opportunity to forge a shared view and plot the future together. But did this actually happen? And what was the role of these institutions?

As discussed elsewhere in this publication, the WSIS certainly did create a shared forum that, especially for the numerous participants arriving with highly specialised and sometimes narrow backgrounds, constituted an intensive crash-course in every facet of ICTs. Significant sharing and convergence in thinking did take place. Old divergences, however, in the end dictated a meagre outcome in policy terms. The limited engagement of non-ICT/telecoms policy-makers and especially of those concerned with development, the absence of any new funding, and the containment of proposals and commitments within a narrow range favoured by corporate and Northern interests

meant that those institutions charged with moving forward after Tunis in December 2005 are facing a very challenging task.

Three of these institutions – the ITU, UNDP and UNESCO – are considered here. Eight of the ten WSIS action lines with individual institutional moderation fell to these three. (Action line 7 on ICT applications is divided into eight sub-sections, two of which are covered by UNESCO). Lacking new funding or specific national commitments and programmes, and with the impetus generated from the Summit process now gone, the multi-stakeholder action line groups subsequently formed can probably, at best, identify a few niche areas in which their interests coincide sufficiently to warrant joint action.

To some extent, policy change will depend on the degree to which each institution has internalised the WSIS outcomes or will do so in the future. UNESCO appears to have done this most effectively, being determined at an early stage to use the WSIS to guide future actions under the theme of “Knowledge Societies”. Its current Medium-Term Strategy and the upcoming one for 2007 to 2013 strongly reflect the WSIS outcomes, led by its Communication and Information Sector. The UNDP, at this point lacking a unit at headquarters concerned with ICT, is realigning its activities in areas where ICTs have been mainstreamed – poverty alleviation and better governance – to conform to WSIS outcomes, a useful but limited effort. The ITU's Development Sector at its Conference in March 2006 sought to position itself as a key player in WSIS outcomes, but in practice merely cross-referenced its programmes for the next four years with the action lines and noted that “ITU-D functions may be reviewed taking into account WSIS outcomes.” Nor is the United Nations Group on the Information Society (UNGIS), the UN body responsible for coordinating WSIS implementation and chaired successively by the institutions above, likely to come up with significant policy initiatives.

The ITU, of course, has a larger policy role in promoting the WSIS outcomes through its member states' governments. The Antalya Plenipotentiary Conference in November 2006 was an opportune time to make, or at least assess, progress. In the event, ITU members agreed to incorporate the results of WSIS into their long-range plans and ongoing work programmes, but stopped short of revising their organisational priorities or resource allocations. The new Strategy Plan for the ITU makes only passing reference to the WSIS. (However, it is worth noting that a coalition of developing countries determined the election results of some key ITU posts and shaped some vital areas of ITU strategy. This can in part at least be attributed to the process of mutual interaction and collaboration arising from the WSIS process.)

WIPO and ICANN were more peripherally involved in the WSIS: the former mainly to ensure that nothing occurred there that would encroach on its bailiwick of intellectual property (its success was not least because this coincided with the position of powerful governments and the private sector); the latter, though without any official responsibilities, taking part in relevant discussions and actively involved in the UN Working Group on Internet Governance that laid the groundwork for the Internet Governance Forum (IGF). Of course, the IGF and indirectly perhaps the Global Alliance for ICT and Development (GAID) may be considered among the most significant outcomes

of the WSIS. As the title “institution” is perhaps premature for these, they are not given separate consideration here, but the analyses often reach out in their direction.

All five institutions are also active in areas of ICT outside the WSIS, but especially ICANN and WIPO. In terms of their policy-related activities, both come in for criticism. ICANN, a self-governing entity set up only in 1998, has succeeded in some areas of its mandate, but failed in others, notably relating to the delegation of new top-level domains registration. Criticism of WIPO is much more sweeping and severe. It stands accused of policy-making and implementation, including in its arbitration activities, that systematically favour the interests of intellectual property holders, from whom it gets its funding, and of ignoring its UN commitment to a development mandate.

Criticisms in both cases, interestingly, are closely related to their performance in facilitating broad participation, the theme of this report. ICANN is accused of not fostering accountability to and representation of the diversity of users, ultimately favouring the interests of one industry sector – the “rule takers” – over internet users and future businesses. WIPO is taken to task in no uncertain terms for a host of ways in which the “one-country, one vote” UN principle is subverted and the exercise of real power is skewed strongly in favour of more powerful countries and intellectual property holders.

In general it is difficult to distinguish in any of these institutions the issue of participation – of women, civil society or developing countries – in ICT policy processes from the participation of these sectors in their wider institutional activities and structures.

UNESCO and UNDP both have strong institutional support for gender-related issues, which is hardly surprising given the domains in which they operate. The ITU has recently committed itself to “accelerating gender mainstreaming.” ICANN has no specific commitment relating to gender balance, but institutional changes have led to a growing number of women in its decision-making positions. However, as far as can be ascertained, few if any specific initiatives relating to gender-balanced ICT policy making, including at the WSIS, were taken by these institutions.

A somewhat similar picture emerges with regard to the participation of civil society. UNESCO and the UNDP, as core UN agencies, have a long history of facilitating participation, although its effectiveness is constantly a matter for debate. The ITU has only recently woken up to the existence of civil society, and is slowly making moves towards integrating civil society representatives into its activities, but is yet a far cry from the promise of the WSIS for balanced multi-stakeholder participation. WIPO also allows civil society accreditation, though the modalities of participation are limited. ICANN appears to be going in reverse, and it has greatly reduced the influence of civil society, “at-large members”, and hence the breadth of internet users in its structures.

Southern participation is also varied. UN institutions do maintain the “one country, one vote” principle but as noted above this can be subverted in a number of ways. Additionally, WIPO stands accused of ignoring its UN development mandate. As a key UN development agency, the UNDP takes most seriously its role in relation to Southern

representation and is structurally and institutionally sensitive to it. UNESCO, although not a development agency per se, explicitly gears its strategy and programmes towards the South. The ITU has its development division, ITU-D, to focus on development issues and, as noted, developing country members have recently asserted some newfound confidence, partly arising from the WSIS. Participants from developing country stakeholders in the structures of ICANN, which does not have a national membership structure, are under-represented.

Beneath the formal level, it proved more difficult to assess the efforts made to ensure broad participation. Part of the problem is that information on the precise numbers of participants who are women or representatives of civil society or the South is seldom recorded or compiled, and specific actions are often isolated and unique. UNESCO, however, can be credited with supporting systematic efforts to assist civil society, including to some extent from the South, in the early stages of the WSIS.

Each institutional assessment comes forward with a set of recommendations. Standing above all of these is the fact that we are already seeing a shift away from the summit approach in future global policy formulation. The relevance of getting everyone together under a single roof and hammering out a common policy diminishes as the UN system as we know it evolves towards more open models, and as policy is more and more made by facts on the ground, established in bilateral, multilateral and regional forums.

In this scenario, achieving some kind of consensus relies more on the incorporation of all views into the processes of each institution – the question of participation once again – and on improved and innovative mechanisms for coordination and partnership building. ■