

**Derechos Digitales submission to the
ITU Council Working Group on International Internet-related Public Policy Issues
(CWG-internet)**

**Online Open Consultation on
“The developmental aspects to strengthen the Internet”**

About Derechos Digitales

Derechos Digitales¹ is an independent, non-profit organization with a Latin American reach, founded in 2005. Its fundamental objective is the development, defense, and promotion of human rights in the digital environment. In our work, we carry out advocacy actions at national, regional, and international levels. Derechos Digitales holds an ECOSOC status.

Summary

To effectively address internet development in multilateral and multi-stakeholder processes, such as the Summit of the Future and WSIS+20, it is essential to enhance meaningful participation by removing barriers that limit access for underrepresented groups. The current participation processes often lack true dialogue, reducing the opportunity for genuine engagement. To foster a more inclusive and equitable approach, common principles must be established to ensure active and diverse participation, particularly from Global Majority countries, and to create alternative formats that encourage multidirectional exchanges.

Challenges in fostering meaningful connectivity and achieving universal access are significant, particularly in the context of the digital divide in Latin America. The growing focus on artificial intelligence risks overshadowing critical efforts to close this divide. Public policies must prioritize the development of technical standards for measuring the digital divide and support the creation of community networks in geographically challenging areas. Additionally, the approach to internet access should consider the ethnic and cultural contexts of affected communities, ensuring that connectivity does not disrupt local practices but rather enhances them.

To promote international multistakeholder cooperation on internet development, there is a need to strengthen the multistakeholder model by ensuring diverse representation and full participation in decision-making processes. This includes providing support for stakeholders from underrepresented regions through accessible accreditation systems, travel assistance, and human rights due diligence for host states. Furthermore, it is crucial to establish clear guidelines for stakeholder interaction, ensuring transparency and consistency in consultation processes, and fostering sustainable dialogue among all parties involved.

1. How relevant multilateral and multi-stakeholder processes, including but not limited to UN-based processes such as Summit of the Future, WSIS+20 and the IGF, could address aspects related to Internet development?

1 See: <https://www.derechosdigitales.org/>

To enable various forums and multilateral and multi-stakeholder processes to better address issues related to the development of the internet, we believe it is necessary to:

(i) Strengthen the processes of meaningful participation in these environments

There is an urgent need to enhance processes aimed at facilitating, expanding, and strengthening inclusive and equitable participation of stakeholders in the various forums and environments where the future of the internet is debated, including its technical standards.

There are entry barriers to these spaces, ranging from difficulties or limitations in accreditation processes for participation, the high costs of participation that fall solely on the participants, to the short time frames of participation processes versus the limited capacity of participants to attend multiple and even concurrent participation processes—among others.

In the case of the ITU, the ability of States to oppose the membership of civil society organizations, combined with voting rights being exclusively recognized for States, creates exclusionary criteria that further complicate the realization of the meaningful participation principle.

Moreover, it is necessary for the different environments where aspects related to the development of the internet are discussed to share common principles or standards aimed at ensuring the active participation of underrepresented people, organizations, and communities from Global Majority countries. For example, in 2022, women made up only 27% of the participants in the study groups of the ITU Telecommunication Standardization Sector.

In practice, when participation is offered, most of the participation processes are reduced to the opening of a written consultation form for a brief period in time, and sometimes to its oral presentation in just a few minutes (averaging between 2 to 5 minutes).

The nature of these interactions, limited by their format and duration, makes participation largely a one-way process where there is no true dialogue, exchange, or joint reflection between participants and other stakeholders. There is a need to imagine alternative ways that bring meaningful participation to life as a multidirectional process where it is possible to engage in dialogue or exchange with other actors. Especially in the ITU, where participation remains a vertical process, non-state actors do not have voting rights, which diminishes their influence and engagement in the ITU's mechanisms.

(ii) Strengthen transparency and diversity in decision-making processes in multilateral and multi-stakeholder processes

There is an urgent need to increase transparency and clarity regarding how the various forums and environments where the future of the internet is discussed operate internally, how they are composed, and how they deliberate. Transparency will undoubtedly foster the trust essential in multi-stakeholder exchange and collaboration processes.

It is also crucial to increase the representation of Global Majority countries in decision-making bodies, as well as to enhance their diversity in terms of gender, among other aspects. In the move towards transparency, it is also necessary to improve the channels of communication and information delivery not only about the consultation and participation processes but more broadly about the work of the bodies responsible for discussing the future of the internet. This is especially true regarding monitoring and tracking the agreements reached by these bodies and the commitments made by States in these forums.

(iii) Harmonize multilateral and multi-stakeholder processes to avoid duplication of efforts

There is an urgent need to harmonize and promote coordination among the governing bodies leading multilateral and multi-stakeholder processes to avoid duplicating efforts and to facilitate the identification of gaps or omissions in the work agendas of these spaces.

This harmonization can also be useful in facilitating collaboration on current or future initiatives for discussing critical aspects of internet development, as well as contributing to their alignment and synchronization.

Also, attending the recommendations raised by the Office of the United Nations High Commissioner for Human Rights (A/HRC/53/42) about the gaps seen on actors part of the technical standard-setting landscape it would be highly advisable for the ITU to:

- Significantly reduce or eliminate the costs associated with the memberships of civil society organizations.
- Provide civil society with mechanisms to dialogue and interact with their country delegates, as well as diversify the forums in which they can express their concerns and participate actively and in the decision-making processes.
- Ensure full and active transparency regarding how the various working groups of the ITU are operating, including how their agendas are being set and addressed. It would also be highly valuable to provide information about the discussion of drafts, internal deliberations, and other acts of transparency that help build trust between the ITU and other stakeholders.
- Offer technical and financial support so that civil society organizations can engage more actively and easily in the ITU's discussions and activities.

What are the challenges and opportunities, good practices and favourable policy environments to strengthen the Internet, including in areas such as:

- Fostering meaningful connectivity & achieving universal access

It is important to continue emphasizing the need to address and develop in the scope of the work of the ITU public policies focused on closing the digital divide and achieving meaningful connectivity within the framework of global processes aimed at discussing the development and future of the internet. We are concerned that the discussion around artificial intelligence governance and its widespread adoption might overshadow, delay, or diminish the importance of developing future standards or public policies aimed at closing the digital divide².

In our work in Latin American countries, we have identified how the persistence of the digital divide, in the face of progressive digitalization—now coupled with AI—of public services, can reinforce structural inequalities and exclude those who still do not have meaningful internet access. In the continuation of such policies, it is urgent to generate technical standards for measuring the digital divide, directed at decision-makers. In Latin America, measuring the digital divide depends on indicators designed within each local context, making regional comparative measurement of the divide a complex process.

It is also urgent to promote public policies aimed at benefiting, funding, and facilitating the creation of community networks in the most geographically challenging areas. Special attention should be paid to connectivity needs in regions with isolated territories, such as jungle areas, as

2 See: Velasco, P.; Venturini, J. (2021). Decisiones automatizadas en la función pública en América Latina. Una aproximación comparada a su aplicación en Brasil, Chile, Colombia y Uruguay. Derechos Digitales. En: https://www.derechosdigitales.org/wp-content/uploads/CPC_informeComparado.pdf

well as in islands and archipelagos, which remain deeply disconnected³. Additionally, we believe it is timely to pay attention to the ethnic and multicultural approach behind the concept of meaningful internet access and the particularities of its implementation in communities where accessing the internet impacts local cultural and social practices.

Among the various public policies that urgently need to be developed for Latin America is the development of clear actions on how to practically operationalize the protection of the principle of net neutrality, especially in light of the growing wave of regulations aimed at regulating digital platforms and defining rules of responsibility for the creation of user-generated content on the internet.

It is also urgent to develop guiding public policies focused on exploring, analyzing, and generating guidelines to address internet shutdowns, which are an increasingly prevalent phenomenon in Latin America⁴. There is a pressing need for directions and guidelines on how to analyze the causes and impact of these shutdowns and to promote standards for their documentation and monitoring. These efforts should be directed not only at decision-makers but also at other stakeholders, including civil society and academia.

How can we promote international multistakeholder cooperation on public policy issues that are focused on promoting the development aspects of the Internet?

First and foremost, there should be a concerted effort to strengthen the multistakeholder model within policymaking processes. This entails ensuring diverse representation, particularly focusing on under-represented groups and regions.

The principle of multistakeholderism can be further enriched by providing stakeholders from the Global Majority and other under-represented groups with ample opportunities for full participation in decision-making processes. This includes establishing accessible accreditation systems, offering travel and visa support, and conducting human rights due diligence for states hosting forums.

Secondly, it is urgent to create a set of actionable principles and guidelines aimed at strengthening consultation and interaction processes among the multiple stakeholders. Currently, the interaction between these parties varies depending on which actor is leading the consultation process in question, and even within the same public consultation, the rules of interaction between actors can change in a non-transparent manner over time. The integration of stakeholders requires, among other things, clear rules about their representativeness, selection, participation spaces, and modes of intervention, and above all, the creation of sustainable dynamics open to ongoing dialogue.

3 See: Lara Castro, P.; Souza, M. (2023). Latin America in a Glimpse. Acceso a internet en la región amazónica. Tendencias en los casos de estudio desde Brasil, Bolivia, Colombia y Ecuador. Derechos Digitales. En: https://www.derechosdigitales.org/wp-content/uploads/DD_Amazonia_5_General-3.pdf

4 See: Derechos Digitales (2023). Una panorámica de los apagones de internet en América Latina. Derechos Digitales. En: <https://www.derechosdigitales.org/wp-content/uploads/Shutdowns-panorama.pdf>