

one of the pivotal issues raised. It was found instrumental in achieving the development goals of the Geneva Plan of Action, but defining Internet governance and the responsibilities of the stakeholders proved to be complicated. The UN Secretary-General set up a Working Group on Internet Governance (WGIG) to look into these issues. The resulting report fed into the 2<sup>nd</sup> World Summit on the Information Society (WSIS-II), which took place in Tunis in 2005.

The signatories of the Tunis Agenda hammered out the following definition: Internet governance is the development and application by governments, the private sector and civil society, in their respective roles, of shared principles, norms, rules, decision-making procedures, and programmes that shape the evolution and use of the Internet. To keep up the momentum, they called on the UN Secretary-General to establish a multilateral, multi-stakeholder, democratic and transparent platform for discussions on Internet governance issues. That is how the IGF was born.

I am proud that the next edition will be held in my native Poland (Katowice, 6-10 December 2021). My country was one of the first to fully adapt the national legal framework to the provisions of the EU General data protection regulation (GDPR) of 2016. Poland was also a fervent supporter of the EU Regulation on the free flow of non-personal data of 2019, in a quest to remove controls on cross-border data transfers and government restrictions requiring that a country's data be stored and processed on national territory. It is from Poland that came the idea of organising, in cooperation with Estonia, the Tallinn Digital Summit in 2017 that gathered heads of state and government from across Europe. The same year, Poland took part, for the first time in history, in the G20 Digital Ministers Meeting, hosted by Germany in Düsseldorf. Such practices make it impossible to fully tap the potential of the data-driven economy, thus frustrating economic growth. Entrusting Poland with a mission to organise this year's IGF plenary meeting underpins our commitment to the cause of open and universally accessible Internet.

## *2. The IGF 2021 priorities as stated by the MAG*

The IGF is much more than a once-a-year event: it represents a whole-year-long process including annual meetings and intersessional activities. The IGF process is coordinated by the Multistakeholder Advisory Group (MAG), which sets forth the guidelines for main sessions and where I had spent two terms of office as a member before taking the honour to co-

chair it this year. The community contributes by proposing and organising workshops.

A call for issues, launched in the run-up for the IGF 2021 summit in Katowice, Poland, resulted in over 230 responses. These were examined and prioritised by the MAG, which eventually fell into two issue baskets, each containing separate issue areas:

**Basket 1: Main Focus Areas (outcome-focused):**

- Economic and social inclusion and human rights
- Universal access and meaningful connectivity

**Basket 2: Emerging and Cross-cutting Issues (discussion-driven):**

- Emerging regulation: market structure, content, data and consumer/users rights regulation
- Environmental sustainability and climate change
- Inclusive IG ecosystems and digital cooperation
- Trust, security, stability

To maximise the impact, we chose to stick with fewer policy issues and deal with them in depth, making sure that all stakeholders have their say, and that the conclusions are communicated effectively and strategically. By taking on the issue-driven approach, we aim to deliver more focused and structured outcomes, while keeping the IGF open for new and emerging issues. A rough allocation of time has been proposed for each basket: 60 per cent for the main focus areas and 40 per cent for the emerging and cross-cutting issues. Of course, this ratio is flexible, depending on the quality and nature of the topics discussed.

## *2.1. Main Focus Areas – overview*

### *2.1.1. Economic and social inclusion and human rights*

Despite all the civilisational progress, social and economic inequalities are actually on the increase around the globe. While the most urgent are those existential and life-threatening – such as hunger, extreme poverty, or compromised access to healthcare and education – we must not neglect disruptive technologies, as these carry an enormous potential for positive change. Indeed, they can go a long way towards promoting resilience,

sustainability, and inclusion, and thus towards achieving the full-fledged, indiscriminate participation in all walks of life. But this sword cuts both ways: while digital inclusion is a great amplifier of social and economic improvement, digital exclusion is a surefire way to deepening and entrenching all sorts of inequalities.

The paramount question is therefore how to leverage digital technologies to ensure that their benefits reach everyone. It goes without saying that promoting digital literacy and equity across age, gender, and geographies remains a priority. The gender gap in global Internet connectivity is in fact a stark example of digital divide – in two out of every three countries, more men use the Internet than women.<sup>3</sup> Similar challenges affect migrants, refugees, internally displaced persons, older persons, young people, children, persons with disabilities, rural populations, and indigenous peoples. These problems can only be addressed through a multistakeholder coordinated effort.

Digital technologies are crucial in providing online education or health services. But no less vital is their role in shaping policies in the fields of protection of privacy, freedom of expression, and freedom of assembly in the digital space. Digital technologies provide new means of exercising human rights, but do not shield them from violation. As Melvin Kranzberg, an American historian of science and technology, pointed out, ‘Although technology might be a prime element in many public issues, nontechnical factors take precedence in technology-policy decisions.’<sup>4</sup> Put simply, it is a person and his/her human rights that should always be in the centre of digital decision-making.

The idea of freedom has been around for a long time in the context of debates about the Internet. Freedom, however, is not tantamount to chaos. We need rules that will organise the online behaviours of companies, governments, and individual users. The existing regulatory frameworks have largely fallen behind the speeding digital train and need to be recalibrated to reaffirm its authority. Data protection, digital identity, surveillance techniques, online harassment, and content governance are of particular concern. Social networking sites, sharing economy companies, e-commerce outlets, fintechs need to be more accountable for their practices, and users need to become more aware of how to enforce their rights. But perhaps the most challenging issue is counteracting digital authoritarianism by

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<sup>3</sup> Report of the Secretary-General Roadmap for Digital Cooperation, June 2020

<sup>4</sup> Melvin Kranzberg, Technology and History: Kranzberg’s Laws, *Technology and Culture*, (1986) 27 3 *Technology and Culture* 544–560.

governments who claim to be exercising their legitimate powers. Sadly, it is often doomed to failure for lack of coercive measures within the UN system, let alone the IGF community.

### 2.1.2. Universal access and meaningful connectivity

The COVID-19 pandemic demonstrated that ensuring sustainable access to the Internet is a priority, indispensable for full participation in society, democracy, and economy. In keeping with the Sustainable Development Goals (SDGs), by 2030 every person should have a safe and affordable Internet connectivity, including the use of digitally enabled services. As of today, the brutal truth is that digital technologies are not there for everyone. Many countries and citizens are deprived of capacities and skills, which makes them illiterate in the digital era we live in. In fact, 40 per cent of the world's population currently does not have access to the Internet (as of January 2021, the global Internet penetration rate is 59.5 per cent, with 4.66 billion active Internet users worldwide<sup>5</sup>). In 2019, close to 87 per cent of individuals in developed countries used the Internet, compared with only 19 per cent in the least developed countries.<sup>6</sup>

The prerequisite for achieving social welfare headway is universal connectivity. Yet, the evidence is clear that access to the Internet is not sufficient on its own. A more human-centric and holistic approach to digital equity is needed. This means going beyond technical parameters and articulating a definition of digital inclusion that combines:

- affordable, robust broadband service,
- Internet-enabled devices,
- digital skills,
- applications and content designed to enable and encourage self-sufficiency, participation and collaboration (e.g. education, healthcare, economic development, health, agriculture),
- digital equity, meaning that all these services should be available for all, regardless of race, language, disability, or geographic location .

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<sup>5</sup> Digital 2021. Global Overview Report.

<sup>6</sup> International Telecommunications Union (ITU), *Measuring Digital Development. Facts and figures* (ITU 2019).

Only once all these aspects are present, connectivity will bring us closer to achieving the UN Sustainable Development Goals and improving people's lives.

## 2.2. Emerging and Cross-cutting Issues – overview

### 2.2.1. Emerging regulations: market structure, content, data and consumer/users rights regulation

The concept of Internet governance covers two major layers: technology (carriers) and substance (content). Regulatory efforts should range from national and international initiatives by governments and NGOs, through private sector self-regulation, to co-regulation, with a special focus on:

- Addressing anticompetitive practices and monopolistic behaviours by large technology companies and ensuring the level-playing field on the market to encourage innovation and market-entry from small players.
- Enacting new regulations clarifying the responsibility of Internet intermediaries for the content they host, as well as their role in tackling issues such as online misinformation/disinformation and the spread of violent content and hate speech. This begs the question of whether, and to what extent, Internet platforms should be allowed to censor freedom of expression online through their content moderation policies.
- Leveraging data governance frameworks to enable the responsible and trustworthy use of personal and non-personal data. The issue of cross-border data flows remains high on the international agenda, as countries have different approaches towards the extent and the conditions under which they enable data transfers. Is developing unified data governance frameworks possible at the international level?
- Protecting consumer rights in the digital space (sales, advertising, etc.). Is more regulation needed to strengthen the enforcement of consumer rights and ensure that Internet companies do not engage in unfair and deceptive practices? What can be done (and by whom) to build consumer awareness (for instance, around practices such as cookies, tracking, and targeted advertising)? Is there a role for AI in achieving better consumer protection?

### *2.2.2. Environmental sustainability and climate change*

Mitigating the climate change and ensuring the environmental sustainability are among the most pressing global issues. Here, again, the Internet and other digital technologies can play a positive or a negative role: cause harm to the environment (for instance, through e-waste and energy consumption), or help advance environmental sustainability.

Targeted policies and actions are therefore needed to green the Internet and foster the use of technologies such as AI and Big Data to address environmental challenges. Examples include improving the circular economy around digital devices, extending the lifetime of software and devices, and promoting technologies that help reduce carbon emissions and energy consumption.

Equally important is developing and putting in practice adequate governance frameworks that enable the sharing and re-use of environmental data. At the same time, more attention should be devoted to promoting environmental education and building awareness on environmental sustainability within the digital space.

### *2.2.3. Inclusive IG ecosystems and digital cooperation*

The Internet serves as the primary tool both for mass and point-to-point communication, and as such provides the global infrastructure of the information society. It appeals to people because of its distributed and interoperable design. Innovations based on information and communication technologies (ICTs), such as social media and the mobile Internet, are empowering individuals and institutions by putting megabytes of knowledge right at their fingertips, wherever they live, work or operate.

There is also a wide-ranging consensus on the need to promote open information resources, such as for education and learning, the respect for personal privacy, the protection from surveillance, and the freedom of expression in an increasingly digital world. Over time, however, the percentage of the Internet that is open source and public has significantly decreased. Access to digital solutions is often limited by copyright regimes and proprietary systems. Moreover, digital public goods are unevenly distributed in terms of language, content and infrastructure required to access them.

It is symptomatic that we talk about Internet ‘governance’ rather than ‘government’. The reason seems obvious but let us state it: what constitutes the cyberspace and what happens there cannot be handled by

traditional national institutions. ‘Governance’ implies a polycentric order, reflecting the fact that the Internet is not a product of any institutional hierarchy, but requires transnational cooperation to represent the global population’s common interest.

The Internet spread around the globe without direction from the states or intergovernmental bodies. It was a spontaneous and impetuous process, generating no new rules of international law. By virtue of relying on a combination of public and private components, the Internet has no single owner. Also, as it crosses borders, no single government has the sole authority over it. However, governments, businesses and individuals can materially impact, locally and internationally, the availability and functionality of the network from a user’s perspective. Internet governance is therefore a multistakeholder process. Its multifunctional and decentralised nature means that an array of actors hold a stake in it and thus should be involved in its development and enforcement. One of the challenges ahead is reconciliating the inputs by governments, companies, civil society and academia to effectively and fairly govern the Internet.

Digital sovereignty has become a hot topic in a wide variety of contexts. In fact, some countries have pushed to expand the influence of national governments at the expense of businesses and the civil society. They claim digital sovereignty to justify nationalistic policy frameworks regarding digital industrial policies, forced data localisation, and security measures, while reducing international interdependencies and reasserting their autonomy and control. Some actors back up this attitude as a necessary corrective to Internet-based globalisation, whereas others fear that values such as Internet freedom and openness, cross-border e-commerce may be jeopardised. To bring Internet governance under governmental and intergovernmental control, they argue, will produce dire consequences for innovation, commerce, development, democracy, and human rights, especially regarding censorship.

It is common knowledge that authoritarian governments censor political and social content much as they do in the traditional media. Mechanisms of online censorship include technical blocking of websites, search result removal, legal take-downs, and induced self-censorship. Against this background, the IGF defends democratic values that draw upon liberty. Never has an organised and inclusive global debate been more needed than it is now, and there is no better venue than the IGF to foster a meaningful dialogue.