

Just Net Coalition

www.justnetcoalition.org

Email: secretariat@justnetcoalition.org

More than 170 Civil Society Groups Worldwide Oppose Plans for a Big Tech Dominated Body for Global Digital Governance

Not only in developing countries but also in the US and EU, calls for stronger regulation of Big Tech are rising. At the precise point when we should be shaping global norms to regulate Big Tech, plans have emerged for an 'empowered' global digital governance body that will evidently be dominated by Big Tech. Adding vastly to its already overweening power, this new Body would help Big Tech resist effective regulation, globally and at national levels. Indeed, we face the unbelievable prospect of 'a Big Tech led body for Global Governance of Big Tech'.

To

The Secretary General,

United Nations, New York

Your 'Roadmap for Digital Cooperation' rightly recognises that "the world is at a critical inflection point for technology governance, made more urgent by the ongoing pandemic". We are however concerned that the proposal for a new "strategic and empowered" High Level Multistakeholder Body with substantial digital policies related roles runs directly counter to the outcomes of the World Summit on the Information Society (WSIS) and its official follow-up process. It is in any case unacceptable that such an apex policy body will have corporation and government nominees sitting as equals. Worse, the proposed Body will rely largely on private (i.e., corporate) funding, and the main proposal currently on the table for this Body suggests linking gaining a seat on it with providing funding support. This is a new low for the UN, and an unthinkable dangerous direction for the future of global governance.

The WSIS mandated a process of 'Enhanced Cooperation' for developing "international public policies pertaining to the Internet" (or global digital policies), and a multistakeholder policy dialogue space, the Internet Governance Forum. While a multistakeholder UN Internet Governance Forum has been functioning since 2006, the multilateral element of actual policy development, the 'Enhanced Cooperation' framework, is yet to come to fruition. However, it remains firmly on the agenda of WSIS follow-up, with the UN General Assembly in December, 2020, noting "the need for continued dialogue and work on the implementation of enhanced cooperation" as envisioned by the WSIS.

The delay in setting up a governments-led UN body/mechanism/framework for digital policies, as mandated by the WSIS, leaves a temporary vacuum into which this proposed High Level Multistakeholder Body seeks to insinuate itself. Yet the mandate is not at all clear for how the official, formal, process for 'Enhanced Cooperation' can be superseded (and subverted) by an informal process led by Secretary General's office

(albeit with a slightly changed name of 'Digital Cooperation'). (See Annex 1 to this document on how this expressly violates mandates from the WSIS and UN GA).

With the IGF working well as a policy dialogue forum, the various functions laid out for the proposed High Level Multistakeholder Body – although often stated in rather roundabout ways – seem designed to make it 'the' prime norms setting body for global digital governance, while providing it a private funding base. (See Annex 2 on the obvious policy role of this proposed Body, and its problematic funding model.)

Not just in developing countries but also in the US and EU, calls for stronger regulation of Big Tech are rising. At the precise point when we should be shaping global norms to regulate Big Tech, it is a sheer paradox to see plans emerge for an 'empowered' global digital governance body that will clearly be dominated by Big Tech. Adding vastly to its already overweening power, this new Body would help Big Tech resist effective regulation, globally and at national levels. We indeed face the unbelievable prospect of 'a Big Tech led body for Global Governance of Big Tech'.

A Readers Guide (University of Massachusetts-Boston) describes how the World Economic Forum's (WEF) Global Redesign Initiative believed that "'multistakeholder consultations' on global matters should evolve into 'multi-stakeholder governance' arrangements". "This transformation means that non-state actors would no longer just provide input to decision-makers ... but would actually be responsible for making global policy decisions." The Global Redesign Initiative's report sought a focus first on "designing multistakeholder structures for the institutions that deal with global problems with an online dimension." And then: "... as ever more problems come to acquire an online dimension, the multistakeholder institution would become the default in international cooperation."

The sense of *déjà vu* in what is now unfolding in front of us is rather eerie. The first step of turning a body for 'multistakeholder consultations' (IGF) into one for 'multi-stakeholder governance' (the IGF plus, High Level Multistakeholder Body) for the 'online' or digital' dimension, is evidently under way. To be noted also is how the term 'cooperation' is deployed in the above WEF 'plan' to mean actual policy making, similar to its use in the 'Digital Cooperation' initiative and architecture.

We urge the office of the UN Secretary General to immediately withdraw the proposal for a High level Multistakeholder Body for 'Digital Cooperation', since it would become the *de facto* body for 'global digital governance'. If this proposal is adopted, it will sound the death knell of democratic and multilateral global governance, replacing it with corporate-led governance systems, that (as envisaged by the WEF) will extend more widely with increasing digitalisation of all sectors.

Indeed, such capture of policy forums is already happening across several dimensions of the UN multilateral system. It already exerts a direct impact on people's lives – as we see now clearly in the pandemic in the case of governance of health, but also in the governance of food, education and environment. Recent developments such as COVAX and Food Systems Summit are examples of movement in this direction, following the model further advanced in the WEF's latest 'The Great Re-Set'. The rapidly growing role of big data, AI and digital platforms in all sectors fits well with the move towards, in effect, global self-regulation of Big Tech, and would have the effect of a further lock-in of this approach across all sectors.

As it has been mandated by the WSIS, we further urge the office of the UN Secretary General to dedicate itself to exploring how best a democratic system for global digital governance can be developed, following the WSIS guidelines.

Our specific requests from the office of the Secretary General:

1. The proposal for an 'empowered and strategic' High Level Multistakeholder Body for Digital Cooperation should be shelved. We do not see any role or need for it.
2. A clear distinction should be made between what could be Digital Cooperation for assisting UN agencies in deploying digital technologies in programmatic terms, on the one hand, and UN's core digital policy functions, on the other. With regard to the former, some steps have been proposed in the Roadmap for Digital Cooperation. We may have varying levels of concerns in relation to some of these steps. However, what we are most concerned about here is the completely unacceptable over-reach of the Digital Cooperation agenda towards substantive policy functions, even if somewhat hidden under various vague terms and descriptions. The Digital Cooperation agenda should be re-worked to be confined, if at all, to programmatic and policy dialogue functions. Any framework or forum set up under it should not in the slightest exceed such functions. This should be fully clarified in all relevant documents and mandates. All the vague and confusing language in this regard should be replaced with clear description of roles and functions, fully excluding any substantive policy roles. We are happy to offer our further suggestions and assistance in this regard.
3. Efforts should be renewed in full earnest to develop a genuinely democratic system for global digital governance, keeping vested corporate interests at bay. The office of the Secretary General should start a new, formal, process of consultation on this issue as per WSIS guidelines. This is especially pertinent now given the dramatically changed public and political opinion on the need for close regulation of Big Tech, and the fact that Big Tech is global and therefore requires a certain level of effective global governance, with appropriate global norms and polices.

Signed

1. Just Net Coalition (Global)
2. Transnational Institute (TNI) (Global)
3. Society for International Development (SID) (Global)
4. Tricontinental Centre (CETRI) (Belgium)
5. FIAN International (Global)
6. Focus on the Global South (Asia)
7. ETC Group (Global)
8. Global Campaign for Education (Global)
9. Development Alternatives with Women for a New Era (DAWN) (Global)
10. Internet Ciudadana (Latin America)
11. Association for Proper Internet Governance (Switzerland)
12. Agencia Latinoamericana de Información (ALAI) (Latin America)
13. Nexus Research Cooperative (Ireland)
14. Social Watch (Global)
15. Observatory of Linguistic and Cultural Diversity on the Internet (Global)
16. IT for Change (India)

Over 150 more civil society groups supporting this letter are listed after Annex 2.

Annex 1

A brief institutional history of WSIS and its follow up in relation to the proposal for a High Level Multistakeholder Body for Digital Cooperation

The World Summit on the Information Society (WSIS), held in two phases in 2003 and 2005, mandated two complementary but distinct policy processes; a multilateral process of ‘Enhanced Cooperation’ for actual policy making, and a multistakeholder Internet Governance Forum (IGF) as a policy dialogue forum.

UN IGF was formed in 2006, and it meets annually. In 2010, the UN General Assembly (GA) set up a Commission on Science and Technology for Development (CSTD) Working Group on Improvements to the IGF. Its report was adopted by the UN GA and has been implemented. Significantly, many design elements of the now proposed High Level Multistakeholder Body – involving new kinds of more substantive policy roles for the IGF or IGF associated bodies – were expressly considered by this Working Group and rejected. It is concerning, and unacceptable, how these elements of an ‘empowered IGF plus’, having been rejected by a formal process pursuant to extensive consultations, are re-emerging through the back-door of an informal process driven by the Secretary General’s office.

The other WSIS-mandated ‘complementary’ process of ‘Enhanced Cooperation’, for actual policy making, remained a contested issue. From 2014 to 2018, two successive CSTD Working Groups considered various ways to implement this key WSIS recommendation, but an agreement could not be reached. However, this process of exploring the appropriate architecture for Enhanced Cooperation on global digital policies is not closed. The WSIS + 10 meeting in 2015 called for “continued dialogue and work on the implementation of enhanced cooperation”. This call was repeated by a UN GA resolution in 2020.

As with the Multistakeholder Advisory Group (MAG) of the IGF – and quite likely an extension of it – the new High Level Multistakeholder Body would have corporation and government nominees, in addition to some technical community and civil society members, sit as equals. This is acceptable for the MAG whose role is basically to develop the program for the annual IGF. On the other hand, the proposed new High Level Multistakeholder Body has a clear and central policy role. There is no evident reason otherwise to go beyond the current IGF and MAG structure, which has been performing well as a policy dialogue system, as mandated by the WSIS.

The current proposal appears to be a clear effort to creep from the IGF side to the Enhanced Cooperation side of the WSIS mandate, because it was the Enhanced Cooperation process which was supposed to undertake the policy development role. It is precisely to pre-empt any such mission creep from the ‘policy dialogue’ multistakeholder IGF side to substantive policy space that the UN GA has clearly stated in its post WSIS resolutions that the IGF and Enhanced Cooperation are to be ‘distinct’ i.e. separate processes. There is therefore no scope for an ‘Internet Governance Forum plus model’ or to ‘enhance the Forum’ (both terms from the SG’s Roadmap document), as some kind of a hybrid between the policy dialogue function of the IGF and substantive policy function of the WSIS mandated ‘Enhanced Cooperation’ (which is supposed to be multilateral, but with multistakeholder consultations). The new High Level Multistakeholder Body is evidently trying to become such a hybrid. This is a clear subversion of the architecture laid out by the WSIS and subsequent guidelines from the UN GA.

The High Level Multistakeholder Body for Digital Cooperation is evidently ‘Enhanced Cooperation’ in camouflage, seeking to take over the latter’s digital policy development role. Only that it does not at all

qualify for such a role from a WSIS mandate point of view, which laid out directions of what and how of such an Internet/digital policy body in its Tunis Agenda.

Once such a High Level Multistakeholder Body dabbling in substantive policy issues is formed, it will slowly but surely seek to fill up the vacuum left by non-creation of a democratic and multi-lateral body for development of global Internet and digital policies. It will thus come to be at the apex of global digital governance and policy system.

Annex 2

Some quotes from documents related to the High Level Multistakeholder Body which show its proposed central policy role, and problematic private funding model

The evident central policy function of the proposed High Level Multistakeholder Body

The report of the 'High Level Panel on Digital Cooperation', on which the UN Secretary General's (SG) 'Roadmap for Digital Cooperation' is based, described the policy function of the proposed High Level Multistakeholder Body in this fashion:

...incubate policies and norms for public discussion and adoption. In response to requests to look at a perceived regulatory gap, it would examine if existing norms and regulations could fill the gap and, if not, form a policy group consisting of interested stakeholders to make proposals to governments and other decision-making bodies. It would monitor policies and norms through feedback from the bodies that adopt and implement them.

Building on this report, the SG's Roadmap specifically calls for:

Creating a strategic and empowered multi-stakeholder high level body, building on the experience of the existing multi-stakeholder advisory group, which would address urgent issues, coordinate follow-up action on Forum discussions and relay proposed policy approaches and recommendations from the Forum to the appropriate normative and decision-making forum.

The part 'strategic and empowered' makes evident that this Body's role would go much beyond the policy deliberation function of the UN IGF. It will have some strategic, policy related power. 'Address urgent issues' is another part which points to some kind of decision-making role, quite beyond policy deliberation. So does 'coordinate follow-up action on IGF discussions'. How does the Body relay 'policy approaches and recommendations' from the IGF, when there are no avenues or means for recommendation-making in the IGF? There is obviously meant to be some 'empowered' role of choosing, shaping and incubating policy approaches and recommendations by the new proposed Body.

In default of any other specific Internet or digital norms-shaping or policy-making body in the UN system, policy approaches and recommendations coming out of this proposed Multi-stakeholder High Level Body will be presented and construed as 'the' global norms and soft law in the digital arena.

The private funding model for the proposed High Level Multistakeholder Body

In this regard, the report of the 'High level Panel' said:

All stakeholders – including governments, international organisations, businesses and the tech sector – would be encouraged to contribute.

The SG's Roadmap builds on this, to propose:

Addressing the long-term sustainability of the Forum and the resources necessary for increased participation, through an innovative and viable fundraising strategy, as promoted by the round table.

No document seems available about what got 'promoted by the round table'. But all indications are that the focus is on non-UN, private funding. With such an alluring, high profile digital norms-shaping and policy role,

a large part of such funding would very likely come from Big Tech and other corporate sources. A proposal for how the High Level Multistakeholder Body (HLMB) should be run developed by a Working Group of the Multistakeholder Advisory Group (MAG) of the IGF – MAG itself being a strong candidate for a central role in the proposed new Body – has this to say about its funding:

"Probably, some senior people sitting in the MHLB will have a bigger incentive to consider funding the IGF Secretariat, without making this a requirement at all."

There is more than a hint here of 'pay to play'. All the relevant documents are generally clear about a focus on private funding, with references to how members of this body being well resourced, and providing various resources for its functions, would be such a good thing.

Continued.

This open letter may also be accessed in [French here](#), in [Spanish here](#), in [German here](#), and in [Dutch here](#).

Continued List of Endorsing Organisations

Global

17. Third World Network
18. Bread for the World
19. Agencia internacional de noticias PRESENZA
20. People's Health Movement
21. LDC Watch
22. Global Forest Coalition
23. World Association for Christian Communication (WACC)
24. Baby Milk Action, International Baby Foods Action Network (IBFAN)
25. Badayl
26. DisCO.coop
27. Emergent Works
28. Evolution of Mind, Life and Society Research Institute (EMLS RI)
29. Friends of The Earth International
30. International Movement of Catholic Agricultural Rural Youth (MIJARC)
31. Oikotree Global Forum
32. People's Dialogue
33. Intercontinental Network for the Promotion of Social Solidarity (RIPESS)
34. Centre for Research on Multinational Corporations (SOMO)
35. The Corner House
36. Urgenci International Network
37. Women Engage for a Common Future (WECF)
38. Association for Women's Rights in Development (AWID)
39. World March of Women International
40. Both ENDS
41. Ethical Minds

Regional

42. European Coordination Via Campesina (ECVC) (Europe)
43. Alianza Biodiversidad (Latin America)
44. Foro de Comunicación para la Integración de NuestrAmérica (Latin America)
45. Campaña Latinoamericana por el Derecho a la Educación (CLADE) (Latin America)
46. Asociación Latinoamericana de Educación y Comunicación Popular (ALER) (Latin America)
47. ALBA TV (Latin America)
48. Jubileo Sur/Américas (Latin America)
49. Sursiendo, Comunicación y Cultura Digital (Latin America)
50. Fundación de Estudios, Acción y Participación Social (FEDAEPS) (Latin America)
51. Colectivo Voces Ecológicas (COVEC) - Radio Temblor internacional (Latin America)
52. Consejo de Educación Popular de América Latina y el Caribe (CEAAL) (Latin America)
53. Project on Organising, Development, Education and Research (PODER) (Latin America)
54. Transnational Migrant Platform-Europe (TMP-E) (Europe)
55. Platform of Filipino Migrant Organisations (Europe)
56. Europe External Programme with Africa (Africa)
57. France Amérique Latine (FAL) (Latin America)
58. Africa Europa Faith and Justice Network (Europe, Africa)
59. African Centre for Biodiversity (Africa)
60. ALTSEAN-Burma (Southeast Asia)
61. Africaine de Recherche et de Coopération pour l'Appui au Développement Endogène (ARCADE) (Africa)
62. Asia Pacific Mission for Migrants (Asia Pacific)

63. Associació Cultural i Medi Ambiental Arrels (País Valencia, Països Catalans – SPAIN)
64. BlueLink Foundation (Europe)
65. Des De Baix – Attac PV (Baix Vinalopó, Spain)
66. Manushya Foundation (Southeast Asia)
67. International Institute for Non Violent Action (NOVACT) (Mediterranean)
68. Rural Women's Assembly (Africa)
69. Sisters of Charity Federation (United States)
70. Tax Justice Network Africa (Africa)
71. Women In Development Europe+ (WIDE+) (Europe)
72. WoMin African Alliance (Africa)
73. Torang Trust (Asia)
74. Empower India (Asia Pacific)
75. Centro de Documentación en Derechos Humanos “Segundo Montes Mozo S.J.” (CSMM) (Latin America)
76. Pesticide Action Network North America (PANNA) (North America)
77. Public Service International (PSI Américas) (Latin America)
78. Transform Europe (Europe)
79. Pacific Network on Globalisation (PANG) (Pacific)

National

80. Palestinian Grassroots Anti-Apartheid Wall Campaign - Stop the Wall (Palestine)
81. National Fisheries Solidarity Movement (Sri Lanka)
82. Food First Information and Action Network (FIAN) (Colombia)
83. Food First Information and Action Network (FIAN) (Germany)
84. Coordinacion De Ong Y Cooperativas (CONGCOOP) (Guatemala)
85. Deca, Equipo Pueblo, AC (Mexico)
86. Human Rights and Business Centre (HOMA) (Brazil)
87. Zambia Alliance for Agroecology and Biodiversity (ZAAB) (Zambia)
88. Afrikagrupperna (Sweden)
89. Participatory Research Action Network (PRAN) (Bangladesh)
90. Food Security Network (KHANI) (Bangladesh)
91. Centro de Estudios Humanistas de Córdoba (Argentina)
92. Agrupacion 19 de Octubre SUTEL (Uruguay)
93. Red en Defensa de la Humanidad (Ecuador)
94. Ateneo La Vaquita (Argentina)
95. Observatorio Latinoamericano de Geopolítica (OLAG) – UNAM (México)
96. Tatuy TV (Venezuela)
97. DIGNIDAD Movement (Phillipines)
98. Fundación Vía Libre (Argentina)
99. Posco Pratirodh Sangram Samiti/ Anti-Jindal & Anti-POSCO Movement (PPSS) (India)
100. Philippine Alliance of Human Rights Advocates (PAHRA) (Phillipines)
101. SENTRO Nagkakaisa at Progresibong Manggagawa (SENTRO) Trade Union (Philippines)
102. Woman Health (Philippines)
103. Asociación Red de Coordinación en Biodiversidad (Costa Rica)
104. Talent Upgrade Global Concept (Uganda)
105. Acción por la Biodiversidad (Argentina)
106. Aitec France (France)
107. All India IT and ITes Employees' Union (India)
108. All India Online Vendors Association (India)
109. Alternative Information Development Centre (South Africa)
110. Association For Promotion Sustainable Development (India)
111. Attac (Austria)
112. Attac (España)
113. Aufstehn.at (Austria)

114. Balay Alternative Legal Advocates for Development in Mindanaw (Phillipines)
115. Bangladesh NGOs Network for Radio & Communication (BNNRC) (Bangladesh)
116. Botswana Watch Organization (Botswana)
117. Canadian Community Economic Development Network (Canada)
118. Centre for Budget and Governance Accountability (India)
119. Centro Ecologico (Brazil)
120. Centro Internazionale Crocevia (Italy)
121. Citizens Coalition for Economic Justice (South Korea)
122. Comisión Nacional de Enlace (CNE) (Costa Rica)
123. Computer Professionals' Union (Philippines)
124. Confederation Paysanne (France)
125. Coorg Organisation for Rural Development (India)
126. ECODAWN (India)
127. Emancipate (Indonesia)
128. Ethical Consumer Research Association (United Kingdom)
129. Forum Das ONG/AIDS Do Estado De Sao Paulo (FOAESP) (Brazil)
130. Focsiv Italian Federation Christian NGOs (Italy)
131. Frente Nacional por la Salud de los Pueblos del Ecuador (FNSPE) (Ecuador)
132. Fresh Eyes (United Kingdom)
133. Gender Equity: Citizenship, Work and Family (Mexico)
134. German NGO Forum on Environment and Development (Germany)
135. Gestos (Brazil)
136. Grupo de Incentivo à Vida (GIV) (Brazil)
137. Global Justice Now (United Kingdom)
138. Green Advocates International (Liberia)
139. Grupo de Resistência Asa Branca (GRAB) (Brazil)
140. Grupo de Trabalho sobre Propriedade Intelectual (GTPI) (Brazil)
141. Grupo Semillas (Colombia)
142. Human Rights Online Philippines (HronlinePH) (Phillipines)
143. Indian Social Action Forum (India)
144. Indonesia for Global Justice (Indonesia)
145. Jamaa Resource Initiatives (Kenya)
146. Jatio Sramik Jote (Bangladesh)
147. Justiça Ambiental (JA!) (Mozambique)
148. Kairos Europe WB (Belgium)
149. Knowledge Commune (South Korea)
150. Korea SDGs Network (South Korea)
151. La Asamblea Veracruzana de Iniciativas y Defensa Ambiental (Mexico)
152. LUMEN APS (Italy)
153. National Campaign for Sustainable Development (Nepal)
154. Observatorio de Impactos Sociales de la Inteligencia Artificial (Argentina)
155. Haitian Platform to Advocate Alternative Development (PAPDA) (Haïti)
156. REDES-Amigos de la Tierra (FoE) (Uruguay)
157. Research and Support Center for Development Alternatives- Indian Ocean (RSCDA-IO) / Centre de Recherches et d'Appui pour les Alternatives de Développement - Océan Indien (CRAAD-OI) (Madagascar)
158. Rural Infrastructure and Human Resource Development Organization (RIHRDO) (Pakistan)
159. Sciences Citoyennes (France)
160. Southern and Eastern Africa Trade Information and Negotiations Institute (SEATINI) (Uganda)
161. Sherpa (France)
162. Solifonds (Switzerland)
163. Success Capital Organisation (Botswana)
164. Sunray Harvesters (India)
165. Védegylet Egyesület (Hungary)

166. WomanHealth (Philippines)
167. Zimbabwe Smallholder Organic Farmers Forum (Zimbabwe)
168. Área Género, Sociedad y Políticas (FLACSO) (Argentina)
169. ATTAC ACORDEM Association of Barcelona (Spain)
170. Urgewald, (Germany)
171. Vigencia (Brazil)
172. TWN, Trust (India)
173. Volkshilfe Österrei (Austria)

A list of those who endorsed this letter in a personal capacity is [here](#).

Since this is an ongoing campaign still getting support, the list of endorsements will periodically be [updated here](#).