CIVIL SOCIETY - TUAC

"THE   SEOUL DECLARATION"

TO THE OECD MINISTERIAL CONFERENCE

ON THE FUTURE OF THE INTERNET ECONOMY

Seoul, Korea

16 June 2008

This gathering of civil society organizations and organized labor at the OECD Ministerial Conference on the Future of the Internet Economy provides a unique opportunity to bring to the attention of the OECD Ministers assembled and the OECD member countries the concerns and aspirations of people around the globe, those who are on the Internet and those who are not.

We thank the OECD and the Government of Korea for the opportunity to organize a civil society and labor event and to participate in the OECD Ministerial Conference. Civil society and labor together prepared a paper for the OECD and organized a conference "Making the future of the Internet work for citizens, consumers and workers." A wide range of organizations participated in this effort, and this Declaration builds on its results.

A BROAD FRAMEWORK FOR THE FUTURE OF THE INTERNET ECONOMY

The policy goals for the Future Internet Economy should be considered within the broader framework of protection of human rights, the promotion of democratic institutions, access to information, and the provision of affordable and non-discriminatory access to advanced communication networks and services. Compliance with international human rights standards and respect for the rule of law, as well as effective human rights protection, must be the baseline for assessing global information society policies. Economic growth should be for the many and not the few. The Internet should be available to all. We therefore call attention of the OECD to Ministers to the following issues and we make the following recommendations:

* Freedom of expression. Freedom of expression is being violated around the globe by state censorship and by more subtle measures such as content filtering, privatized censorship and restrictions on so-called "harmful content." We urge the OECD to defend freedom of expression and to oppose mandated filtering, censorship of Internet content, and criminalization of content that is protected under international freedom of expression standards.

* Protection of Privacy and Transparency, We reaffirm our support for the OECD Privacy Guidelines as a fundamental policy instrument setting out minimal requirements for the transborder flow of personal data. We recommend adoption of the recent policy guidance on RFID and Online Identity Theft as Council Recommendations. We call on OECD countries to adopt and enforce data protection laws covering all sectors, both online and offline, and to establish international data protection standards that are legally enforceable. We further urge member states to ensure fairness, transparency, and accountability for all data processing for border security, identification, and decision-making concerning individuals.

* Consumer Protection. Trust and confidence are critical to the success of the Internet economy. The OECD should ensure that consumer protection laws are properly enforced and cover digital products to the same extent that other consumer goods and services are covered. We recommend that the OECD adopt the policy proposals on Empowering Consumers in Communications Services and in Mobile Commerce as Council Recommendations, and that the OECD member countries implement these recommendations. We support the OECD's efforts to facilitate cross-border enforcement of anti-spam laws and to develop effective online dispute resolution mechanisms.

* Employment, Decent Work and Skills. We recommend that OECD Member countries promote learning and training opportunities for workers and address the technological and organizational change in the workplace. We further urge the OECD to lower the carbon footprint of the ICT industry and to promote compliance with core labor standards and the OECD Guidelines for Multinational Enterprises.

* Promotion of Access to Knowledge. We support open access to government-funded scientific and scholarly works and endorse the OECD Principles and Guidelines for Access to Research Data. We support the OECD Recommendation for Enhanced Access and More Effective Use of Public Information. OECD countries should oppose extensions of copyright terms and private ownership of essential knowledge and cultural information that can be made available on the Internet. We recommend that the OECD undertake a study on the importance of copyright exceptions for education, libraries and archives, the disability community, and new innovative services.

* Internet Governance. Internet governance structures should reflect democratic values and be transparent and publicly accountable to users. Global Internet policymaking should involve equal participation of all people, countries, and stakeholders. We call upon the OECD member states to support the Internet Governance Forum and to promote the multi-stakeholder process of the World Summit on the Information Society.

* Promotion of Open Standards and Net Neutrality. Standards-making processes should be open and should encourage competition. This promotes innovation and development. We support the procurement policies that promote open standards, open data formats, and free and open software. We further recommend that the OECD Member Countries oppose discrimination by network providers against particular applications, devices, or content and preserve the Internet's role in fostering innovation, economic growth, and democratic communication.

* Balanced Intellectual Property Policies. We urge the OECD member countries to maintain a balanced framework for intellectual property protection that is least intrusive to personal privacy, least restrictive for the development of new technologies, and that promotes creativity, innovation, and learning. We support the OECD Policy Guidance for Digital Content. OECD countries should oppose proposals that would deny individuals access to all Internet services and opportunities based on alleged copyright infringement. We are also concerned about the secrecy of the "Anti-Counterfeiting Trade Agreement" (ACTA) treaty process and the possibility of policies that may limit legitimate business activity, the participative web, and e-government service delivery.

* Support for Pluralistic Media. The Internet is a universal platform for innovation, growth, and the ability of people to express and share their views. New forms of media and new applications are emerging that challenge old paradigms and enable broader public participation. At the same

time, dominant Internet firms are moving to consolidate their control over the Internet. It is vitally important for the OECD to develop a better understanding of the challenge industry consolidations pose to the open Internet. The OECD Policy Guidance on Convergence and Next Generation Networks provides a basis this work.

* Inclusive Digital Society. The Internet should be accessible to all. OECD member countries should ensure that all residents have the means to access the Internet and should provide public Internet access, training and support. Particular attention should be paid to rural, remote and aboriginal populations, as well as the disability community.

* Cultural Diversity. We support the efforts of the OECD to promote access to the full range of the world's cultures and to ensure that the Internet economy reflects the true diversity of language, art, science, and literature in our world. The deployment of International Domain Names should be a priority.

PARTICIPATION OF CIVIL SOCIETY AND LABOUR

This participation of civil society and organized labor reaffirms the role of all stakeholders in the Future of the Internet Economy. Now it is time to formalize this process.

In 1998 civil society and labor urged the OECD Ministerial Conference in Ottawa to establish an Advisory Council, similar to the Business Industry Advisory Committee (BIAC) for business and the Trade Union Advisory Committee (TUAC) for labor. We said that this new Advisory Council should include civil society groups in such fields as human rights and democracy, privacy and data protection, consumer protection, and access to information and knowledge.

We urge the OECD to establish now the Civil Society Advisory Committee. The creation of an OECD Civil Society Advisory Committee is necessary to help realize the democratic goals of inclusion, participation, transparency and accountability at the OECD.

The OECD offers an important forum for the discussion of policies concerning the future of the Internet. We welcome this dialogue and urge the Ministers and members countries of the OECD to fully engage civil society and labor organizations within their own countries.

In all decisions related to the Internet economy, we advise the OECD Ministers and the members countries to give particular attention to those indicators concerning literacy, education, and health. The success of the Internet Economy should be measured by the well-being of citizens, and not simply the extent of technology diffusion.