

## Afterword: The Tunis Commitment

The Tunis Summit resulted in two political documents, the Tunis Commitment and the Tunis Agenda, plus a civil society Statement: “Much more could have been achieved.” The three main issues of the second WSIS phase, Internet Governance—financing for development, and WSIS follow-up and implementation—resulted in: (1) No change to ICANN’s role in the short term, but a political commitment to work toward greater internationalization of public policy issues related to internet governance, and a decision to create a new global policy mechanism: the so-called Internet Governance Forum (IGF). (2) An affirmation of the Digital Solidarity Fund established on a voluntary basis in March 2005, but with no concrete commitment to provide funding for development. (3) Establishment of a UN group on the Information Society within the UN’s Chief Executives Board for coordination, and a mechanism for stocktaking and implementation under ECOSOC’s Commission on Science and Technology for Development.

Human rights came into play both in the form of human rights violations at the Summit itself, and as a baseline for future GIS policies.

In the days leading up to the Summit, the Citizens Summit on the Information Society (CSIS), which was organized as a side event to the official summit, was prevented from happening by the Tunisian authorities. In response, a large number of international journalists, diplomats, and prominent human rights speakers, including Nobel prize winner 2003 Shirin Ebadi and the UN special rapporteur on freedom of expression, assembled in the office of the Tunisian Human Rights League and expressed their support of human rights, not least freedom of expression and freedom of assembly in Tunisia.

The Tunis Commitment and Tunis Agenda reaffirm the Geneva commitment to human rights as the foundation for the global information society. Paragraph 3 of the Tunis Commitment underscores “the universality, indivisibility, interdependence and interrelation of all human rights and fundamental freedoms, including the right to development.” Hereby it establishes human rights as a broad baseline for assessing GIS policies, including both civil and political rights, social, economic, and cultural rights, and the right to development.

The role of human rights is also explicitly linked to Internet governance in paragraph 42 of the Tunis Agenda: “We reaffirm our commitment to the freedom to seek, receive, impart and use information, in particular, for the creation, accumulation and dissemination of knowledge. We affirm that measures undertaken to ensure Internet stability and security, to fight cybercrime and to counter spam, must protect and respect the provisions for privacy and freedom of expression as contained in the relevant parts of the Universal Declaration of Human Rights and the Geneva Declaration of Principles.” This explicit linkage between human rights and internet governance can provide a basis for addressing human rights compliance when assessing proposals for future IG mechanisms and arrangements.

In sum, both the Geneva and Tunis Summit affirmed that GIS and IG policies must have human rights as their point of departure. However, analysis on how the agenda should carry forward and how human rights principles translate into concrete policy recommendations is still at a very early stage. So far it is merely a formal commitment to standards agreed upon more than 50 years ago. It is our hope that this book will contribute to bridging the gap between human right standards and information society policies and thus start a process whereby we move from formal human rights affirmation to concrete policy implementation.