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The States in Digital Era:
Internet Governance and Improving E-Democracy

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Abstract

This paper will make theoretical overview of internet governance and its implementation as a global politics goal for the states. As known, internet governance is the complementary development and application by governments, the private sector, civil society and the technical community, in their respective roles, of shared principles, norms, rules, decision-making procedures, and activities that shape the evolution and use of the Internet.
In the paper is given focus of digitalization as a common global political priority for the states, as well as theoretical descriptive overview of the shared recommendations from the United Nations and Council of Europe related to implementation on internet governance.
The paper will emphasize as well on building on line democracy, as well as on improving and straightening e-democracy, protecting human rights and rule of law in digital era.
At the end of the paper, we conclude that the power of Information and Communication Technologies have a great potential to accelerate human progress, to ensure that public policy for the Internet is people-centred in order to build democracy online, to protect Internet users, and to ensure respect and protection for human rights online. We will also conclude that in future is also important for the states to ensure that public policy for the Internet is people-centred in order to build democracy online, to protect Internet users, and to ensure respect and protection for human rights online.

Keywords: digital government, on line democracy, global interconnectedness, human progress, freedom of expression

1. Introduction

The Internet helps people to seek and share information, to stay up to date what is happening worldwide, but also educates people on democracy and supports their public participation in democratic processes as well as social, economic and cultural development.

According to United Nations (UN) the 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.

The United Nations 2030 Agenda for Sustainable Development and the Sustainable Development Goals (SDGs) have embraced the spread of Information and Communication Technologies (ICTs) and global interconnectedness as having great potential to accelerate human progress, to bridge the digital divide and to develop knowledge societies. Governments worldwide are now cognizant of the power of ICTs and digital government for the advancement and transformation of public institutions, and the public-sector landscape more broadly, and their service delivery capabilities.

Digital government can play a role in building effective, inclusive and accountable institutions to support policy making and service delivery for the SDGs. This UN division supports digital government development for responsive, efficient, effective and equitable delivery of public service to all people, building public trust and ensuring transparency, participation and collaboration in the development process.

In the context of the rapid pace and change in technologies relevant to digital government, this work is essential. ICTs are constantly evolving and are dramatically transforming societies, cultures and economies.

The world has seen rapid advancements and changes of technologies in the ICT ecosystem such as social media, big data and the Internet of Things. Mobile technologies and broadband connectivity, already common in developed countries, are now also extending rapidly in developing countries and emerging markets. Social networks have made profound changes and impacts on the

ways people interact with one another and with their governments. Open government data and cloud computing, coupled with the use of mobile devices, have further enriched the ICT ecosystem.

In the context of expression on line, there is increase in codes of conduct for behaviour on line.

The Council of Europe plays a pivotal role in ensuring that human rights apply online as well as offline. This principle has been anchored in the Council of Europe's Internet Governance Strategy for 2016-2019 (IG Strategy). So, on 30 March 2016, at its 1252th meeting, the Ministers' Deputies adopted the Council of Europe Strategy 2016-2019 on Internet Governance and mandated the Steering Committee on Media and Information Society (CDMSI) to oversee its implementation, in close co-operation with the Thematic Co-ordinator on Information Policy (TC-INF). They further noted that the Secretary General would provide them with a mid-term report on its implementation and a final assessment of the IG strategy (CoE, SG/Inf(2018)).

The overall aim of the IG strategy 2016-2019 is to ensure that public policy for the Internet is people-centred in order to build democracy online, to protect Internet users, and to ensure respect and protection for human rights online. In particular, the strategy is defined by a series of key actions and activities which seek to protect the freedom, privacy and security of Internet users and to empower and engage them as stakeholders in Internet governance dialogue. The strategy is being implemented over two biennium cycles (2016-2017 and 2018-2019), focusing mainly on the implementation of legal instruments, the development of new policy documents, and initiatives to raise awareness and build capacity. The Strategy underlines the importance of keeping the Internet open and free-flowing. It reminds us that it continues to be shaped by a variety of stakeholders which means that its governance is a shared responsibility, one which is multi-stakeholder. In other words, this means inclusive dialogue and co-operation between international organisations, private sector, civil society, academics, technical community and governments.

The effective protection and promotion of democracy, human rights and the rule of law in the digital world is a shared task and a common goal between many stakeholders. This necessitates partnerships and synergies with and between states, international organisations, civil society, the private sector, technical and academic communities. The Council of Europe will therefore review, strengthen and develop synergies and partnerships with key stakeholders, including the European Union; the Organisation for Security and Co-operation in Europe (OSCE); the Organisation for Economic Co-operation and Development (OECD); the United Nations (UN) and its agencies (UNODC), the International Telecommunication Union (ITU), cultural networks and representative professional associations, research and academic communities etc.

In this context, the Internet Governance Forum (IGF) is a multi-stakeholder forum for dialogue on public policy issues related to key elements of Internet governance. Since its first meeting, in 2006, the IGF has been convened annually by the United Nations Secretary General, in accordance with the mandate set out in the Tunis Agenda for the Information Society. As a platform for discussions, the Forum brings various stakeholder groups to the table as equals to exchange information and share good practices. The IGF facilitates a common understanding of how to maximize Internet opportunities and address risks and challenges.

The IGF was created to provide a space for dialogue to identify problems and explore solutions. In this respect, the IGF has exceeded expectations – it has proved to be a space for discussions that could not have taken place anywhere else. The IGF is continuously evolving and coming into its own. It has proved its worth as a "go to place" where the community gathers to share experiences and exchange information.

In the book, *Networks and States*, the author Milton Mueller is presenting how Internet governance poses novel and fascinating governance issues that give rise to a global politics and new transnational institutions. Drawing on theories of networked governance, Mueller provides a broad overview of Internet governance from the formation of ICANN to the clash at the World Summit on the Information Society (WSIS), the formation of the Internet Governance Forum, the global assault on peer-to-peer file sharing, and the rise of national-level Internet control and security concerns. Internet governance has become a source of conflict in international relations. *Networks and States* explores the important role that emerging transnational institutions could play in fostering global governance of communication-information policy (Mueller, 2010).

The UN General Assembly Resolution 56/183 (21 December 2001) endorsed the holding of the World Summit on the Information Society (WSIS, 2020) in two phases. The first phase took place in Geneva from 10 to 12 December 2003 and the second phase took place in Tunis, from 16 to 18 November 2005. The objective of the first phase was to develop and foster a clear statement of political will and take concrete steps to establish the foundations for an Information Society for all, reflecting all the different interests at stake. The objective of the second phase was to put Geneva's Plan of Action into motion as well as to find solutions and reach agreements in the fields of Internet governance, financing mechanisms, and follow-up and implementation of the Geneva and Tunis documents.

Internet governance is the complementary development and application by governments, the private sector, civil society and the technical community, in their respective roles, of shared principles, norms, rules, decision-making procedures, and activities that shape the evolution and use of the Internet. For UNESCO, Internet Governance is a central issue. The Organization acknowledges the potential of the Internet for fostering sustainable human development and building inclusive knowledge societies, and also for enhancing the free flow of information and ideas throughout the world. The Organization therefore advocates an open, transparent and inclusive approach to Internet Governance based on the principle of openness, encompassing the freedom of expression, respect for privacy, universal access and technical interoperability. Ethics and also the respect for cultural and linguistic diversity in cyberspace are other key concerns of the Organisation.

All of these elements are essential for United Nations Educational, Scientific and Cultural Organization (UNESCO) to fulfill its mandate and mission entrusted to it by Member States (UNESCO, Internet Governance). UNESCO recognizes that the Internet holds enormous potential for development. It provides an unprecedented volume of resources for information and knowledge that opens up new opportunities and challenges for expression and participation. The principle of freedom of expression and human rights must apply not only to traditional media but also to the Internet and all types of emerging media platforms, which will contribute to development, democracy and dialogue (UNESCO, Freedom of Expression on the internet).

1.   Freedom of Expression: Respecting and protecting the human rights of everyone in the digital world

UNESCO assumes its responsibility of promoting freedom of expression on Internet and related right such as privacy and has integrated it to its regular program. The Organization explores the changing legal and regulatory framework of Internet and provides member states with policy recommendations aiming to foster a conducive environment to freedom of expression and privacy on the Iinternet.

Following UNESCO 38th General Conference Resolution "CONNECTing the Dots: Options for Future Action", the Organization therefore stands for the approach of Internet Universality, which is based on the R.O.A.M principles of Human-rights, Openness, Accessibility and Multistakeholder participation. These principles are essential to ensure an open, transparent and inclusive Internet worldwide. In order to trigger a discussion on a wide range of issues related to Internet freedom at global, regional and national levels, UNESCO has organized a series of workshops in past WSIS Forum and Internet Governance Forum meetings since 2006. UNESCO is also publishing a Series on Internet Freedom that seeks to capture the complex dynamics of Internet Governance in a wide range of issues including privacy, hate speech, encryption, digital safety and journalism sources. UNESCO is now developing Internet Universality indicators to help governments and other stakeholders to assess their own national Internet environments and to promote the values associated with Internet Universality (UNESCO, Freedom of Expression on the internet).

Also, according to Council of Europe Internet Governance Strategy 2016-2019 Mid- term report of the Secretary General, SG/Inf(2018)19 by 17 May 2018 the Council of Europe's member states have a duty to protect and ensure respect for the rights and freedoms of internet users relating inter alia to non-discrimination, freedom of expression, freedom of assembly, association and participation, privacy and data protection, education and literacy, protection of children and young people, and access to effective remedies when rights and freedoms are violated. The Council of Europe has organised a high number of national, regional and international events to raise awareness of the specificities of the online environment when it comes to access to and exercise of human rights online. It has also co-operated with National Human Rights Institutions and organised conferences for judges of member states to promote an exchange of views with regard to the evolving number of disputes before national courts that involve the internet. Furthermore, the Council of Europe has engaged in various awareness-raising campaigns and events, as well as in the preparation of studies and reports aimed at facilitating better understanding of emerging internet-related challenges and at identifying possible solutions and common approaches. Another aspect of this work consisted in providing human rights policy guidelines and recommendations to facilitate interpretation and implementation of relevant provisions and principles contained in international treaties (CoE, SG/Inf(2018)19).

2.   Building democracy online

Democracy is a system of government that bases its legitimacy on the participation of the people. Abraham Lincoln once said that democracy it is "Of the people, by the people, for the people".

The word democracy comes from the Greek words "demos", meaning people, and "kratos" meaning power; so democracy can be thought of as "power of the people": a way of governing which depends on the will of the people.

There are so many different models of democratic government around the world that it is sometimes easier to understand the idea of democracy in terms of what it definitely is not. Democracy, then, is not autocracy or dictatorship, where one person rules; and it is not oligarchy, where a small segment of society rules. Properly understood, democracy should not even be "rule of the majority", if that means that minorities' interests are ignored completely. A democracy, at least in theory, is government on behalf of all the people, according to their "will" (CoE, Compass: Manual for Human Rights Education for Young People).

Today there are as many different forms of democracy as there are democratic nations in the world. Democracy is one of the universal core values and principles of the United Nations. "While democracies share common features, there is no single model of democracy", is noted in the UN Resolution on promoting and consolidating democracy (A/RES/62/7).

Albert Camus noted "Democracy is not the law of the majority, but the protection of the minority".

Successful democratic governance must inevitably focus on promotion and protection of human rights and fundamental freedoms. The relationship between democracy and human rights is intricate, symbiotic and mutually constitutive. A rights based approach to democracy grounded in the rule of law is considered increasingly the most consistent safeguard against human rights abuses (Democracy and Human Rights: The Role of the UN, 2013).

We could summarize that democracy cannot be defined without human rights.

Human rights can be protected effectively only in a democratic state. A functional democracy that accommodates diversity, promotes equality and protects individual freedoms is increasingly becoming the best bet against the concentration of power in the hands of a few and the abuse of human rights that inevitably results from it. In turn, the greatest protection of human rights emanates from a sustainable democratic framework grounded in the rule of law (Democracy and Human Rights: The Role of the UN, 2013).

However, a "democracy" is also incomplete without a thorough-going respect for human rights. Taking part in government, in a genuine way, is almost impossible to do without people having other basic rights respected.
In Universal Declaration of Human Rights (UDHR) as a milestone document in the history of human rights, in the aarticle 19 defined freedom of expression "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers".

It is important not just to be able to think what you want, but also to be able to express that opinion out loud, whatever that opinion may be. If people are prevented from discussing their views with other people, or presenting them in the media, how can they "take part" in government? Their opinion has essentially been discounted from the possible alternatives under consideration (CoE, Compass: Manual for Human Rights Education for Young People).

In the digital era, strengthening e-democracy and protecting civil rights is great challenge.

Digital tools and social media have empowered people through widespread access to information and global connections. Citizens are using technology to hold governments to account and to exercise their civic rights. Governments are using technology to be more transparent, accountable and inclusive (Digital governance).

In this term, the Internet will save democracy. Or so Internet techno-hype led many to believe. With each new communication medium comes a wide-eyed view about its potential (Clift, 2000).

In 1998, the author Steven Clift stated in *Democracy is Online 1.0*, "Perhaps the most democratizing aspect of the Internet is the ability for people to organize and communicate in groups. It is within the context of electronic free assembly and association that citizens will gain new opportunities for participation and a voice in politics, governance, and society. In the next decade, those active in developing the Internet and building democracy have an opportunity to sow the seeds for "democracy online" in the next century. Like the founding of any modern nation, the choices made today, the ideals upheld, the rules adopted, and the expectations created will determine the opportunities for democratic engagement for generations to come." So, anything we do incrementally to improve democracy through the Internet is something we can consider an accomplishment.

Clift underlined that "we all have different definitions and experiences of democracy. This article focuses on the Internet and participatory democracy within the context of representative democracy. It uncovers exciting developments. The reality is that our many-and quite different-democracies are changing because of the use of information technology and networks. In the long run we don't know whether the changes will be for the better or the worse.

The challenge for us, as citizens, is to be engaged in this process of change. We will be engaged through our existing institutions, be they non-profits, universities, the media, companies, or governments. We must be involved as individuals and through the creation of new, mediating citizen organizations that are "of" the Internet, not just "on" it. We are experiencing a convergence of democratic institutions and processes with the Internet" (Clift, 2000).

Building e-democracy is an integral part of building e-government. Democratic systems can nearly always be made more inclusive, more reflective of more people's wishes, and more responsive to their influence and to work on democracy improvement.

Therefore, building democracy online is an integral part of the Council of Europe's mission of making democratic institutions work.

Electronic democracy offers new opportunities to enhance public engagement and participation in democratic institutions and democratic processes. In this way, it helps empower civil society and improve policy-making procedures. E-democracy's strength lies in its capacity to facilitate both bottom-up and top-down initiatives, and its growth can contribute to a redefinition of political priorities and a transformation of the ways our local and global communities are governed. E-democracy initiatives are underway throughout Europe at all levels of governance in an effort to enhance transparency, accountability, access and dialogue. These developments, when seen as complementary to traditional channels of democratic participation, offer a means to improve governance and consequently reinforce public confidence and trust in democratic procedures and values. The Council of Europe has long taken the lead on digital policies relating to government action as exemplified by the Commitee of Ministers Recommendation Rec (2004)15 on electronic governance and Recommendation Rec(2004)11 on legal, operational and technical standards for e-voting (CoE, CM/Rec(2009).

Everyone should be able to exercise their rights and freedoms online, in particular the right to freedom of expression and the right to the freedom of assembly and association without any discrimination. This presupposes, inter alia, the take-up of competences for democratic citizenship in formal education settings, robust action to counter hate speech, comprehensive inclusion and participation of citizens in cultural and public life, and proper conditions for electronic voting.

Building democracy online featured highly among the topics addressed in the annual editions of the World Forum for Democracy (WFD) in 2016 on "Democracy and equality – does education matter", and in 2017 on "Is Populism a Problem?". The latter focused on the issues and solutions for political parties and media actors to remain relevant in the 21st century democracies,

showcasing digital initiatives to combat the spread of false information online, and of enhancing citizen's participation in decision making. The WFD secretariat will continue to work together with the network of digital democracy innovators, in order to develop innovations in the field of participatory e-democracy to be presented at the Forum's future editions.

The Recommendation CM/Rec(2009)1of the Committee of Ministers to member states on electronic democracy (e-democracy), adopted by the Committee of Ministers on 18 February 2009 at the 1049th meeting of the Ministers' Deputies, in accordance with Article 15.b of the Statute of the Council of Europe is sharing the best practices in member states in implementing CM/Rec(2009)1 on electronic democracy and develop practical guidelines for implementing e-democracy strategies.

Also, on the basis of Rec(2004)15 Council of Europe is developing and presenting e-governance guidelines and an e-government toolkit in cooperation with the Centre of Expertise for local government reform.

3. Conclusion

Internet Governance is understood as 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.

In the digital era, strengthening e-democracy and protecting civil rights is great challenge.

Digital tools and social media have empowered people through widespread access to information and global connections. Citizens are using technology to hold governments to account and to exercise their civic rights. Governments are using technology to be more transparent, accountable and inclusive. Digital government can play a role in building effective, inclusive and accountable institutions to support policy making and service delivery for United Nations 2030 Agenda for Sustainable Development and the Sustainable Development Goals.

Therefore, the United Nations supports digital government development, and in the context of the rapid pace and change in technologies relevant to digital government, this work is essential. Also, the Council of Europe has organised a high number of national, regional and international events to raise awareness of the specificities of the online environment when it comes to access to and exercise of human rights online.

According to above mentioned, we may conclude that the power of Information and Communication Technologies have a great potential to accelerate human progress, to ensure that public policy for the Internet is people-centred in order to build democracy online, to protect Internet users, and to ensure respect and protection for human rights online. Democratic systems can nearly always be made more inclusive, more reflective of more people's wishes, and more responsive to their influence and this is governmental challenge for democracy improvement.

Having in mind the challenges that brings digital era for the future, especially the aspect of cybersecurity, in the future is also important for the states to ensure that public policy for the Internet is people-centred in order to build democracy online, to protect Internet users, and to ensure respect and protection for human rights online.

References

Clift,   Steven,   "The   E-Democracy   E-Book: Democracy   is   Online   2.0",   for   more   info   see: http://www.publicus.net/ebook/edemebook.html#intro, last accessed: 08.08.2020
Council of Europe Internet Governance Strategy 2016-2019 Mid-term report of the Secretary General, SG/Inf(2018)19 by 17 May 2018, for more info: https://rm.coe.int/council-of-europe-strategy-on-internet-governance-2016-2019-mid-term-r/16808b8706, last accessed 07.08.2020
Council   of   Europe,   Compass: Manual   for   Human   Rights   Education   for   Young   People,   see   more: https://www.coe.int/en/web/compass/democracy, 08.08.2020
Council of Europe, Compass: Manual for Human Rights Education for Young People, see more:
    https://www.coe.int/en/web/compass/democracy, 08.08.2020
Council of Europe, Recommendation CM/Rec(2009)1 of the Committee of Ministers to member states on electronic democracy (e-democracy),   link: https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=09000016805d1b01,   last   accessed: 08.08.2020
Council of Europe, Recommendation Rec(2004)15 of the Committee of Ministers to member states on electronic governance ("e-governance"),   link: https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=09000016805db3b2,   last   accessed: 08.08.2020
Democracy and Human Rights: The Role of the UN, link: https://www.peacepalacelibrary.nl/ebooks/files/382927850.pdf, last accessed 07.08.2020
Digital Governance, available at: https://www.opengovpartnership.org/policy-area/digital-governance/, last seen: 09.08.2020

Electronic democracy ("e-democracy") Recommendation CM/Rec(2009)1 and explanatory memorandum, Council of Europe Publishing, ISBN 978-92-871-6647-0

Internet Governance Forum (IGF), for more info see: www.intgovforum.org , last accessed 08.08.2020

Milton L. Mueller , (2010), Networks and States: The Global Politics of Internet Governance, Massachusetts Institute of technology

The Universal Declaration of Human Rights (UDHR), available at: https://www.un.org/en/universal-declaration-human-rights/, last accessed 07.08.2020

UNESCO is the United Nations Educational, Scientific and Cultural Organization, UNESCO, for more info see: https://en.unesco.org/themes/freedom-expression-internet, last accessed 08.08.2020

World Summit on the Information Society (WSIS), more information available at: http://www.itu.int/net/wsis/basic/about.html, last accessed 09.08.2020