

Global Digital Divide: A legal postscript to the World Summit on Information Society

Centre for Globalisation workshop on the “Global Digital Divide: A legal postscript to the World Summit on Information Society”. It is planned for Monday 17th and Tuesday 18th September 2007 and will be part of the 10th Anniversary Conference of the Centre for Globalisation on **'Pathways to Legitimacy? The Future of Global and Regional Governance'**. It will be held at Scarman House, University of Warwick which is a dedicated international quality conference centre.

It is intended to be a small workshop involving about 15 people with expertise in the area. It will focus on legal and regulatory issues in digitalisation and will particularly focus on the implications of the Tunis World Summit on Information Society and include recent developments in WIPO on the Development Agenda.

Thematic Outline

The global digital divide has become a key issue in global digitalization policy over recent years as envisaged by a number of reports and initiatives and more specifically the sessions of the World Summit on Information Society (WSIS) in Geneva 2003 and Tunis 2005. This is particularly the case because digitalisation has been considered as being imbricated in the creation of a global information society for example through Castell's Network Society. The unevenness in global information technology diffusion is seen very much as the Other of globalisation and consequently one of the greatest impediments to development (Wolfensohn).

It is therefore not surprising that strategies in relation to digital divide have followed similar approaches to those in relation to global social and economic welfare policies in relation to the relief of underdevelopment in relation to trade and aid. The World Summit on Information Society (WSIS) have proposed policies of promoting national e-strategies in developing countries, prioritising ICT in aid funding, improving connectivity, building human capacity, promoting local content and applications as well as a greater voice for developing countries in international regulatory agencies. They also intend to seek a balance between a competitive market place and the promotion of social goals through devices such as universal service obligations.

While these welfarist approaches may obtain general consent, there is a growing contestation of these goals from a number of perspectives, and it will be a significant aim of the workshop provide a space for analysis and critique of the strategies developed at WSIS (2003) and (2005) in terms of their own effectiveness and also in terms of alternative frameworks and approaches. The workshop will follow WSIS's own postscript which is being held in Geneva in May 2007 as part of WSIS week. Similar issues arise in the World

Intellectual Property Organisation WIPO in which developing countries have considered and demanded a new Development Agenda.

The Workshop will contextualise the significant achievements of the instrumentalist vision of the global digital divides and policies promoted at WSIS by taking into account new theories of the nature of ‘information society’ such as the Benkler’s Networked Information Economy which suggests radically different paradigms rooted in global digital commons.

It will have an inter-disciplinary approach and investigate the issues of digital regulation on a North/South basis with respect to the digital divide and provide an opportunity to examine lessons of the WSIS in relation to law in three respects: law's role in both the amelioration of the digital divide, its role in the creation or exacerbation of the divide (eg enclosure of digital commons) as well as an exploration of the global digitalization through e-governance and e-law.

Some key issues will include:

- The impact of recent developments in WSIS and WIPO
- The extent to which global trade, aid and investment and other governance/regulatory strategies and other aspects of the developmental discourse may not themselves contribute to the creation and broadening of digital divides.
- Gender and other forms of digital social exclusion
- The role of national policies in the promotion and amelioration of digital divides.
- The role of property rights in information technology in the development of digital divides and the significance of alternative property conceptions represented by notions of digital commons in the deepening or transforming digital divides.
- The intersecting national and global roles of internet governance and e-governance in relation to developing countries
- Policies and performance in relation to specific issues eg the provision of Public and Legal Information and Software.

Programme Committee: Professor Abdul Paliwala (Chair); Professor Assafa Endeshaw; Professor Joe Cannataci; Dr. Subhajit Basu.