

**DRAFT**

## **CODE OF ETHICS FOR THE INFORMATION SOCIETY**

### **Preamble**

*Participants in the Information Society and Signatory Stakeholders,*

*Committed* to the full implementation of the human rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights and other universally recognized legal instruments,

*Recalling* that the Preamble to the Constitution of the United Nations Educational, Scientific and Cultural Organization (UNESCO) affirms, that “the education of humanity for justice and liberty and peace are indispensable to the dignity of man and constitute a sacred duty which all the nations must fulfil in a spirit of mutual assistance and concern”,

*Further recalling* Article I of the Constitution, which assigns to UNESCO among other purposes that of recommending “such international agreements as may be necessary to promote the free flow of ideas by word and image”,

*Convinced* that the development of information and communication technologies (ICTs) provides opportunities to improve the free flow of ideas by word and image but also presents ethical challenges for ensuring the participation of all in the global information society,

*Recalling* the documents of the World Summit on the Information Society (WSIS) which acknowledge the importance of ethics for the information society,

*Recognizing* the important role of UNESCO in the field of information and communication, and the designation of UNESCO as the Facilitator for Action Line C10 of the WSIS Geneva Plan of Action, on the “Ethical dimensions of the information society”,

*Agree* on the following:

#### **Article 1**

##### ***Scope of the Code of Ethics***

This Code of Ethics for the Information Society (Code of Ethics) shall provide a common framework for the setting out of commitments to ethical conduct in the information society, in order to:

- (1) reaffirm the ethical dimensions of the information society;
- (2) foster respect for human rights and fundamental freedoms in the information society;
- (3) extend the public domain of information;
- (4) enable diversity of content in information networks; and
- (5) promote access to information and means of communication.

## Article 2

### *Reaffirming the ethical dimensions of the information society*

- (1) Participants and stakeholders agree that ethics should foster justice and the dignity and worth of the human person and that the information society should respect peace and be governed by the fundamental values of freedom, equality, solidarity, tolerance, shared responsibility, respect for nature and the sovereign self-determination of peoples.
- (2) They also agree that the use of ICTs and content creation should respect human rights and fundamental freedoms of others, including personal privacy and the right to freedom of thought, conscience and religion in conformity with relevant international instruments.
- (3) Participants and stakeholders should take steps to promote ethics in the information society and should raise awareness of the ethical dimension of their use of ICTs. They should also make efforts to promote the common good, protect privacy and personal data, among other areas.
- (4) Similarly, they should take appropriate actions and preventive measures, as determined by law, against abusive uses of ICTs, with particular attention to gender, ethnic and generational discrimination and other forms of intolerance, hatred, violence, ill-treatment and exploitation of human beings.

## Article 3

### *Fostering respect for human rights and fundamental freedoms*

To support the achievement of the goal of fostering respect for human rights and fundamental freedoms in the information society:

- (1) Governments, civil society, the private sector and other stakeholders holding information on the state of technology should disseminate such information to the maximum extent possible to enable the public to consider how the information society can guard against use of information and communication media that violates human rights.
- (2) Respect for the privacy of personal data will be vital in the information society. In this regard:
  - (a) Individuals should take steps to protect their privacy and to improve the security of their data.
  - (b) Entities that have access to personal data should comply with international standards on fair information practices.
  - (c) Governments and technical standards bodies should work together to promote a combination of legislative measures and technology that gives individuals control over their personal data and that affords effective protection for such data.

**[African meeting comments:** *Text too general. To be clearer and more specific on the role of individuals, organisations and government, taking into account the emerging standards in information security]*

- (3) The definition and adoption of best practices and voluntary and self-regulatory professional and ethical guidelines should be encouraged among information producers, users and service providers, with due respect for the freedom of expression.

#### **Article 4** ***Extending the public domain***

To support the goal of ethics in the information society of extending the public domain of information:

- (1) Governments should recognize and enact the right of universal access to public and government-held records including information relevant for citizens in a modern democratic society, giving due account to confidentiality, privacy and national security concerns.
- (2) Stakeholders in control of scientific and historical data should grant the maximum possible access to people so that they may interpret events and further the progress of knowledge.
- (3) Those in charge of creative works that are part of a shared cultural heritage or clearly part of the public domain should make this information freely available to the public. Further clarity has to be ensured on the classification of data into private and public.
- (4) All stakeholders should be aware of the scope of intellectual property rights and how they may choose to waive some of those rights if they so wish. Similarly, an equitable balance between the interests of rights-holders and the public interest should be promoted and respected. As part of the information society processes, it is recommended that alternative licences conducive to the dissemination of information be developed.

#### **Article 5** ***Access to information, training, diversity of content and the means of communication***

To support the achievement of these goals:

Governments should promote access to ICTs through the adoption of appropriate policies in order to enhance the process of empowering citizenship and civil society and should encourage Internet service providers to consider provision of concessionary rates for Internet access in public service institutions such as schools, academic institutions, museums, archives and public libraries.

Governments and designers that establish standards for new technologies for networks and the information society should promote open standards.

- (1) Information networks should be open to content from all sources, encouraging all stakeholders to be creators of content rather than mere consumers.
- (2) Stakeholders' actions have ramifying and amplifying effects on the advancement of society. Therefore:

- (a) All actors in the information society should strive to bring every participant up to the level where he understands how systems work and how he can act with others collectively as they share responsibility for the success of the system as a whole.
- (b) Open, integrated and intercultural education combined with skills training in information and communication management is of crucial importance and should not be limited to the acquisition of technical skills but should also include awareness of ethical principles and values.
- (c) Individuals should be ready to acquire basic skills in ICT and ethics in the information society.

With regard to content:

- (a) WSIS principles urging the information society to be based on universally accepted values and all stakeholders to promote the common good and prevent the misuse of ICTs should be respected.
- (b) Individuals should familiarize themselves with available tools for controlling what content is filtered within their own homes or businesses.

Governments, information providers and information producers should work together to promote universal access to information, for example by:

- (a) producing, or permitting the production of, content, especially local content, in multilingual and multicultural forms and deploying technology that translates content in order to reduce knowledge dependence;
- (b) deploying technology that makes information accessible to the physically disabled [**African meeting comments:** *Consider being more specific with regard to the participation of disadvantaged groups, such as the disabled community*];
- (c) deploying digital content, access to which does not require specific applications or devices.

#### **Article 6** ***Non-discrimination***

In taking on Specific Ethical Commitments, a signatory stakeholder shall accord such treatment to all actors in the information society without discrimination.

#### **Article 7** ***Observatory of Ethics in the Information Society***

An “Observatory of Ethics in the Information Society” could be established as a monitoring, evaluation and proposal-producing mechanism and as an incentive for compliance with the provisions of the Code of Ethics.

#### **Article 8** ***Ethical commitments***

In furtherance of the objectives above, stakeholders and participants in the information society may commit to observe this Code of Ethics by expressing an interest to adopt it:

- informally, as a moral obligation, or
- by becoming a signatory stakeholder.

Each signatory stakeholder may add to this general Code of Ethics its own specific ethical commitments stating how it intends to implement the provisions. The specific ethical commitments shall be integral parts of this Code of Ethics for those stakeholders that sign them.

#### **Article 9**

##### ***Accession, entry into force and registration***

- (1) The date of this Code of Ethics shall be [...2007].
- (2) This Code of Ethics shall be open for acceptance by any stakeholder of its content.
- (3) This Code of Ethics will be disseminated in English, French, Arabic, Chinese, Russian and Spanish; it shall be published on [*web site?*].
- (4) Each signatory stakeholder accepting this Code of Ethics shall inform the UNESCO Secretariat of its acceptance.
- (5) Similarly, a signatory stakeholder making specific ethical commitments shall deposit a copy of these Commitments with its declaration of acceptance.

#### **Article 10**

##### ***Additional Ethical Commitments***

Additional elements under this Code of Ethics may be agreed by stakeholders as appropriate. [*Does there need to be a process established, e.g., to give notice and an opportunity for comment?*] (*Amendments and reservations*)

#### **Article 11**

##### ***Withdrawal***

Any signatory stakeholder shall at any time be free to withdraw from the Code of Ethics and any accompanying specific ethical commitments under it. A signatory stakeholder taking such action shall notify the joint signatory stakeholders and, upon request, consult with signatory stakeholders who have a substantial interest in the commitments concerned.