Submission to the United Nation's High Level Panel on Digital Cooperation

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I. Values & Principles:

- ***What are the key values that individuals, organizations, and countries should support, protect, foster, or prioritize when working together to address digital issues?***

Given the large scale proliferation of digital technology and the pervasive transformation of economy and society, emerging ethical, legal, and regulatory challenges are increasingly assuming centre-stage. Given that the formulation of policies, regulation, and legislation are still at a nascent stage in many countries around the world, it is useful to have multi-stakeholder consensus on the values that should underpin such legal and regulatory intervention. DEF's close experience in working with communities has revealed a paradox in which on one hand a substantial portion of the population lacks basic access to technology while hyper-connectivity has given rise to compounding problems like misinformation and mob violence; privacy; surveillance; intimidation; trolling and harassment; censorship; and data discrimination arising out of algorithmic decision-making within machine learning and artificial intelligence. The digital domain is characterised by two powerful stakeholders i.e. the private sector (the service providers and the producers) and the government (legislators, administrators, and regulators). Therefore, it is important that any form of cooperation that aims to cater to the digital domain will have to take communities (as individuals, citizens, and consumers) forward as a part of its strategies. Given the anachronistic development pathways of digital adoption, especially in the developing world, it is important that future deployment of digital technologies aimed at providing access are better equipped to deal with the unintended consequences of digital technology and practice.

1. Community centric: The digital domain is characterised by two very powerful stakeholders, transnational private technology companies (service providers and producers) and the government (with the power of regulation, legislation, and administration). The individual as a user, consumer, and citizen often do not have their voice and concerns up-streamed, despite being the stakeholders whose lives are most affected by technology or the lack of it.

2. Transparency and Accountability: It is by privileging a community centric approach that a cooperative framework with respect to digital technology and practice will be able to move towards consensus and collective choices about technology in public life, especially in cases of alleged bias and discrimination on the basis of algorithmic decision-making. The multi-stakeholder approach should act as checks and balances against the excesses of one or the other group.

3. Participatory: It is important that a cooperative framework is premised on access to information with an initiative towards awareness and capacity-building about multi-dimensional concerns surrounding digital technology. This would help develop and articulate objective positions in taking the best way forward. It is important that there is a mechanism that upstreams voices from communities and marginalised groups so that their concerns can be collectively addressed.

4. Inclusivity: Access to digital technologies is intersectional in nature and is mediated by social barriers like gender, caste, race, and class. It is important while extending access to marginalised, vulnerable, and excluded populations that such biases and modes of discrimination do not migrate onto the online space. This is because while the online space

provides the promise of expanding democratic potential it has also proven to be a prime medium for the amplification of hate speech and targeted misinformation; thereby, crowding out a diverse range of voices most often from excluded and underrepresented populations. Therefore, there is a need to develop safe mechanisms where underserved populations have a say in the cooperative process and are able to participate both in collective decision-making and take full advantage of the affordances of digital technologies.

5. Constant learning and knowledge sharing: When extending access to digital technologies it is important that they are supplemented with experiences and lessons learnt from existing digital practices. Therefore, concurrent deployment of media (information) literacy is required to pre-empt the compounding uses and practices of digital media. As described in the answers below, problem identification and definition of needs as well as solutions have proceeded from learning and growing through deep engagements with the communities during programme implementation.

- ***What principles should guide stakeholders as they cooperate with each other to address issues brought about by digital technology?***

Accurate assessment of ground realities: As examples cited below will show, oftentimes a nominal evaluation of policy implementation is counter-productive towards multi-stakeholder engagement. One of the basic challenges related to digital technology in India is still access. Therefore, the existence of basic infrastructure is non-negotiable in extending the benefits of digital dividends to populations as yet unconnected. Under the Digital India initiative, one of the policies involves connecting the 250,000 village councils (gram panchayats) in India to high speed internet through the National Fibre Optic Network called BharatNet. However, when evaluation of policy outcome is related to the mere existence of rudimentary infrastructure and not whether such infrastructure is functional limits the space for meaningful conversations to take place from where further effective solutions can be devised.

Understanding access is multi-dimensional: Amplification of misinformation and propaganda, trolling, online harassment, and harms relating to child sexual exploitation online reveal the underside of a hyper-connected world. When extending access to as yet unconnected populations it is important that technological deployment is accompanied by adequate sensitisation and awareness about uses and practices about new technologies. This would help mitigate these harms among new adopters and ensure benefits accruing from access to such technologies have their desired effect of maximum positive impact on communities. Therefore, a holistic initiative and deployment of access in the recent times must be accompanied by concurrent information literacy practice. Apart from this, access is highly intersectional i.e. in under-resourced rural settings where a mobile phone is a scarce and valued commodity, its ownership and control is with the eldest male member of the household and shared usage is common among women members, youth, and children. Therefore, providing access should be implemented with an inclusive approach and accompanied by gender sensitisation aimed at empowering the women and the excluded.

Ethical governance frameworks: With regard to new technologies, the Indian government has also taken a forward looking step through addressing the rising importance of artificial intelligence as a resource to power the future. Given the far reaching impact of technology in human life and the move towards mainstreaming artificial intelligence in business and governance operations, it is important that companies and public agencies adopt ethical governance frameworks with regard to their digital operations, especially with regard to new

and emerging technologies like artificial intelligence, machine learning, and algorithmic decision-making to protect individuals from the risk of harms while extending the opportunities arising out of such technologies. An ethical framework involves implementing values of transparency, accountability, respect for human rights, and access to justice. This may include adopting self-regulatory frameworks and independent external audits to ensure that such systems are functioning without implicit bias and in line with existing laws and values like privacy, data protection, equity, due process, justice, and fairness. This can be crystallised in the form of algorithmic impact assessment (AIA) [1]. An AIA could start by establishing the scope of an automated decision-making, communicating to users about the existence of an automated decision-making and notice of data breaches (if any), and develop adequate grievance redressal mechanisms and systems.

- *How can these values and principles be better embedded into existing private and/or public activities in the digital space?*

DEF works with the framework of strengthening the capacity of existing stakeholders and institutions in sectors like health, education, agriculture, livelihoods, and governance. India has around 250,000 village councils (panchayats) with 10-12 members each which makes it approximately 3 million people serving in the local government. One-third of these panchayat members are women. Self-help groups (SHGs) also organise many local women in collectives to enable their economic empowerment and self-sufficiency. SHGs promote small collective savings and extend micro-loans to members in times of distress or towards small business opportunities. There are approximately 2.2 million SHGs in India with 33 million members. In terms of the market, there are about 36.18 million micro, small, and medium enterprises (MSMEs) in India. The social sector comprises of about 3.3 million NGOs working at grassroots, community, regional, and national levels. There are approximately 1.4 million public schools employing approximately 7 million teachers and catering to 220 million students. The public health system employs 2.2 million people through its primary and community health centres with the agricultural centre employing a further 200 million approximately. DEF's work is premised on working towards strengthening institutional capacities by focusing on enhancing the capacity of its organisational units to fulfil institutional mandates. This indicates better integration with communities, fosters ownership, and leads to the formation of sustainable processes of civic engagement, participation and governance. This framework was developed and followed with the need to provide sustainability to development processes.

II. Methods & Mechanisms

- *How do the stakeholders you are familiar with address their social, economic, and legal issues related to digital technologies? How effective or successful are these mechanisms for digital cooperation? What are their gaps, weaknesses, or constraints? How can these be addressed?*

DEF has been implementing the SoochnaSeva (SS) (*trans.* Information Service) programme since 2014 with support from Qualcomm and the European Union. While the funding support involves civil society (DEF), private sector, and a multi-lateral institution, the actual implementation on the ground involves local administrative bodies, DEF, and community members. The SS programme is aimed at developing community capacity, especially those of underserved communities, by providing and expanding access to rights, entitlements, last mile connectivity, digital services, skill enhancement, capacity building, livelihood

opportunities and linkages. The programme works by training members from communities to act as intermediaries to bridge information poverty and improve access to social security schemes for marginalised and underserved populations. These intermediaries are called SoochnaPreneurs (SPs) (*trans.* Information Entrepreneurs) and are equipped with training and equipment like smartphones. In order to make the model sustainable SPs charge a fee that is pegged keeping in mind the socio-economic realities of the community in which they are based. Thus, this helps to ensure a source of livelihood for the individual and provide access to information and in translation economic rights and equity. SPs are allocated as per the smallest unit of governance i.e. the village council or the '*panchayat'*. Panchayats often cover two-three villages on an average; during programme implementation it was felt that SPs at the village level will ensure better community engagement and this will be one of DEF's major thrust areas in the future. In order to streamline service delivery, SPs are aided by the MeraApp (*trans.* My App) developed by DEF which acts as a database for all government schemes as well as an active MIS for all beneficiaries onboarded by the SPs. MeraApp adds value not only to work done by the SPs but is also beneficial to the government and other civil society organisations as a ready repository of rights and entitlements provided by the government that can be accessed through a single source. SPs form an integral part of the Soochna Seva Kendras (SSKs) (*trans.* Information Service Centres) which are located in the panchayat buildings and offer services such as e-governance services (e.g. issuing birth certificates), basic digital services (e.g. using the computer device, printing, and photocopying), providing basic digital literacy, and providing training and space for Bank Correspondents who as agents of commercial banks are responsible for financial inclusion of unbanked rural populations. While the SSK and SP programme has engendered cohesive engagement and cooperation at the local panchayat and community level, cooperation with the governments at the state level, in the states where the programmes run, still remains elusive. In the course of our work, the government has often been the hardest to reach stakeholder for continued engagement. The SSK and SP programme team had initiated contact with the relevant government department responsible for CSCs (Common Service Centres) in the state of Rajasthan in order to scale up the SS programme and augment the work done by CSCs. CSCs are a multiple service single point model to provide e-governance services in rural areas. CSC IDs are given to individuals who have the required facilities to run a CSC and are not geographically restricted. The government has no way of monitoring where a CSC ID holder is operating from. Often CSCs locate themselves in the town or block level and very often next to each other in the same location, thereby not ending up serving its purpose of bridging digital and information divides since community members still have to travel a considerable distance to access their services, which are often concentrated in a given location. This often entails loss of a day's pay if the entire day is spent in travelling to the CSC and. In contrast to this, SPs and SSKs bring the services to the community members. However, the main constrain in developing a relationship of cooperation with the government in this case was its means of evaluation i.e. whether a CSC is simply operational and not whether it is (a) effective in delivering the services it is set up to deliver, (b) whether it is located within the community, and (c) whether the ID holder has sufficient training to ensure effective service delivery. This proved to be major hurdle in convincing the relevant government officials of an actual need on the ground that a proven and sustainable model like SS can service.

DEF's Chanderiyaan project was its first initiative to revive the traditional textile art form of Chanderi, based in a town of the same name. This project was rolled out in 2009 and provided the basis for the evolution of DEF's Digital Cluster Development Programmes where the Chanderiyaan model was scaled up and adapted to other traditional handloom

sectors around the country. Within this project the initial funding support came from the then Department of Information Technology (now Ministry of Electronics, Information and Technology) through Media Lab Asia (now Digital India Corporation). The block and district level administrations also extended their support by providing one of the local historical buildings as the project resource centre. The project components involved providing internet and access to the community with the aim of developing the digital capacity of handloom weavers to make it possible for the community to digitally archive this cultural heritage, use CAD software for designs, and reduce human errors in the design. Since Chanderi is located in a mountainous area connectivity was a problem which is when DEF implemented its Wireless for Communities (W4C) initiative with support from Internet Society. The W4C helped to connect a cyber café, a CSC, and 13 schools present in the area apart from the resource centre.

- ***Who are the forgotten stakeholders in these mechanisms? How can we strengthen the voices of women, the youth, small enterprises, small island states and others who are often missing?***

The forgotten stakeholders are often the underserved and the marginalised, especially women, youth, and persons with disabilities. The national Aadhaar biometric database has led to a number of unintended consequences including deaths and exclusion resulting from making access to social protection schemes contingent upon Aadhaar biometric authentication. Out of the 42 hunger related deaths in 2017 and 2018, 25 were due to Aadhaar[2]. This was a result of linking Aadhaar with the public distribution system (PDS) and a mismatch of biometrics due to lack of/ rough fingerprints especially among workers like manual labourers. Reports from Chattisgarh's Kardana village show another case in point [3]: In order to receive pension, pensioners need to have an account with the Union Bank of India (UBI), which has only one branch in far-away Ambikapur. Kardana's pension disbursements are handled through biometric point of sale (PoS) by Bank Correspondents (BCs) in places where there are no banks. Since the PoS requires connectivity and none is available in Kardana, the BC is located in Chiranga which is 9 km away. The system is supposed to work as such: the pensioners receive the pension amount in their bank accounts, the BC provides the pensioners with an authentication receipt after verifying their biometrics, then the BC collects the pensions so received from UBI, and then distributes them to pensioners with authentication receipts. However, the connectivity in Chiranga in unreliable and many old people often end up trekking 9 km back and forth in vain. Moreover, the PoS itself sometimes does not work properly. Added to that there are often arrears of 2-3 months in pension payment during which time the ink on the receipts tend to fade away. Further, 7 people in Kardana were denied pension as a result of biometric failure, out of which 1 person died. There have been reports of exclusion from MNREGA [4], the government's employment guarantee scheme with some even alleging that the wages have been going into wrong accounts. There have also been reported cases of leprosy patients [5] being denied basic services because their iris and fingerprints could not be verified. A 11-year old tribal girl from the village of Karimati of the Simdega district in Jharkhand died after having starved for four days due to lack of synchronisation in linking her Aadhaar with her PDS entitlement by the government authorities, as a result of which she was denied access to the food she was entitled to [6].

When mainstreaming technology within governance, heed must be paid to existing capacities on the ground. Coercive inclusion as in the case of Aadhaar without sufficient infrastructural capacity to back it up has excluded people to the point of death. The major brunt of it has

been borne by India's already marginalised and underserved populations in its rural areas. To predicate technologically mediated access to social protection in areas where connectivity is uncertain excludes a large section of the Indian population from the ambit of policy-making. Therefore, in order to work towards inclusive development, it is first important to evaluate the existing capacity by starting with the lowest available. It further becomes important to ensure that access to technology does not strip away basic rights. In underserved areas, infrastructural capacity building needs to go side by side with previous modes of service delivery until such time until such areas are ready in terms of the required capacity so that no one falls behind and the excesses of the Aadhaar experience can be avoided.

In DEF's experience, strengthening the voice of the excluded has come from continuous community engagement, where communities took charge of processes and defined their own needs which were then woven into programme implementation. This provides a model for evidence-based bottom-up approach to service delivery where capacity building and access to rights went side by side with ensuring economic sustainability of the models so instituted.

- ***What new or innovative mechanisms might be devised for multi-stakeholder cooperation in the digital space?***

The examples described above show that the current mode of engagement and cooperation is ad-hoc, need based, and context specific. Cooperation tends to be strongest at the local levels as a result of daily interaction and trust- and bridge-building. Cooperation tends to weaken while moving up the ranks of the government. One of the main constraints faced in this regard was how a problem is evaluated and it was felt that government needed to go beyond quantitative targets and extend support towards scaling new initiatives that have proved to be successful and sustainable on the field. However, the Chanderi experience shows that government intent for positive social change does exist at the highest levels. The two examples taken together demonstrate a need for mid-level officials to be sensitive to the needs of the community so that successful programmes aimed at digital access and inclusion can be scaled up suitably.

It has also been our experience that cooperation and engagement is a constant learning process. When during SS programme implementation it was felt that it was becoming difficult to reach women and certain excluded beneficiaries like those mentioned above, more women SPs were hired in order to tide over that barrier and provide easier access to beneficiaries, improve trust, and build women's economic self-sufficiency. In the case of Chanderi, the aim to provide internet and access revealed the glaring lack of connectivity which was then met with DEF's W4C programme which proved beneficial for the community as a whole and not just the targeted stakeholders like handloom weavers. This in turn enabled the establishment of the Chanderiyaan e-commerce portal that enabled weavers to sell directly to the wider world. With Chanderi being located in a picturesque landscape in the historic district of Ashoknagar with historical buildings and monuments, the local tourism industry was harnessed and augmented in providing sustainability to the initiative.

As a civil society organisation, DEF recognises the need to build on cooperation at the grassroots level in order to translate the globally recognised values and principles into actual social impact. Therefore, it is important to have tiered levels of cooperation through which ground level realities and concerns can be up-streamed and addressed and used as inputs in the policy-making process. This would result in more sustainable and inclusive forms of cooperation that is both community centric and strengthens the capacity of existing

institutions. Having a robust participatory bottom-up approach at the national level would help translate such principles and practices onto global multi-lateral forums which can then be strengthened through evidence-based best practice approaches from different countries.

III. Illustrative Action Areas

- ***What are the challenges faced by stakeholders (e.g. individuals, Governments, the private sector, civil society, international organizations, the technical and academic communities) in these areas?***

One of the main challenges involves restrictive and ambiguous public evaluation of policy implementation. Consider, for the example, the policy initiative called BharatNet to connect all 250,000 gram panchayats in India to the Internet under the Digital India project. In 2018, the government allocated a further Rs. 10,000 crores (approx. $1.4 billion) towards completing this project. On 31 December 2017, Phase I of BharatNet, targeting 100,000 gram panchayats, was said to be completed. "The Bharat Broadband Network Ltd (BBNL) Annual Report 2016-2017 states that equipment has been installed in 100,364 gram panchayats; 96,039 gram panchayats are "service ready"; 59,124 are "service open"; and 103,768 panchayats have end-to-end connectivity. The BBNL website [as of 16 May 2018] marks over 105,000 gram panchayats as "service ready"."

Since these categories of service ready, service open, and end-to-end connectivity were not defined DEF research team decided to conduct a spot check of the status of 269 "service ready" gram panchayats in 19 districts in 13 states. Three questions were posed:

Does the panchayat office have BharatNet internet connection?
Has the BBNL device been installed at the panchayat office?
Has BBNL internet connectivity ever worked at any point since its installation?

Reports showed that "only 50 (18.6%) of the 269 gram panchayats had BBNL device installed and internet connection up to the Panchayat Bhawan [Panchayat Office]. And only 31 (11.5%) of them had "functional" but slow internet connection. These working connections were in four panchayats in Jharkhand, three in Madhya Pradesh, 17 in Maharashtra, six in Rajasthan and one in West Bengal. In Kalyanpur panchayat in Rajasthan, internet connectivity is limited to panchayat officials for 4-5 hours a day."

Further, assessment of the government's claim that all 597,464 villages in India have electricity shows that "linking a village to the power grid simply means that basic distribution infrastructure is in place, electric cables have been laid in public institutions, and 10% of the households are "electrified"." [7]

This is also reflective of DEF's experience in which nominal evaluation of policy implementation and service-delivery at face value stymies further engagement in working towards improving capacity. In order for meaningful multi-stakeholder engagement to take place, it is important that there is an accurate assessment of facts on the ground in order to ensure that implementation is able to meet the policy objectives and all stakeholders can contribute meaningfully, effectively, and efficiently in a way that maximises value for the communities involved.

- ***What are successful examples of cooperation among stakeholders in these areas? Where is further cooperation needed?***

As mentioned above, DEF's most successful instances of cooperation have proved to be with stakeholders at the grassroots level who are deeply invested in the communities and whose lives stand to be directly affected by these initiatives and programmes. DEF programmes are designed to be sustainable with community ownership of processes and resources. Cooperation with local administrations has also been supportive and successful with DEF resource centres sharing space within panchayat offices or local administrations providing space for housing resource centres. It has also been possible to engage with national ministries in implementing and rolling out digital development projects. However, scaling up community level programme at the State-wide level has been a challenge. It is important that government officials develop methods of evaluation that are community-centric which would help them in understanding the actual shortfalls in service on the ground. This will help to bring the conversation on a level playing field from which further joint-actions can be planned and taken towards improving digital and information gaps faced by communities.

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