GLOBAL INFORMATION SOCIETY WATCH 2021-2022

Digital futures for a post-pandemic world

Association for Progressive Communications (APC)
and Swedish International Development Cooperation Agency (Sida)

Global Information Society Watch 2021-2022
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Preface

Valeria Betancourt (APC)

Several of the fundamental notions we took for granted as civil society activists have been transformed by the COVID-19 pandemic. One of the most profound, for me, is our sense of time. It has changed substantially, and we now live oscillating between the dizzying sense of it passing rapidly and having to contend with the feeling that it has been suspended. What impact does this have on the pace of the social changes that we, as civil society organisations and networks, want to be part of?

The pandemic, which hit us in different ways in both the online and offline spheres, has also brought us face to face with the tensions between the connected and the unconnected, the individual and the collective, between the contingent and the predictable, between the rigid and the flexible, between the continuous and the conjunctural, the ephemeral and the permanent, and between the local and the global.

The impacts of digitalisation on the dynamics of our contexts have become more palpable, as well as the ways those impacts relate to old and emerging structural challenges. The weight of physical boundaries and awareness of the limits of the physical space we inhabit were heightened. We were connected in a digital space but were demobilised and disconnected on other levels, a tension tearing at the social tissue that we took for granted.

The relationship between the local and the global, which has historically driven and guided the work of the Association for Progressive Communications (APC), has taken on even greater significance. But if that is the case, what does it mean for our advocacy at both local and global levels? What does this mean for us as a network, as an actor seeking to produce substantial transformations at all levels? Did other forms of collaboration and connection emerge in the peripheries during the pandemic?

These changes have been exacerbated by current overlapping global crises: setbacks in democratic values; the weakening of democratic institutions; the multiplication of anti-rights forces; the rise of authoritarianism; the flourishing of stigmatising narratives; the deterioration of the role of states in the provision of public services; the deprioritisation of sustainable development objectives; and, in general, the shrinking of the civic space.

What does this all imply for strengthening our advocacy in the midst of an intensified sense of fragility and volatility when, paradoxically, everything we do and don't do will have a decisive bearing on the future? What does this mean in terms of collective action, of activism, of the movements we work with and are part of and the way in which we set goals?

There are no simple answers to these questions.

The pandemic made inequality, discrimination, exclusion and structural inequity more palpable, and rather than stagnating in indignation, it reactivated a sense of rebellion and contestation. The strength and sharpness with which we connect social justice, gender justice, environmental justice, economic justice and racial justice with the potentials and limitations of digital technologies is undeniable. Using this intersectional lens, we need to document and build our own narratives about the challenges that we face related to the impacts of the pandemic and reflect on how our advocacy priorities as well as the ways we do advocacy are changing and keep being modified and adjusted.

At APC we have strengthened capacity to design and implement collective and contextual community responses to the multiple challenges and crises that we face, while having a greater awareness of the kind of global responses that should be prioritised, based on shared but differentiated responsibilities.

We are in a tremendously complex historical moment in which, possibly, the most important anchor of meaning continues to be, for our network and organisation, and for social movements, the commitment to a common horizon of dignity and justice – a horizon in which digital technologies and an open, decentralised, free internet allow us to sustain other ways of life that are compatible with the collective well-being and well-being of our planet.

GISWatch 2021-2022 focuses on responses to some of the fundamental questions brought by the pandemic to inform civil society's advocacy around digital technology issues and their potential to shape future horizons. As illustrated on our cover, a sustained struggle will be necessary in the years ahead, but not only in the public spaces. A nuanced approach to advocacy will be essential to open multiple ways to bring about positive change.

We hope that this edition ignites renewed energy to reshape the sense of "us" going forward towards reinventing the social contract, recognising and embracing our diversity, our multi-referential identities, our complementarities; and contributes to finding effective ways to think and act beyond all the crises and contingencies that surround us at the moment as actors of change in the digital environment.

Introduction

Valeria Betancourt and Alan Finlay
Association for Progressive Communications (APC)

Rebalancing and reimagining our futures

In 2005, at the culmination of the second phase of the World Summit on the Information Society (WSIS), civil society organisations clearly stated that societies will not be able to advance towards social justice if the development and use of the internet does not contribute to the strengthening of the exercise of human rights.

The capabilities of digital technologies are a thousand times greater than they were in 2005 and, although progress has been made, we have not yet managed to determine the scope of the reinterpreted vision of WSIS that is needed to respond to the implications of ever-changing digital societies. Nevertheless, we probably thought we were getting closer to some answers before the COVID-19 pandemic hit us, revealing the stark dimensions of digital exclusion and rights violations across the world.

With lockdowns forcing more people online for longer periods of time, alongside the techno-centric, "top-down" interventions adopted by governments,[1] the immediate consequences of a lack of digital rights and meaningful access were for many harsh, visceral and ubiquitous.

While many activists found themselves at a crossroads – either get online and learn new ways of interacting, or risk being stranded – people without a stable and affordable internet connection were unable to work, or to access education and government services, including health services. Meanwhile, hastily drafted regulations and technologies put to new use limited people's right to freedom of expression and association, personal data security and privacy, and freedom from unwarranted surveillance. The pandemic also amplified online violence against both women and children, despite over a decade of work in this area.

Many of these are rights that civil society organisations have been advocating for since 2005 – with some concerns, such as access for poor and marginalised communities, stretching back to the origins of internet advocacy in the 1990s.

What then can we learn from this period of "accelerated transition", as one report describes it here?[2]

The purpose of this GISWatch was to ask two fundamental questions:

- How has the COVID-19 pandemic changed or shaped the ways in which civil society organisations do their advocacy work around digital technology-related issues, including digital rights?
- How have internet rights advocacy priorities shifted due to the pandemic?

It includes a series of thematic reports, dealing with, among others, emerging issues in advocacy for access, platformisation, tech colonisation and the dominance of the private sector, internet regulation and governance, privacy and data, new trends in funding internet advocacy, and building a post-pandemic feminist agenda. Alongside these, 36 country and regional reports, the majority from the global South, all address the two questions in different ways, offering some indication of how we can begin mapping a shifted terrain.

Through the lens of the COVID-19 pandemic, the reports highlight the different and complex ways in which democracy and human rights are at risk across the globe, and illustrate how fundamental meaningful internet access is to sustainable development. While the majority focus on the impact of the pandemic on digital rights and access in the global South, the inclusion of reports from countries in the North, such as Canada, suggests that developed countries have not been immune to new threats to freedoms, and that there is a need to address these risks collectively with fresh vigour.

1 See Jinbonet's report on South Korea for an example of this.

2 See the country report on Spain by Pangea and the eReuse.org initiative.

The reports show how advocacy priorities have, on the one hand, stayed the same (a "turning back" or learning from history is necessary), and, on the other, that they have to be refocused to attend properly to a subtly or significantly altered terrain. New fields of advocacy have also been brought to the fore that civil society organisations need to pay better attention to.

A number of reports show how we (governments, the private sector, civil society) have not properly been able to address the question of meaningful internet access for all, nor the impact of gender inequality on access and the use of the internet. Others deal with comparatively more recent advocacy focus areas that are now the mainstay of global advocacy on digital rights, such as privacy online, surveillance, disinformation and misinformation, artificial intelligence, and data rights. Largely within these frames, emerging concerns are identified.

For example, while the rights principles of artificial intelligence need to be properly addressed when shaping policy, there is a need to consider the newer field of robotic policing and automated nursing. Although robotic policing has been around for a number of years – an early example of its misuse occurred in Dallas in the US in 2016[3] – in Tunisia it was introduced during the pandemic with very little public consultation, a particular concern given that the robots helped enforce the country's lockdown rules and interfaced with the public directly. Similarly, technologies used ostensibly for public benefit – such as contact tracing apps – need to be framed as "public interest technologies" to make the spectrum of their rights implications more visible (see the report by Tecnológico de Monterrey and May First Movement Technology).[4]

Less prominent rights issues, such as those of remote or hybrid workers (see the report by EsLaRed on Venezuela, for instance) now need to be foregrounded in rights discourse, alongside the growing support for the rights of gig economy workers.

The same goes for the digital rights of children. The reports show that the impact of digitisation on children can no longer be marginalised in mainstream digital rights discussions. Cooperativa Sulá Batsú discusses the negative effects of isolation and children being online for extended periods, particularly for boys, while, as ARTICLE 19 Eastern Africa suggests, there was evidence of a general increase in online violence against children during the pandemic in Kenya (a phenomenon unlikely to be isolated).

Other "old issues" that have been to some extent put to one side, such as advocating for free and open source technologies, need to be reinvigorated – albeit, as the Digital Trade Alliance explains, in a difficult context for open knowledge advocacy given the background of the vaccine debate and the failed TRIPS waiver.

These advocacy priorities occur in and are shaped by a context that has shifted as a result of the "accelerated transition" we have experienced. As Privacy International and others have indicated, the pandemic has been a significant boom for the private tech sector – perhaps unparalleled in such a short space of time – both in terms of new users and the data that can be harvested from them and in terms of "instant" partnerships formed with governments who anxiously sought to respond to the crisis and ramp up their digitisation processes. With few or no checks and balances, and little public transparency on what exactly was being given up while access to health and a safe environment was ostensibly being secured, this has come at a cost for citizens (including the corporate surveillance of children, forced to be online for education).

Coupled with some governments having to rush their own digitisation processes that were still in the pipeline, the pandemic significantly boosted the transition to the data-driven society, with more known about us now than ever before. It is the implications of this that civil society needs to continue to map for its specific advocacy priorities, including the need for significant upscaling of data capacity in the countries of the global South, and the building of "local data narratives" of resistance.[5]

Many governments across the world have been given a fresh leash to tighten their grip on civic spaces, and in countries like Nigeria there are suggestions that civil society actors have started to leave the advocacy arena due to the imminent threats they face. India meanwhile faces its own clampdown on civil society organisations, with donors struggling to find ways to fund them.

It was also remarkable how easily governments, in a time of emergency, discarded public input in their efforts to find solutions to the immediate crisis – at least in the field of technology. While countries

3 Liedtke, M., & Fowler, B. (2016, 9 July). Killer robot used by Dallas police opens ethical debate. *Phys.org*. https://phys.org/news/2016-07-killer-robot-dallas-police-ethical.html

4 Tecnológico de Monterrey and May First Movement Technology provide in their report an excellent starting point for this understanding. Meanwhile, Carlos Guerrero Argote worryingly suggests in his country report on Peru that both civil society and funders felt that with many technologies used to manage the virus being discarded by governments over time, they are no longer worthy of attention.

5 See, for instance, Razzano, G. (2022). Decolonising data. In A. Finlay (Ed.), *State of the Newsroom 2020*. Wits Centre for Journalism. https://journalism.co.za/wp-content/uploads/2022/03/SON-2020-Final-23-Feb.pdf

set up expert advisory groups to understand the evolution of the pandemic, when it came to the application of technology to meet the new, urgent needs, this kind of citizen input was largely absent. A common recommendation in a number of country reports is to create robust frameworks for multistakeholder decision making and citizen oversight when innovating technological responses to future, similar events. It will, however, be worth tracking whether the lack of participation in the development of technology-driven responses to the pandemic sets a precedent – particularly in light of a significantly empowered private sector.

Funding priorities also appear to be shifting, and the longer-term impact of this is still to be felt. As a report in this edition of GISWatch outlines, many donors are now more likely to focus on intersectional agendas, where the application of technology or digital rights meets the needs of other advocacy priorities. Civil society organisations may need to engage in direct advocacy with donors to ensure that the specific and perhaps unique terrains in digital rights advocacy are not stripped of their vital resources, even if there is a need to be more specific and incisive in setting their advocacy priorities.

We do not want to suggest that everything went badly with respect to digital rights and access during the pandemic. Reports here also show strong cooperation between governments and civil society – for instance, in freeing the regulatory space for the rollout of community networks as an emergency access solution, or in the running of trade union elections in Benin, with connectivity points set up for workers who did not have internet. Such an initiative holds some potential for new forms of hybrid democratic participation and multistakeholder collaboration or cooperation.

Innovative technological solutions for medical purposes were also developed by startups in the private sector, universities and civil society actors, while the internet was used by ordinary people to mobilise citizen action and help to provide support to communities in need. At the grassroots level, civil society organisations experimented with new ways of training remotely (see the discussion by DW Akademie and Redes on Colmena for a good example of this). New advocacy networks were also born when grassroots organisations came online, and met other, like-minded organisations for the first time.

In an effort to inform the public about the pandemic, the new government in the Democratic Republic of Congo did not resort to internet shutdowns to combat disinformation as had been done in the past, instead putting its faith in supporting fact-checking organisations. In the process it stated its intention to ratify the international convention on cybercrime, which limits shutdowns, creating an interesting policy advocacy window of opportunity in that country. In Brazil, a victory in the supreme court guaranteeing the right to personal data protection has also opened up new advocacy avenues for civil society.

There is also a greater awareness of the real-life impact of the digital divide – and a fresh impetus to look at new access possibilities or revisit old ones, including leveraging universal service funds and rolling out community networks. Issues to do with privacy and surveillance have gained greater visibility among civil society actors working outside the field of digital rights, and no doubt among the public too.

However, as others have pointed out, the initial phase of the pandemic created for some a sense of global optimism[6] – a possibility of a common good being forged, even if driven by pragmatism (e.g. in Turkey the government lifted its usual restrictions on the media temporarily in order to properly inform the public about the virus). Initially, despite the shock and uncertainty, there was a sense of relief that "we were all in this together" and that a collective response might be possible to determine the fate of humanity and the planet – a response which, perhaps, could be felt in other areas too, such as properly addressing climate change.

However, the sense of optimism felt at the beginning of the pandemic was soon supplanted by different kinds of opportunism – whether from the state, the private sector, or developed countries acting in cohort – and it ran aground when confronted with the powerful geopolitical dynamics and alignments holding the "centre" in place, as we saw with the failure of the TRIPS waiver. With economically weakened and unstable states, a stressed civil society, an increase in global poverty, and the current state of geopolitical imbalance – with one expression being the war in Ukraine – the ramifications of this opportunism may be felt in the terrain of internet governance for years to come.

The question then becomes: What kind of processes would contribute to restore a workable balance? And what sort of rebalancing is necessary, or "push back" is needed?

How do we reach new agreements building on the processes that have been carried out in the fields of internet policy, internet governance and global digital cooperation, while properly taking into account the shifted terrain? What are the conditions that need to be in place to reach outcomes that balance the differences in power of contending

6 See, for instance, "Rerouting geopolitics" by Alison Gillwald (publication forthcoming).

parties and the multiplicity of interests? How do we operationalise global digital cooperation, and how do we translate it to regional and local spheres, bridging the gap between deliberative spaces and decision-making processes?

Over the past two years, a number of initiatives have emerged in the ecosystem of internet governance and global digital cooperation aimed, in large part, at outlining the characteristics of a digital future. These include the Global Digital Compact,[7] and other relevant processes that are around the corner, such as the WSIS+20 review.[8]

But still more needs to be done. There remains an urgent need for regional and global responses arising from true – and significantly strengthened – multilevel, multidisciplinary and multistakeholder collaboration, based on the principles of inclusiveness, transparency and shared responsibility. These need to recognise that different contexts and impacts require differentiated and specific responses, including public policy interventions.

And, as these reports suggest, in all regions of the world, including in the global North, there is a need for a fresh impetus towards movement building, working across civil society, and including organisations that may not have taken digital rights as a priority before. This is necessary not only to address the shrinking of civic space, but also to collectively challenge the new geopolitical and economic power dynamics that are refracted in the digital sphere.

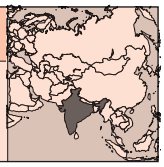
Any push back requires most of all imagination – of how things can be done differently. As the Centro de Investigación en Tecnologías y Saberes Comunitarios put it in their country report on Mexico, part of the access challenge in that country is that "the imagination and understanding of the problem by policy makers have not gone beyond the unsuccessful strategies that have been already developed." How this reimagining of possibilities can be introduced into spaces for deliberation and policy making and inform the new movement building that needs to take place, is up to us, as civil society actors.

7 https://www.un.org/techenvoy/global-digital-compact

8 Souter, D. (2020, 6 July). Inside the Digital Society: WSIS+20 is closer than you think. *APC*. https://www.apc.org/en/blog/inside-digital-society-wsis20-closer-you-think

INDIA

THEN AND NOW: NEW POST-PANDEMIC CHALLENGES TO DIGITAL RIGHTS ADVOCACY IN INDIA



Digital Empowerment Foundation and Council for Social and Digital Development
Osama Manzar, Syed S. Kazi and Tuisha Sircar
https://www.defindia.org and https://www.csddindia.in

Introduction

The COVID-19 pandemic has greatly affected civil society – operations were disrupted, new issues emerged, and civic space continued to close.[1] The pandemic brought about travel restrictions, supply and network chain disruptions, and a lack of access to many of the services that civil society organisations (CSOs) offered. Consequently, digital technology emerged as a way for civil society to network, collaborate and engage in their areas of work and on their priorities. Although digital tools reshaped global communications decades ago, lockdown measures strengthened digital adoption among movements, organisations and communities, with many using social media to mobilise people and resources, organise, and engage in advocacy, networking and campaigning to raise concerns and seek support and solutions.[2]

The pandemic also forced organisations in India to reach for fresh ways of understanding, interpreting and dissecting digital rights issues in an attempt to find remedies in a new context. With the acceleration in digital adoption during the pandemic, the issues around which there is a renewed dialogue include the following:

- In a bid to connect and network large-scale civic organisations, grassroots collectives and communities are freshly focusing on digital literacy and access to the internet and technology to limit the risk of excluding people.[3]
- Tech-based CSOs are increasingly becoming cognisant of the massive extraction and collection of data that have reached unprecedented levels, whether through government initiatives in response to the pandemic, or by the private sector through the intensified use of the internet globally.[4]
- With the pandemic stirring the relations between the state and civil society, and more activism going online, further restrictions on digital communications have become a reality.[5]

Besides this framework of changes, there have been other areas of concern for CSOs, including enabling the right to information, addressing disinformation and misinformation, and access to critical public information and government schemes.

In this newfound and accelerated digital space, there are two broad shifts that emerged quite clearly in how CSOs in India changed their ways of working to meet the challenges that they confronted. Firstly, issues emerged around the "why" and "how". Traditional rights advocacy CSOs started revisiting traditional modes of communicating, and are now looking at adapting to digital modes to advocate on rights. Many are now opting to reorient and upgrade their work using digital platforms. And secondly, digital rights and tech-based organisations already engaged in digital advocacy started to refocus on the new challenges of digital rights that were emerging, looking for alternative ways to address these: the "what" and "how". This included transiting to a "super-normal" or higher-level use of digital platforms, resources and tools and alternative ways of networking to engage in advocacy.

This report aims to foreground the above key considerations in India, the world's largest democracy and emerging "digital democratic" country. It

1 Brechenmacher, S., Youngs, R., & Carothers, T. (2020, 21 April). Civil Society and the Coronavirus: Dynamism Despite Disruption. *Carnegie Endowment for International Peace*. https://carnegieendowment.org/2020/04/21/civil-society-and-coronavirus-dynamism-despite-disruption-pub-81592

2 Nampoothiri, N. J., & Artuso, F. (2021). Civil Society's Response to Coronavirus Disease 2019: Patterns from Two Hundred Case Studies of Emergent Agency. *Journal of Creative Communications, 16*(2), 203-212. https://doi.org/10.1177/09732586211015057

3 Allmann, K. (2020, 11 May). Covid-19 is increasing digital inequality: We need human connectivity to close the digital divide. *Medium*. https://medium.com/swlh/covid-19-is-increasing-digital-inequality-but-human-connectivity-is-the-answer-424812acbb65; Reddy A, B., Jose, S., & Vaidehi, R. (2020). Digital Divide in Online Education: Of Access and Inclusivity. *Economic and Political Weekly, 55*(36).

4 Zwitter, A., & Gstrein, O. J. (2020). Big data, privacy and COVID-19 – learning from humanitarian expertise in data protection. *International Journal of Humanitarian Action, 5*(4). https://doi.org/10.1186/s41018-020-00072-6

5 Lindberg, S. I. (Ed.) (2021). *Autocratization Turns Viral: Democracy Report 2021*. University of Gothenburg: V-Dem Institute. https://www.v-dem.net/media/filer_public/c9/3f/c93f8e74-a3fd-4bac-adfd-ee2cfbc0a375/dr_2021.pdf

discusses how digitally-enabled,[6] digital technology and rights-based organisations in the country have revisited their priorities, strategies, means and mediums in a period of accelerated transition to advocate, network and seek solutions to the digital issues that concern millions in an emerging digital society and economy. This report seeks to look at the future of digital rights and other technology-based issues in India, through the lens of the civil society organisations in the tech space, but not limited to this.

To be able to imagine a post-pandemic reality of how CSOs engage in advocacy, it is pertinent to highlight how the COVID-19 pandemic has shaped their advocacy strategies on critical digital rights and tech issues in India, a country marred by various challenges. While for some stakeholders these changing means, methods and approaches to advocacy have the potential for a drastic digital transformation, others hold a more pessimistic perspective, expressing concerns about the challenges that civic actors are facing in the creation of a robust network of digital rights advocates in India. The latter can be highlighted by the fact that since the advent of the digital century, the number of CSOs working on digital rights and tech issues in India has been abysmally low, and few new voices are emerging.

Context: A shifting focus for CSOs

The highly infectious COVID-19 virus, which originated in Wuhan, China, was declared by the World Health Organization (WHO) as a global health emergency on 11 March 2020.[7] The declaration of the pandemic led to the imposition of lockdowns across nations, including India, as a precautionary measure to contain the spread of infection by mandating populations to self-isolate, quarantine and maintain social distancing. Since March 2020, India has seen three waves of exponentially rising cases of the virus, which led to full or partial restrictions on the mobility of people both inter- and intra-states. The restrictions forced organisations and institutions to adapt to the use of digital communications in order to continue their work from remote locations. The large network of CSOs in India advocating on various rights-based issues also developed innovative strategies to continue functioning and provide support to those in need during these dire times.

The advent of the pandemic not only forced CSOs advocating on rights-based issues to adapt to new strategies, but also induced them to shift their advocacy priorities. They tirelessly participated in relief efforts, disseminated critical information necessary to contain panic, and worked with the state's centralised funding mechanism created to combat the pandemic to supplement their work.

The health, education and livelihood sectors promptly adapted to digital strategies. For instance, Smile Foundation[8] launched an initiative called "Shiksha Na Ruke" where they provided underprivileged children access to continuous learning through the provision of electronic devices, trained teachers for virtual teaching, curated educational content suitable for digital platforms, and ensured mental well-being through individual mentoring sessions. In the health sector, the Society for Nutrition, Education and Health Action (SNEHA)[9] has been conducting emotional resilience sessions and counselling through online group calls with adolescents in grassroots communities. They also trained Accredited Social Health Activist (ASHA) workers and hundreds of members of Mahila Arogya Samitis (Women's Health Committees) remotely on preventive measures, proper use of masks, the identification of early symptoms of COVID-19, and how to do referrals to medical practitioners. It has been estimated that nearly three million people were impacted by the outreach of CSOs in India.[10]

The pandemic also forced CSOs working on critical digital rights and tech issues in India to revisit issues such as free speech, digital security, accessibility, internet governance, digital surveillance, data privacy, censorship, and what was termed the "infodemic". The debates around these issues are being juxtaposed and intersected with other social discourses around gender, caste, poverty and the environment.

Our investigation

In line with the substance of the enquiry of this issue of GISWatch, the core question we sought to address in this report was: "How has the COVID-19 pandemic changed or shaped the ways in which civil society organisations do their advocacy work around digital technology-related issues, including digital rights?"

6 Digitally enabled organisations are those that opt to primarily function using digital platforms, tools and resources. Largely, their internal and external communication and advocacy work (research, workshops, meetings, etc.) are done online. Many digital rights organisations had already transitioned to such a mode of working prior to the pandemic. However, the pandemic pushed most organisations to make the transition and develop either fully online or hybrid ways of functioning.

7 Ducharme, J. (2020, 11 March). World Health Organization Declares COVID-19 a 'Pandemic.' Here's What That Means. *TIME*. https://time.com/5791661/who-coronavirus-pandemic-declaration

8 https://www.smilefoundationindia.org/me

9 https://snehamumbai.org/covid-19

10 Participatory Research in Asia & VANI Network. (2020). *Response of Indian Civil Society Towards COVID-19*. https://www.pria.org/knowledge_resource/1594293825_Response%20of%20CSO%20towards%20covid19.pdf

This required a careful analysis of its many layers. For example, in order to arrive at a comparative perspective, it has been necessary to understand the changes that CSOs had to make in their methods, tools and approaches to continue their advocacy work, compared to the pre-pandemic period.

The digital capacities of the organisations was also important, as was the extent of networking and collaboration among CSOs, public agencies and communities, which spoke to the resilience of CSOs during the pandemic.

Lastly, it was necessary to look at the scope of the changes engendered by the pandemic, and the extent to which these changes might impact the functioning and advocacy work of CSOs with respect to digital tech issues in the future.

The following sections are based on research conducted by Digital Empowerment Foundation (DEF) and the Council for Social and Digital Development (CSDD) through both qualitative and quantitative processes. The qualitative data was collected through in-depth interview sessions with five well-known CSOs working on digital rights and other tech-based issues in India. Quantitative data has been used to map the changing advocacy strategies and shifting priority issues of the CSOs. For this, nine organisations were selected. A detailed mapping of their advocacy between March 2020 and December 2021 was conducted by looking at the content on their websites and social media profiles. This considered the focus of their research, workshops, webinars, conferences and discussions, among others. These were then subjected to a cross-tabulation analysis using variables such as the topic and the advocacy methods, its frequency and date.

Filling the gap: CSOs and informal activism during COVID-19

Civil society in India is a vast network of organisations, working upwards from the grassroots level. It is conceptualised as "the sum total of all individual and collective initiatives for common public good."[11] During the pandemic, the most striking trend in civil society has been the spread of informal activism – forms of self-organisation aimed at practical problem solving.[12] On one hand, civil society filled the gap left by the state. On the other hand, informal networks and communities filled the gaps left by some of the larger and more formal CSOs with more rigid bureaucracies.

Technology played a central role in the delivery of various emergency services that were earlier dependent on community mobilisation. For example, Social Media Matters,[13] an organisation primarily working on online safety, disinformation and misinformation, and digital parenting, started a project called "My Pincode" where a few million users in India were reached through 783 Facebook groups. The purpose was to counter the spread of "fake news" about the pandemic, to present real-time updates on the pandemic from the government in simple, accessible language, and to share videos made by volunteers.[14]

During the second wave of the COVID-19 outbreak in India in April 2021, there was an acute shortage of life-saving oxygen, drugs and hospital beds across the nation.[15] Efforts by both government and CSOs had shortcomings given the vastness of the crisis. Consequently, thousands of civilians, especially youth, participated in a voluntary drive of setting up apps to crowdsource aid, delivering key supplies and using social media to direct resources to people in need.[16]

Moving to digital: Minimising the use of resources and maximising reach

For tech-based CSOs, the shift to a digital mode of operating has been relatively easier, despite changes in the mode of communication to phone calls and online meetings. For some organisations, the transition to online work has also allowed them to minimise the use of resources, including financial resources, and maximise reach. For instance, the Software Freedom Law Centre (SFLC), an organisation based out of Delhi, now conducts its digital security training and research on digital platforms using free/libre and open source platforms like Jitsi or BigBlueButton. Like other CSOs, it has started publishing its research reports online, which not only saves resources but also saves time. Before the pandemic, the SFLC ran in-person conferences for policy consultations that required a heavy financial investment. Now its conferences have moved online, which allows them to increase their reach globally.[17]

11 Tandon, R., & Mohanty, R. (2002). *Civil Society and Governance*. Samskriti.

12 Youngs, R., et al. (2021). *Civil Society and the Global Pandemic: Building Back Different?* Carnegie Endowment for International Peace. https://carnegieendowment.org/files/2021-CRN_Global%20Pandemic.pdf

13 https://www.socialmediamatters.in

14 Interview with Social Media Matters CEO Pratishtha Arora, 27 January 2022.

15 Thadhani, A. (2021). *Preventing a Repeat of the COVID-19 Second-Wave Oxygen Crisis in India.* Observer Research Foundation. https://www.orfonline.org/research/preventing-a-repeat-of-the-covid-19-second-wave-oxygen-crisis-in-india

16 AFP. (2021, 4 May). India's youth fight the covid second wave with apps and oxygen. *Live Mint*. https://www.livemint.com/news/india/indias-young-fight-the-covid-second-wave-with-apps-and-oxygen-11620095849517.html

17 Interview with Software Freedom Law Centre volunteer legal counsel Radhika Jhalani, 7 February 2022.

TABLE 1.

Areas of focus for research and advocacy by Indian digital rights CSOs during the COVID-19 pandemic

	Areas of focus
1.	Potential and challenges of FinTech: Inclusive systems, regulatory mechanisms, digital infrastructure, crypto assets[18]
2.	Digital labour
3.	Reimagining data systems beyond gender binaries
4.	Rural connectivity: The last mile and engaging with digital rights and technology-related issues at the grassroots
5.	Data privacy, personal freedom and informed user consent
6.	The arbitrary imposition of Aarogya Setu[19]
7.	"Fake news", misinformation and disinformation
8.	Digital surveillance through technologies such as facial recognition systems
9.	Digital security, online safety and data empowerment
10.	Reimagining artificial intelligence (AI) futures: Inclusive systems, innovation, policy advocacy, regulatory mechanisms, digital infrastructure
11.	Digital technologies and education
12.	Digital justice for gender and disability inclusion
13.	Online violence against marginalised groups
14.	Reimagining the data commons
15.	Datafication of people's health
16.	Gender and the digital divide
17.	E-waste management and the circular economy of the electronics sector
18.	Access to livelihoods and entitlements
19.	Digital parenting

This is not confined to the SFLC. Working online, CSOs have been able to host more webinars and online conferences, in an environment where this was increasingly accepted as standard practice, allowing them to reach a wider audience.[20] This included the Internet Freedom Foundation (IFF), which launched a forum in 2020 to expand its public engagement efforts in a "democratic dialogue with citizens" on digital rights.[21] DEF engaged with a wider public by reinventing its "DEFDialogues" during the COVID-19 pandemic, which are available on YouTube and the DEF website.[22]

There was evidence of an increase in the use of social media, especially Twitter and Instagram, for policy advocacy and awareness raising on various rights-based issues, including digital rights. The Centre for Internet and Society also started a technology and policy podcast in 2020 called "In Flux", which is available on various streaming platforms.[23]

These initiatives occurred against the backdrop of an increase in the adoption of free/libre and open source software since the start of the pandemic.[24]

18 Markets around the world are increasingly integrating cryptocurrencies in their economies. For instance, Costa Rica announced that employees might get legally paid in cryptocurrency. As a result, its adoption in the country spiked. The Philippines is another example of cryptocurrency being championed. In 2020, the country's central bank approved nearly 16 cryptocurrency exchanges, placing the Philippines at the forefront of Southeast Asian countries in terms of the "crypto boom". India is also an emerging crypto market: according to a report by Chainalysis, India's crypto market increased by 641% between July 2020 and June 2021. Cryptocurrency also brought in new cohorts of investors to the market – youngsters and women. As a result, the government is increasingly looking at the introduction of strict regulations of crypto assets and penetration of the market by introducing Central Bank Digital Currencies (CBDC).

19 Aarogya Setu is an Indian COVID-19 "contact tracing, syndromic mapping and self-assessment" digital service, primarily a mobile app, developed by the National Informatics Centre under the Ministry of Electronics and Information Technology.

20 Tanidir, Y., et al. (2021). How did the COVID-19 pandemic affect audience's attitudes in webinars? *The International Journal of Clinical Practice, 75*(7). https://doi.org/10.1111/ijcp.14239

21 https://internetfreedom.in/year-in-review-scaling-up-iffs-operations-and-community

22 https://www.defindia.org/defdialogues

23 https://in-flux.cis-india.org

24 TechGig. (2021, 9 February). Open Source software developers were more active during COVID-19: Survey. *Tech Gig.* https://content.techgig.com/open-source-software-developers-were-more-active-during-covid-19-survey/articleshow/80764250.cms

Areas of focus for digital rights activists during the pandemic

Table 1 lists the broad focus areas for digital rights and technology-related issues among the following key Indian digital rights CSOs during the pandemic: Digital Empowerment Foundation,[25] Centre for Internet and Society,[26] IT for Change,[27] Internet Democracy Project,[28] NASSCOM Foundation,[29] Internet Freedom Foundation,[30] Centre for Catalyzing Change,[31] Social Media Matters[32] and Policy 4.0.[33] These areas of focus were either new areas for the organisations or areas that the organisations returned to due to the impact of the pandemic. The issues are in no specific order of priority. As the table suggests, there was a focus on the emerging digital economy and financial resources, and its impact on labour and employment, which included issues impacting on gender, the informal workforce and farmers. A renewed focus on surveillance technologies also emerged, including its implications for privacy and constitutional rights such as free speech, censorship and access to the internet. E-education and e-health related concerns were also covered. Most importantly, concerns around the digital divide were revisited with a renewed urgency. More than addressing these problems on a short-term basis, CSOs engaged in reimagining futures and issues that need sustainable focus and work in growing the digital society.

Networking and collaborating for greater public participation

CSOs in India have shown resilience during the COVID-19 pandemic by strategically entering into partnerships and networking with stakeholders, grassroots organisations and other CSOs to engage in people-driven work.[34] Collaborations were seen between CSOs and government agencies, local organisations, local people and communities, and even with migrant and diaspora organisations.[35]

CSOs solely engaged in the policy space like the Internet Freedom Foundation (IFF) also relied on extensive networking and collaboration. For instance, for their analysis of AgriStack,[36] IFF collaborated with various farmer groups and even sent a joint letter signed by 55 organisations to the Union Minister for Agriculture asking for further consultations with all stakeholders. The letter highlighted the need for statutory backing, and demanded greater transparency with regard to the financial details of the project.[37] In collaboration with close to 50 organisations, IFF also studied the Aarogya Setu app, critically mapped resistance to and criticism of the app, filed right to information requests to understand the development and roll-out of the app, and engaged in strategic litigation in the Kerala High Court against its arbitrary imposition.[38] In terms of its work on medical healthcare data policies it has collaborated with organisations in the medical healthcare space like the Forum for Medical Ethics and Research.[39]

Navigating the need for grassroots work on digital rights

With the restrictions imposed on mobility, CSOs had to adapt to innovative strategies to continue functioning, sometimes in remote locations. Many CSOs like Social Media Matters and Feminist Approach to Technology (FAT),[40] despite working on technology- related issues, typically engaged in field-work research and face-to-face capacity building and advocacy. However, after the pandemic they developed new methods, changed their approach, and adapted to the use of new digital tools so that they could continue their grassroots engagement. For instance, FAT mobilised its project participants – who are primarily adolescent girls from marginalised groups in rural, peri-urban and urban communities across Delhi, Bihar, Jharkhand and Pune – through smart devices that were either owned by the girls or distributed by FAT to remote locations. The pandemic prompted them to start a girl-led campaign called "Corona nahi Karuna" where they used the devices to gather information, distinguish between fake news and legitimate news, connect to organisations distributing

25 https://www.defindia.org
26 https://cis-india.org
27 https://itforchange.net
28 https://internetdemocracy.in
29 https://nasscomfoundation.org
30 https://internetfreedom.in
31 https://www.c3india.org
32 https://www.socialmediamatters.in
33 https://policyfourpointo.com
34 Datta, N. (2021, 25 February). Promoting resilience among CSOs through partnerships and people-driven work in India. *Global Standard for CSO Accountability.* https://www.csostandard.org/cso-standard/promoting-resilience-among-csos-through-partnerships-and-people-driven-work-in-india
35 Khan, F., Yadav, A., & Sahoo, S. (2021, 26 April). Pandemic, CSOs, and Collaboration - Perspectives from India. *Queen Mary Global Policy Institute.* https://www.qmul.ac.uk/gpi/projects/migpanbrin/blog/items/pandemic-csos-and-collaboration---perspectives-from-india.html
36 As a collection of digital databases, AgriStack would have some core features including a unique farmer identity number for each farmer, and some building blocks such as data on weather, the newest science and research on agriculture, agricultural commodity prices in India and abroad, and information and access to central government schemes, agricultural regulations and permissions.
37 https://internetfreedom.in/joint-letter-to-the-agriculture-minister
38 https://internetfreedom.in/kerala-hc-aarogya-setu
39 Interview with Internet Freedom Foundation (IFF) Executive Director Apar Gupta, 1 February 2022.
40 https://www.fat-net.org

TABLE 2

Shift in methods used for advocacy: Pre-2020 and post-2020

Number	Pre-2020	Post-2020
1	Field-based research	Limited field-based interventions/Remote research
2	In-person community engagement	Online community engagement
3	In-person capacity building	Online capacity building
4	In-person workshops	Online workshops
5	In-person conferences	Online conferences
6	In-person meetings	Online/telephonic meetings
7	Seminars	Webinars

rations as well as to different government schemes, and assist people in their communities in various ways. By doing this they created an emergency support system using smart devices.

However, the implementation of FAT's programmes online also resulted in the loss of participants for various reasons, such as a lack of access to devices, restrictions imposed by families on the girls owning devices, difficulties in managing school or college commitments, and increased household responsibilities.

Apart from these challenges, other issues included a lack of privacy and confidentiality at home during online sessions, an increase in household health problems due to the pandemic, and increased boredom, which affected online participation of the girls.[41] Some participants also left the project due to early marriage.

Gender safety and user-generated data under lockdown

For a platform like Safetipin,[42] whose advocacy work on "safe cities for women" relies on the data generated through the Safetipin app, the pandemic posed a major problem. The app functions through safety audits, whereby the user rates a specific location through geotagging on the basis of nine parameters: lighting, visibility, pedestrian routes to the location, openness, transport, people, security, gender usage and feeling. These parameters are each given different weightings and an algorithm calculates the safety scores. As more audits are performed by users, Safetipin collects more "accurate" information. This data is then used to write reports and shared with the stakeholders who further use it to execute certain projects.

However, during the months of the lockdown, due to restrictions on mobility, people either stopped stepping outside of their houses or travelled in private vehicles. Consequently, no new data was generated through the Safetipin app. The Safetipin team modified their methodology to conducting online surveys and physical safety audits in selected zones following proper COVID-19 protocols.[43]

Shifts to digital methods for research, capacity building and advocacy

The methods for advocacy shifted drastically for CSOs working on rights-based issues, including digital rights, during the pandemic. While most of this shift relied on digital technologies as broadly presented in Table 2, in some cases there was a shift towards a "community outreach" model of collecting data[44] (as seen in the case of Safetipin). Nevertheless, CSOs are reimagining their engagement with the digital world in a post-pandemic society and striving for a greater digital transformation.

Future challenges to digital rights advocacy in India

The pandemic has engendered unique challenges for every CSO working on rights-based issues, including digital rights. Some of the broad challenges faced by CSOs working on digital rights and technology-related issues in India are:

- **Lack of grassroots engagement:** Various socio-cultural and economic factors are playing a role in worsening existing inequalities along the lines of gender, caste and religion. Consequently, CSOs are unable to bridge the gap between learning, empowerment and advocacy solely through technology. Issues relating to the digital divide and digital illiteracy in India, like online education or access to critical information, were therefore heightened due to this crisis.

41 Interview with Feminist Approach to Technology (FAT) Executive Director Gayatri Buragohain, 27 January 2022.

42 https://safetipin.com

43 Interview with Safetipin programme head Sonali Vyas, 7 February 2022.

44 Youngs, R., et al. (2021). Op. cit.

- **Unfavourable funding environment:** The pandemic has exacerbated the existing economic inequalities in India. According to the statistics released by the Centre for Monitoring Indian Economy, 10 million people lost their jobs by May 2021. The labour participation rate has come down to 40% from a pre-pandemic level of 42.5%.[45] CSOs are also facing operational difficulties as the current funding environment does not allow investing in human resources.[46] The Foreign Contribution (Regulation) Amendment Bill, 2020 has further put caps on foreign contributions for CSOs, greatly affecting their capacity to be sustainable.[47] The lack of subsidies, inadequate tax exemptions, high administrative costs and expensive digital resources and services are creating a barrier for existing CSOs to scale up their operations, generate new opportunities and provide relief at the grassroots. These factors are also hindering new organisations from emerging.
- **Constrained digital skills and capacities:** With the increasing adoption of the digital, there is a need to invest in building the digital skills and capacities of CSOs in order for them to seamlessly function online in the future. This challenge is closely linked to the challenge regarding the unfavourable funding environment in India, as CSOs need to invest in human resources, collaborate with external agencies on mass digital training across different verticals, and invest in up-to-date digital tools for effective and efficient functioning.
- **An increase in arbitrary control and surveillance:** While India has seen a surge in the disruption of various civil liberties of its citizens in the past few years, discourses surrounding the violation of digital rights have also picked up pace as digital rights are increasingly being recognised as human rights. Since 2012, India has seen 556 cases of internet shutdowns.[48] These have come alongside repeated instances of the government cracking down on citizens' right to free speech.[49] Many experts have also raised concerns about the Draft Data Protection Bill (2021), which poses a threat to data privacy and the personal freedom of citizens.[50] Moreover, there are currently 82 facial recognition systems in place across India, strengthening the state's surveillance architecture.[51] There are many other concerns regarding citizens' digital rights, especially without adequate legal safeguards and a good regulatory framework for digital infrastructure. CSOs working on digital rights and other technology-related issues are increasingly dealing with the threat of being seen as confrontationist and anti-establishment, which is closing opportunities for them to freely participate in the civic space.
- **Lack of a collaborative space to find synergy and work with public agencies:** The civic space where CSOs can collaborate and work dialectically with public agencies is increasingly shrinking in India. Being the world's largest democracy, India needs adequate public participation to deliver on its citizen-centred policies where CSOs play an important role.

Conclusion

CSOs in India working on rights-based issues, including digital rights, have shown great resilience in the face of the COVID-19 pandemic by adapting to innovative digital strategies to continue functioning, and to provide support to those in need of essential services and resources. The CSOs largely managed the transition to a digital mode of operation and changed their approach and methods of advocating on critical digital rights issues.

However, the increased reliance on technology renewed concerns with respect to digital rights. Emerging debates about technology are intersecting with other social discourses like those on gender, caste, poverty and the environment. At the same time, these debates are dealing with matters such as free speech, digital security, accessibility, internet governance, digital surveillance, data privacy, and

45 BusinessToday. (2021, 1 June). 10 million lost jobs in Covid 2nd wave, 97% households' income declined: CMIE. *BusinessToday.in*. https://www.businesstoday.in/latest/economy-politics/story/income-of-97-households-declined-since-covid-19-pandemic-began-cmie-298381-2021-06-01

46 Bandhyopadhyay, K. K., et al. (2021). *Civil Society Support to COVID-19 Affected Families: Outreach and Resourcing in the Second Wave*. PRIA. https://www.pria.org/knowledge_resource/1625214248_Civil_Society_Support_to_C19_Affected_Families_During_2nd_wave.pdf

47 Bhatnagar, G. V. (2020, 22 September). Leading NGOs Believe FCRA Changes Will 'Kill' Voluntary Sector. *The Wire*. https://thewire.in/rights/fcra-amendment-ngo-sector-impact-grassroots-activism

48 The Software Freedom Law Centre's internet shutdown tracker provides real-time data on the number of internet shutdowns in India. At the time of writing this report, 556 cases of internet shutdown had been reported since 2012. https://internetshutdowns.in

49 Mchangama, J., & Mendiratta, R. (2021, 25 June). Supporting free speech, but not criticism of government. *The Indian Express*. https://indianexpress.com/article/opinion/columns/supporting-free-speech-but-not-criticism-of-government-7376023

50 Chari, S. (2022, 4 February). Data privacy too complex to be decided by mere voice vote. Debate Data Protection Bill first. *The Print*. https://theprint.in/opinion/data-privacy-too-complex-to-be-decided-by-mere-voice-vote-debate-data-protection-bill-first/820652

51 The Internet Freedom Foundation's facial recognition technology (FRT) tracker under Project Panoptic provides real-time data on the number of FRT systems installed across India. https://panoptic.in

censorship. Because of this, and more than before, CSOs working on critical digital rights and tech issues have started collaborating and networking with CSOs and other stakeholders advocating on more traditional issues.

However, while the shift to digital has opened up new avenues for a greater digital transformation, many are increasingly expressing concerns about the challenges that civic actors are facing in the creation of a robust network of digital rights advocates in India. Some of these challenges are: 1) a lack of direct grassroots engagement; 2) an unfavourable funding environment; 3) inaccessibility of cost-effective digital resources, platforms and services; 4) constrained digital skills and capacities; 5) growing arbitrary control and surveillance; and 6) a lack of a collaborative space to find synergy and work with public agencies.

Action steps

Through consultation and critical engagement with various CSOs on the topic of the future of digital rights and technology-related issues in India, DEF and CSDD are proposing the following action steps:

- Make cost-effective digital resources, services and tools available to CSOs and grassroots communities to enable a democratic and inclusive digital ecosystem. Emphasise building the digital skills and capacities of CSOs to sustain a growing digital society.
- Through greater grassroots contact, nurture and encourage more digital rights and technology-based organisations to emerge at the community level.
- Encourage the creation of more collaborative digital forums by CSOs for a greater civic participation.
- Encourage greater engagement between CSOs, public agencies and local communities in the matters of emerging digital technology and rights issues.

GLOBAL INFORMATION SOCIETY WATCH 2021-2022

DIGITAL FUTURES FOR A POST-PANDEMIC WORLD

Through the lens of the COVID-19 pandemic, this edition of Global Information Society Watch (GISWatch) highlights the different and complex ways in which democracy and human rights are at risk across the globe, and illustrates how fundamental meaningful internet access is to sustainable development.

It includes a series of thematic reports, dealing with, among others, emerging issues in advocacy for access, platformisation, tech colonisation and the dominance of the private sector, internet regulation and governance, privacy and data, new trends in funding internet advocacy, and building a post-pandemic feminist agenda. Alongside these, 36 country and regional reports, the majority from the global South, all offer some indication of how we can begin mapping a shifted terrain.

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