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Information Society and Digital Divide – Legal Strategies for Financing Global Access

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Information Society and Digital Divide – Legal Strategies for Financing Global Access

The forthcoming book deals with a thematic which is situated at the intersection of information society and financial law: It addresses the issue of the financing of Information and Communication Technologies (ICT) at a global scale. The first part of the study is dedicated to the basic notions of the information society, digital divide and global public goods, analyzing the links between the concepts and their social and legal implications. In its second part, the study looks into the financial needs of the developing world with respect to ICT development and examines the international and national initiatives which form the legal framework addressing the financing of access to ICT infrastructure and services. The third and central part of the study reviews the main existing funding instruments impacting on ICT financing, namely the Official Development Aid system, the International Monetary Fund, the World Bank Group, the private sector, and the Global Digital Solidarity Fund. The study assesses each mechanism and formulates legal steps which should be taken to improve the leveraging of resources in a view to ensure global access.

The study reaches the conclusion that leveraging and mobilizing the instruments at disposal requires a focused and strong international consensus that is not always present. However, there are many financial mechanisms in place, which could with little amendments and betterments make substantial flows available to invest in ICT projects. Priority challenges which should be tackled in order to improve the existing instruments entail for instance:

- reaching the Official Development Assistance target of 0.7% of GNP to developing countries and 0.15 to 0.20% of GNP to least developed countries;
- dedicating more space to ICT development within the IMF analyses and reports, as well as examining the feasibility of an allocation of Special Drawing Rights for development purposes;
- setting up a World Bank Group ICT window providing developing countries with quick advisory support;
- endorsing sound policies aiming at ensuring a private-investment-friendly environment;
- developing a sound legal framework governing public-private partnerships;
- adhering to the Global Digital Solidarity Fund (DSF) and examining the possibility to endorse its 1% digital solidarity principle.

The legal strategies recommended in this study to improve the leveraging of resources for ICT development are not beyond reach: Ongoing international talks within the framework of the Monterrey Conference follow-ups, the reform of the IMF and World Bank Group, the Doha Round, and the further developments of the DSF and its 1% digital solidarity clause offer invaluable opportunities to take decisive legislative steps towards ensuring a more inclusive ICT access.

Indicative number of pages: 200

Indicative price: 60 euros

Publication date: March 2008

If you wish to order the book, please contact the authors for more information at the email address: lst.weber@rwi.uzh.ch.