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1. THE LEGAL ROLE OF CIVIL SOCIETY ORGANIZATIONS IN DEFENDING HUMAN RIGHTS ON THE INTERNET: A CASE STUDY ON THE GLOBAL DIGITAL COMPACT

1. Introduction

According to the natural law perspective, human rights have their foundation in the *ius naturae*, a moral universal law that governs both individuals and States, independently from positive law – human or divine. Conversely, the positivist tradition argues that human rights are regarded as “recognizable and binding” only insofar as they are codified in written sources of law. Nevertheless, these two approaches do not offer adequate tools to face the complex opportunities and challenges posed from the technological development. In this sense, the legal realist approach proves to be the most appropriate for explaining how the legal recognition of human rights is neither intrinsic nor universal, as assumed by natural law theory. Nor it is conceived as a mere act of validation based exclusively on written norms, as claimed by legal positivism. Rather, it is understood as the result of historical, cultural, and political constructs, which emerge when the international community decides to recognise them as such [see A. SINAGRA, P. BARGIACCHI, *Lezioni di diritto internazionale pubblico*, Milano, 2019; O. DE SCHUTTER, *International human Rights Law*, Cambridge, 2019].

In the digital domain, this perspective is particularly meaningful, as [human rights on the Internet](#) are not merely the product of norms codified by States, but rather manifest in response to new technological, political, and social challenges. [These rights](#) include both an extension of traditional rights in the digital sphere (e.g., [freedom of expression](#), the [right to privacy online](#)), and the emergence of new legal claims linked to technological evolution (e.g., the [right to Internet access](#) and the [protection of personal data](#)). According to the realist approach, international law considers States as the principal legal subject. Nevertheless, this traditional vision is increasingly challenged, particularly in the digital domain. Indeed, individuals and non-state actors, such as the digital platforms (e.g., social media like Facebook and X, search engines like Google, and artificial intelligence (AI) platforms like OpenAI), along with Big Tech companies (e.g., Google, Apple, Microsoft, Amazon, and Meta), play an increasingly active role not only as recipients of protection but also in the definition, implementation, and limitation of human rights on the Internet. In addition, companies specializing in AI and data protection, such as DeepMind, IBM Watson, and Palantir, as well as gig economy platforms (e.g., Uber, Deliveroo), and cloud infrastructure providers (e.g., AWS, Microsoft Azure), contribute to shaping the legal and political framework of digital rights. If, on the one hand, technology has expanded the scope of human rights, on the other hand, their implementation and safeguard depend on an unstable balance between State regulation, corporate self-regulation, and the growing pressure of civil

society, especially at the community level [see R. F. JØRGENSEN, *Human Rights in the Age of Platforms*, Cambridge, 2019].

2. Definition, implementation, and limitation of human rights on the Internet: a multi-level governance approach

The process that led to the legal recognition of human rights on the Internet developed gradually. It can generally be stated that this process began to take shape in the 2000s, thanks to the adoption of normative instruments on digital governance that, beyond technical and scientific aspects, (re)affirmed the importance of universal values such as human dignity, equality, sustainable development, and multilateral cooperation. The [United Nation Millennium Declaration](#), adopted on 8 September 2000 by the [General Assembly resolution 55/2](#), represents a fundamental step in the global debate on digital rights. While not explicitly referring to Internet governance, it recognises the importance of new information and communication technologies (ICTs) as essential tools for the promotion of global development, as highlighted in Section III, §20 and Section V, §25. These passages recall the commitment to «ensure that the benefits of new technologies, especially information and communication technologies, in conformity with recommendations contained in the ECOSOC 2000 Ministerial Declaration, are available to all. [...] To ensure the freedom of the media to perform their essential role and the right of the public to have access to information».

This declaration anticipated the launch of the process that led to [Resolution 56/183](#) (21 December 2001). It is within this framework that the World Summit on the Information Society (WSIS) was convened under the mandate of the United Nations General Assembly and organised by the [International Telecommunication Union \(ITU\)](#), which served as the lead UN Agency responsible for its coordination. The WSIS was held «in two phases, the first in [Geneva](#) from 10 to 12 December 2003, and the second in [Tunis](#) in 2005» (A/RES/56/183, §1).

The objective of WSIS is to [create a human-centered information society](#). In such a society, all citizens – at national, regional, and international level – can access, use, and share information in a structured, equal, and inclusive way. The WSIS marked the first multilateral attempt to provide a shared response to the global management of digital networks. It explicitly confirmed that this process requires solidarity, engagement, partnership, and cooperation among State and non-State actors (e.g., Governments, private sector, CSOs, NGOs, IOs). Within this framework, everyone should have the opportunity to participate in shaping the information society, in line with the principle of sovereign equality of all State in Internet-related public policy issues. These legal instruments emphasise the need for a multi-stakeholder commitment, not only to human dignity, but also to the inclusion of marginalised or vulnerable groups, such as migrants, internally displaced persons (IDPs), refugees, unemployed and underprivileged individuals, minorities, nomadic communities, and Indigenous people. In accordance with Article 29 of the Universal Declaration of the Human Rights (UDHR), which states that «everyone has duties to the community in which alone the free and full development of his personality is possible», the information society must guarantee access to information for all, whether in rural or urban areas, while respecting cultural heritage. Since its inception, this vision has raised significant challenges regarding Internet access and the freedom of expression online.

While these resolutions laid the ideological and normative foundation for what are now defined “Internet Rights and Principles”, their recommendations primarily focus on investment strategies to improve ICT infrastructure and services, capacity building and long-term technology transfer. These objectives are aligned with the 2002 [Monterrey Consensus on the International Conference on Financing for Development](#), and the work of the [Task Force on Financial Mechanism](#) (TFFM), which promoted ICTs as tools for communication and exchange. In fact, during the early 2000s, limited attention was given to the codification of Internet rights as an autonomous legal corpus.

The debate shifted with the “[Report of the Special Rapporteur Frank La Rue](#) on the Promotion and Protection of the Right to Freedom of Opinion and Expression” (A/HRC/17/27/Add.1, 27 May 2011). For instance, paragraph 879 explicitly invokes Article 19(2) of the ICCPR, affirming that the right to freedom of expression protects all forms of communication, including the Internet; and guarantees both the right to receive and to seek information. Moreover, the La Rue Report also references [Human Right Council Resolution 12/16](#) which affirms that restrictions on access to or use of ICTs, including the Internet are not permissible (para. 883).

In 2011, the [Internet Rights & Principles Coalition](#) (IRPC) launched the “[Charter of Human Rights and Principles for the Internet](#)”, outlining ten fundamental guiding principles, such as freedom of expression, the right to privacy and universal access. While non-binding, the Charter represents a significant soft law instrument and a valuable normative reference in the global discourse on digital rights. A year later, the UN Human Rights Council adopted Resolution [A/HRC/RES/20/8](#) (5 July 2012) affirming, for the first time, that «the same rights that people have offline must also be protected online, in particular freedom of expression [...]». This principle represented a key milestone in defining digital rights and influenced subsequent legal and normative frameworks. In the following years, a growing *corpus* of binding and non-binding normative instruments and declarations emerged, contributing to what scholars often describe as *digital constitutionalism*, a process aimed at securing multilevel protection and harmonising digital rights globally [see E. CELESTE, *Digital Constitutionalism, EU Digital Sovereignty Ambitions and the Role of the European Declaration on Digital Rights*, in *New Directions in Digitalisation: Perspectives from EU Competition Law and the Charter of Fundamental Rights*, Cham, Switzerland, 2024, pp. 255-271].

In 2015, with the UN General Assembly adopted Resolution [A/RES/70/1](#), introducing the Sustainable Development Goals (SDGs). The same year, UNESCO published “[CONNECTing the dots: Options for future action conference outcome document](#)”, a non-binding outcome of six years of preparatory work on Internet governance. The document highlights the complexity of reaching consensus in multistakeholder policymaking and reflects ongoing power shifts in digital governance [see J. POHLE, *The Internet as a global good: UNESCO’s attempt to negotiate an international framework for universal access to cyberspace*, in *International Communication Gazette*, Vol. 80, No. 4, pp. 354-368, Sage Publications, Thousand Oaks, CA, 2018].

Similarly, UN General Assembly Resolution [A/RES/71/199](#) (19 December 2016) is a soft law instrument aimed at reinforcing international consensus on specific principles, namely the right to privacy as established in Article 12 of the UDHR and Article 17 of the ICCPR. The resolution reaffirms that «the same rights that people have offline must also be protected online, included the right to privacy». This renewed emphasis followed global concerns after [Edward Snowden’s 2013 revelations about mass surveillance programmes](#) conducted by the United States and its allies [on this point, see K. MURATA ET AL., *Following*

Snowden: a cross-cultural study on the social impact of Snowden's revelations, in *Journal of Information, Communication and Ethics in Society*, vol. 15, n. 3, 2017, pp. 183-196]. The resolution also calls upon States to align surveillance laws with international human rights standard, including the establishment of independent and transparent oversight mechanisms and the promotion of digital literacy. It also calls on business enterprises to respect human rights, ensure transparency in data processing, and develop secure communication systems, in line with the 2011 "[Guiding Principles on Business and Human Rights](#)".

At the regional level, the 2017 [Tallin Declaration](#) of the Council of Europe links digital sovereignty and cybersecurity issues with the protection of fundamental rights. In 2018, the [European Union's General Data Protection Regulation \(GDPR\)](#) emerged as the most comprehensive and binding legal framework on data protection, establishing privacy and data governance standards within the EU and influencing other jurisdictions. This extraterritorial impact is particularly evident in countries like Morocco, where EU policies (e.g., [Neighbourhood Policy](#), [Global Gateway](#)), along with the [presence of European offshoring companies](#) (see p. 25-26) have contributed to shaping [national data protection reforms](#) by [incorporating standards inspired or derived from the GDPR](#) [on this point, see also F. AMORETTI, S. FRAIESE, A. RHALIMI (forthcoming), *Integrating Digital Twins in Morocco: Can Innovation and Tradition Align?* In *Rivista di Digital Politics*, vol IV, 3, 2024, pp. 573-604, 2024]. Also, in 2018, the UN Special Rapporteur David Kaye submitted Report [A/HRC/38/35](#), addressing the regulation of freedom of expression on digital platforms. Though non-binding, it calls for greater transparency and accountability from both States and Big Tech, reinforcing the protection of human rights online under International Human Rights Law (IHRL). In 2019, the African Union adopted the non-binding [African Declaration on Internet Rights and Freedoms](#), prepared by members of the [African Declaration group](#), a key step toward inclusive digital rights governance in Africa.

In recent years, the debate has further evolved. In 2021, the UN Secretary General, Antonio Guterres, revived global discussions on the ethical implications of digital governance through the report [Our Common Agenda](#), which launched an international multi-stakeholder consultation process known as the [Global Digital Compact](#). This initiative promotes a cooperative approach based on several well-known principles – namely responsibility, accountability, transparency, and human-centricity – to ensure that digital and emerging technologies, including artificial intelligence, are safe, secure, and trustworthy. The office of the [UN Tech Envoy](#), tasked with facilitating these consultations, contributed to the adoption of the UN General Assembly resolution [A/RES/71/1](#) on 22 September 2024, also known as *The Pact for the Future*, the main outcome of the UN [Summit of the Future](#). The [Compact](#) anchors on «international law, including the Charter of the United Nations, international human rights law and the 2030 Agenda for Sustainable Development. We remain committed to the outcomes of the World Summit on the Information Society reflected in the Geneva Declaration of Principles and Plan of Action and the Tunis Agenda for the Information Society. The United Nations provides a critical platform for the global digital cooperation we need, and we will harness existing processes to do so» (p. 43). The resolution also invites various stakeholders – States, International and Regional Organisations, the private sector, academia, the technical community, and civil society organisations – «to endorse the Compact and take active part in its implementation and follow up».

In the aftermath of the COVID-19 pandemic, digital regulation gained momentum as the crisis exposed major weaknesses in digital infrastructures and raised concerns over mass data collection and processing of personal and health-related data, often lacking adequate

safeguards. In response, numerous International Organisations (e.g., UN, OECD, UNESCO) revised data governance frameworks to align digital tools with human rights standards. In this context, the EU's GDPR, already in force since 2018, emerged as a global benchmark for privacy protection and regulatory resilience. Simultaneously, many States accelerated moves toward digital sovereignty, rethinking governance to reduce reliance on foreign infrastructures and protect critical systems [on this point, see G. NEWLANDS ET AL., *Innovation under pressure: implications for data privacy during the Covid-19 pandemic*, in *Big Data & Society*, Jul-Dec 1-14, 2020; M. I. FRANKLIN, *Sustaining human rights for internet futures*, in *Research Handbook on Human Rights and Digital Technology*, 2025, pp. 5-25]. In the European Union, this shift triggered the launch of the [Digital Decade initiative](#) and the [development of binding legal instruments](#), such as the [Digital Services Act](#), the [Digital Markets Act](#), and the [Artificial Intelligence Act](#). Equally important is the adoption of the 2023 [European Declaration on Digital Rights and Principles for the Digital Decade \(2023/C 23/01\)](#), a declaratory document based on primary EU law, including the Charter of Fundamental Rights of the EU, and secondary law, including case law of the EU Court of Justice. The declaration recognizes that «The digital transformation also presents challenges for our democratic societies, our economies and for individuals. With the acceleration of the digital transformation, the time has come for the EU to spell out how its values and fundamental rights applicable offline should be applied in the digital environment. The digital transformation should not entail the regression of rights. What is illegal offline, is illegal online. This Declaration is without prejudice to 'offline policies', such as having access to key public services offline» (Preamble, §3). Globally, other regions have also engaged in discussions – some ongoing – on platform regulation, data localization and algorithm transparency.

This diachronic overview of the development of digital governance does not aim to provide an exhaustive account of all regulatory initiatives and recognitions since 2000. Rather, it offers a selective exploration of key legal milestones that are particularly relevant to understanding the transformations underpinning current debates on the respect, protection, and promotion of digital human rights, with particular attention to the rights and principles on the Internet. Within this framework, it is crucial to assess how civil society organisations are positioned and engaged.

3. Civil Society and the Global Digital Compact: Legal Dimensions of Participation in the UN Summit of the Future

In Resolution [A/RES/76/307](#), adopted in 2022, the role of civil society organizations (CSOs) was formally recognised, with particular attention to §§10 and 11, establishing the operational arrangements for the Summit. The resolution explicitly invites the participation of NGOs accredited with ECOSOC, as well as other relevant organisations selected by the President of the General Assembly, taking into account criteria of geographical representativeness and gender balance: «10. Invites representatives of non-governmental organizations that are in consultative status with the Economic and Social Council to participate in the Summit in accordance with relevant rules and procedures of the General Assembly; 11. Requests the President of the General Assembly to draw up a list of representatives of other relevant non-governmental organizations, civil society organizations, academic institutions and the private sector who may participate in the high-level Summit of the Future, taking into account the principles of transparency and equitable geographical representation, with due regard for gender parity, to submit the proposed list to Member

States for their consideration on a non-objection basis and to bring the list to the attention of the Assembly for a final decision by the Assembly on participation in the Summit [...]. CSOs have also been encouraged to actively participate in both the preparatory process and the interactive dialogues of the Summit.

With decision [A/77/L.109](#), adopted in 2023, the General Assembly further clarified that the GDC would constitute a specific annex to the Pact for the Future, the final outcome of the Summit. It also requested the appointment of co-facilitators tasked with guiding open and transparent consultations on the content of the GDC. Indeed, in §d, the resolution formally: «Requests the President of the General Assembly to appoint, no later than 31 October 2023, two pairs of co-facilitators, each comprising one from a developed country and one from a developing country, taking into account gender balance, to facilitate, as part of the preparatory process of the Summit of the Future, open, transparent and inclusive intergovernmental consultations on a global digital compact and a declaration on future generations, which would be annexed to the Pact for the Future if intergovernmentally agreed [...]».

In this framework, various CSOs have sought to influence the orientation and content of the GDC through a number of initiatives. A notable example is the work guided by [Global Partners Digital](#) (GPD) that led to the [Joint Statement on Civil Society Concerns and Priorities for the Global Digital Compact Implementation](#) published in 2023. GPD, in fact, coordinated a series of global digital justice webinar, attended by numerous stakeholders across 40 Countries, directly feeding into the GDC consultation process via written submissions and bilateral meetings with co-facilitators. GPD is an independent policy organisation based in London (UK), operating globally to promote human rights within Internet and emerging technologies governance. Founded in 2013, GPD engages in advocacy, capacity development, and research activities, building transnational networks with civil society stakeholders, governments and the private sector. Its goal is to ensure that the digital governance is inclusive, transparent and grounded in the respect for the rule of law and fundamental rights.

In the Joint Statement, endorsed by a broad network of CSOs active in the fields of digital governance and fundamental rights, appreciation is expressed for the reaffirmation of international human rights standards (as recalled in Resolution [A/RES/78/265](#), adopted in 2024) and for the adoption of a multi-stakeholder model, with particular emphasis on the [Internet Governance Forum](#) (IGF) as a key platform for digital policymaking. This declaration, addressed to the UN Member States and the Secretary-General, represents one of the clearest efforts by CSOs to reaffirm the importance of a human rights-based approach within the GDC, in line with the recommendation expressed in the report *Our Common Agenda*.

Through their coordinated critiques, civil society actors, particularly GPD and APC, succeeded in focusing global attention to the weaknesses of the GDC's draft, especially regarding surveillance, equality, and transparency. As a result, these concerns were formally acknowledged in public responses by UN co-facilitators, and contributed to delaying the adoption of a consensus version, allowing for extended dialogue. In fact, the signatory organisations also pointed out, among other concerns, the absence of an intersectional gender approach, and the lack of integration of principles set out in civic contributions to the GDC, such as the [Feminist Principles for the GDC](#) promoted by the [Association for Progressive Communications](#) (APC) and other stakeholders in 2023. Lastly, CSOs raise concerns about a structural lack of meaningful involvement during the negotiation process, despite the formal provisions set out in Resolution A/RES/76/307 (§10–11) and the subsequent organisational arrangements (A/77/L.109, §d). Although CSOs acknowledge the potential of GDC to harmonise principles and multilateral commitments in the digital realm,

they emphasise that the final document cannot be interpreted as an endorsement of the process, which is perceived as ambiguous, centralised, and lacking a participatory pluralism.

For this reason, a call is made to the UN and its Member States to ensure that the future implementing phases of the GDC and WSIS review process are grounded in robust and transparent consultations, oriented toward global digital justice. It is hoped that the new mechanisms generated will neither duplicate, nor weaken existing participatory spaces, such as the IGF and the [WSIS+20](#) process. Moreover, the declaration emphasises the need for a strong sense of responsibility among all stakeholders involved (public or private), and calls for efforts to mitigate the risk that the outcomes of the GDC might reinforce a State-centric or geopolitical approach to the digital governance. In this regard, it recalls the importance of safeguarding effective – nor merely symbolic – participation of vulnerable or underrepresented communities in the shaping of global digital politics.

In parallel to these initiatives, additional critiques and proposals emerged throughout 2024 from a broad network of CSOs, united under the [UNmute](#) campaign. In a joint statement, signed by more than 350 CSOs and made public in February 2024, the persistent lack of structured mechanisms to ensure meaningful civil society participation in UN decision-making processes, particularly in the negotiation pathway leading to the *Pact for the Future*, was strongly highlighted. Among the signatories, the organisation [Democracy Without Borders](#) stressed the need to establish a permanent interactive platform for dialogue between the civil society and the UN, as well as a consultative civic council with an ongoing role in shaping multilateral action post-Summit phase. The critiques focused on the severely limited nature of the consultations foreseen in the GDC process, described as predominantly virtual, geographically uneven, and lacking real influence over the contents of the first draft of the Pact. In this context, the joint declaration calls for a reinforcement of the participatory structure of the Summit, suggesting concrete measures, such as the allocation of seats reserved for CSOs within the GDC's implementation mechanism, and the appointment of a UN Special Envoy for Civil Society, with cross-cutting responsibilities across the main intergovernmental processes. These demands reflect a growing need to legally consolidate the role of CSOs as systemic actors, also through formal instruments of permanent inclusion, moving beyond *ad hoc* consultation, and strengthening the participatory dimension of the law of international organizations.

A central moment of civil society aggregation and mobilisation in this process was the [United Nations Civil Society Conference 2024](#), held in Nairobi on 9-10 May 2024. Now in its 69th edition, the conference was organised by the [UN Department of Global Communications](#), in cooperation with various NGOs. It constitutes the main formal platform for dialogue between the CSOs and the multilateral system in the preparatory pathway to the *Summit of the Future*. With more than 2,000 participants from around the world, including activists, academics, representatives of Member States, UN officials, and international media, the conference facilitated a multi-level consultation on global governance priorities, with particular attention to digital issues.

During the conference proceedings, a synthesis document titled [2024 UN Civil Society Conference in Support of the Summit of the Future](#) was adopted, along with the [69th United Nations Civil Society Conference Report](#), which compiles the main recommendations developed by global civil society within the framework of the intergovernmental negotiation process. The document formally recognises that the GDC constitutes one of the two annexes to the “Pact for the Future”, together with the “[Declaration on Future Generations](#)”, thereby granting it a prominent position within the emerging architecture of multilateral normative frameworks.

The passage in which it is stated that: «*The Summit of the Future will take place on 22 and 23 September [...] resulting in an intergovernmental Pact for the Future, annexed with a Declaration on Future Generations and the Global Digital Compact, which all hope to deliver a United Nations for people and planet in the 21st century and beyond*» (p. 17), although referring to non-binding instruments, enables the contextualisation of the GDC as a soft law instrument with both procedural and substantive character, intended to guide State practice and serve as a foundation for future multilateral obligations in the digital sphere. This is consistent with the objectives of Resolutions A/RES/76/307 (2022) and A/77/L.109 (2023), which legitimise the formalisation of annexes to the Pact within the broader framework of the UN's normative evolution.

The document also highlights the urgency of strengthening civil society participation in the decision-making processes, moving beyond merely consultative logics. In particular, it states: «This 2024 United Nations Civil Society Conference (UNCSC) was an opportunity for multi-stakeholder engagement aimed to provide preliminary discussions and data ahead of the Summit of the Future and a venue for civil society to participate in the preparations process. [...] an additional platform to speak out and to share ideas to contribute to the Pact for the Future negotiations, in line with Sustainable Development Goal 17 and Our Common Agenda's (OCA) vision of multilateralism» (p. 14). The reference to networked multilateralism and SDG 17, allows this passage to be interpreted from a legal perspective as a reaffirmation of the right to institutional participation, understood as an expression of the progressive inclusion of non-State actors in the mechanisms through which international norms are shaped. In this context, CSOs are not merely consultative entities, but are increasingly recognised as normative interlocutors, with the capacity to influence the development of global principles and standards.

The document reinforces this perspective in two additional key passages. On the one hand, it states: «The 2024 UN Civil Society Conference was conceived as a moment to showcase civil society contributions towards a true networked and inclusive multilateralism» (p. 7); on the other hand, it affirms that: «Civil society must help to connect the changes we need to see in multilateralism with the changes people need to see in their lives» (Amina Mohammed, pp. 22-23). These statements, when interpreted through a legal lens, contribute to consolidating the idea that contemporary multilateralism cannot be grounded solely in state representation. Rather, it must be structurally open to the normative co-determination of civil society, particularly in domains characterised by high levels of innovation and legal uncertainty, such as the digital sphere.

A significant number of CSO interventions during the conference brought to the forefront of the debate the need to anchor digital governance to the effective respect for international law (IL) and international human rights law (IHRL). It is noteworthy that the document affirms: «Naro Omo-Osagiem, from Access Now, underlined the importance of a human rights framework for meaningful connectivity and inclusion, as well as effective data protection and safety, while cautioning about internet shutdowns and digital surveillance» (p. 76). The reference to personal data protection and digital surveillance raises central legal concerns, particularly in relation to the right to privacy (Article 17 ICCPR) and the right to freedom of expression and information (Article 19 ICCPR), both of which have already been recognised as fully applicable to cyberspace through UN jurisprudence and practice. In this context, the demand of the CSOs go beyond the promotion of new “digital rights”, and instead assert the need for the substantive application of existing international norms to the technological environment, in line with the statement by the Human Rights Council that is:

«the same rights that people have offline must also be protected online» (HRC Res. [A/HRC/32/L.20](#), §1). Cyberspace is therefore fully integrated into the material scope of application of international human rights law, in accordance with an evolutionary and adaptive legal logic, consistent with the systematic interpretation of treaty-based norms.

Other sections of the report confirm the strategic importance attributed to emerging technologies and to multi-level digital cooperation. For instance, it is stated that: «(The Global Digital Compact) [...] offers an opportunity to agree on principles, action, and commitment for global digital cooperation, bridging and closing existing digital divides, advancing digital literacy, and ensuring a safe and secure digital space» (p. 76). This passage contributes to outlining a regulatory framework that is currently under consolidation, in which international law expands into new substantive fields of application, such as digital inclusion, cybersecurity, technological literacy, assuming new dimensions both horizontally (cooperation between states and non-state actors) and vertically (guarantees relating to individuals).

Also relevant are the reflections that emerged during the panels dedicated to AI, where it was stated that AI must be treated, in the African context, as “a continental-wide good” (p. 76). This concept of digital public good implicitly recalls the principles of equity and distributive justice, opening the possibility for recognising forms of regional or supranational regulation governing the access to, development and use of AI technologies, in line with the orientation expressed in Resolution A/RES/78/265.

Lastly, the document introduces the creation of the so-called “ImPACT Coalitions,” defined as «spaces to coalesce different initiatives with similar goals toward the Pact for the Future through hosting virtual briefings, consultations, compiling relevant data and information» (p. 12). From a legal perspective, these coalitions may be interpreted as institutionalised forms of participatory governance, capable of generating flexible normative influences, shared standards, and informal regulatory practices. As such, they can be situated at the intersection between policy-making and norm production, confirming the growing permeability of international law to contributions emerging outside traditional forms of multi-lateral diplomacy.

4. Conclusion

The progressive consolidation of the human rights paradigm in the online environment represents one of the most significant challenges for contemporary international law. As highlighted in this article, the affirmation of the principle that “the same rights that people have offline must also be protected online” has now gained growing recognition in normative instruments, declarations, and international institutional practice. Nevertheless, the effective translation of this principle into the global digital governance frameworks requires constant efforts of adaptation and updating, both at the substantive and procedural level.

CSOs are increasingly positioned as normative interlocutors rather than merely consultative entities. Their involvement in the drafting of the “Global Digital Compact”, and more broadly, in the process leading to the “Summit of the Future”, demonstrates how CSOs are capable to formulate legally sound proposals, influence multilateral normative agenda, and advocate innovative forms of participation, as also reflected in the call for the establishment of a UN Civil Society Envoy, along with permanent platform for structured dialogue. These developments reinforce the idea of a participatory evolution of international

law, in which the pluralism of actors is not an anomaly, but a necessary condition for ensuring legitimacy, efficiency, and justice in norm production.

From a jurisdictional perspective, the qualification of GDC as a soft-law instrument, both procedural and substantive, highlights a structural tension between the non-binding nature of the adopted instruments and their growing relevance in shaping regulatory practices and shared standards. In this context, the civil society plays a dual role: on the one hand, it acts as a catalyst for the implementation of human rights in technological environments; on the other hand, it serves as a guarantor of the coherence between technological innovation and fundamental principles, placing emphasis on accountability, non-discrimination, and inclusion.

At the substantive level, the digital environment can enhance but also threaten human rights, especially where robust legal protections are absent. Practices such as internet shutdowns, vague surveillance, or algorithmic profiling highlight concrete risks to privacy, equality, and freedom of expression. CSOs play a key role in responding to these threats, not only by invoking binding frameworks like the GDPR and [Convention 108+](#), but also by promoting the recognition of emerging rights, such as the right to algorithmic transparency or to be free from profiling, whose legal status remains evolving. Through this work, they contribute to shaping the substantive content of international digital rights and to progressively consolidating them within the human rights framework.

Based on these dynamics, it is necessary to strengthen the legal recognition of civil society participation in international digital policy-making mechanisms, moving beyond purely consultative approaches and advancing codified forms of deliberative involvement. A human rights-oriented framework for global digital governance cannot disregard this consideration. The next steps, particularly the implementation of the GDC and the WSIS+20 review, represent key opportunities to institutionalise civil society's contribution. The balance between innovation, human rights and participation will depend on the capacity of international institutions to structurally integrate CSOs into their normative architecture, recognising them not only as *voices*, but as legitimate *sources* of emerging law in the digital sphere.

These efforts demonstrate that civil society, when organised across networks and equipped with legal and political tools, can actively contribute to shaping multilateral negotiations. While their participation in the GDC process revealed clear structural limits, they could gain visibility, articulate critiques, and submit alternative proposals. This has established a foundation for more robust engagement in future phases. The GDC is thus not merely a soft law outcome, but a testing ground for civil society's evolving role as normative co-authors in the digital era.

SERENA FRAIESE