AUSTRALIAN INTERNET GOVERNANCE COMMUNITY INPUT TO THE GLOBAL DIGITAL COMPACT

We, the undersigned members of the Australian internet governance community, believe that digital technologies and the online environment provide unprecedented opportunities for sustainable economic growth and social wellbeing globally. However, we also acknowledge that they have given rise to complex risks and profound challenges that cannot be solved by any single government or entity.

We consider a holistic approach driven by the need to put people first should be the key motivator in devising a strategy that maximises the benefits whilst minimising the harms that the digital world offers. Key values that guide this process must include human rights, international law, inclusiveness, transparency and sustainability.

We urge the ongoing processes supporting the development of the Global Digital Compact (GDC), including the work of the multistakeholder technology track and the parallel intergovernmental process, to commit to and implement in practice the highest standards of inclusivity, transparency and openness in progressing its work.

Key considerations

We propose the following broad principles be considered in developing a Global Digital Compact that provides for an 'open, free and secure digital future for all'¹:

Connectivity

Core Principles:

We support a shared commitment to improving connectivity, bridging the digital divide, promoting social inclusion and overall prosperity. These are social, economic and political issues, incorporating a range of challenges from enabling affordable and accessible infrastructure, to developing digital skills and appropriate applications and services. These challenges can only be resolved by a collective commitment that draws on the expertise of multistakeholder collaboration.

Key Commitments:

We encourage cooperation and collaboration across the technical, government and private sectors to address the challenges impeding connectivity. We urge the GDC to draw on multistakeholder expertise and to recognise the need for joint commitments and collaborative initiatives that promote the deployment and development of digital infrastructure and skills. At the same time, the GDC should encourage forward-looking, cohesive, evidence-based policy and regulatory frameworks that support the delivery of practical, affordable and sustainable outcomes.

¹ Our common Agenda- Report of the UN Secretary General, paragraph 93, September 2021.

Avoid internet fragmentation

Core Principles:

The Internet is a complex and robust ecosystem and its remarkable success over the past twenty years is centred in its design as an open, interconnected, globally interoperable network of networks combined with the multistakeholder model of governance.

Realising the full social and economic benefits of the internet is dependent on balancing a diverse range of government, technical and civil society interests. However, recent, technical, legislative and policy developments at the national and regional level are risking its fragmentation and threatening to undermine the internet's true utility as a global interconnected network of networks, putting at risk its associated social and economic benefits.

A fragmented internet is unlikely to deliver more than a small proportion of the utility which the current global internet is already delivering and on which we can continue to build into the future. Therefore, minimising the risks of fragmentation, protecting and safeguarding both the internet's design and its multistakeholder governance arrangements is essential to fulfilling its potential, including as an important tool to achieving the Sustainable Development Goals (SDG's).

Key Commitments:

We encourage the GDC to emphasise the importance of all stakeholders (eg; governments, technical community, civil society), working together to find consensus and cultivate a shared vision for the future of the internet where its social and economic benefits are realised. We propose that the GDC reaffirm its commitment to promoting and sustaining an internet that is open, free, secure and globally interoperable, and is governed by multistakeholder processes. We also encourage the GDC to promote the use of toolkits such as the ISOC Impact Assessment Toolkit and their F.A.S.T approach to assessing fragmentation risks and enabling users to identify whether a proposal, development or trend could benefit or threaten the operations of the Internet.

Data protection

Core Principles:

The growth in the generation and use of data, fuelled by technological developments has enabled the development of multiple businesses, products and services. However, the way data is collected and used (or not used), presents both opportunities and risks. A key risk is the lack of trust that can dissuade users from participating in the digital economy. Its immense power and value, if harnessed appropriately can help to meet the SDGs and inform evidence-based decision making.

Data protection is more than just protection against the collection and misuse of our data. It also includes protection against manipulation, disadvantage, and discrimination. Going

forward, we support and call for a concerted effort to building multistakeholder partnerships to work together to maximise data use while minimising its potential for misuse.

Key Commitments:

We propose a multistakeholder collaboration that addresses the lack of trust, ensures openness and transparency in the collection and use of data and institutes appropriate safeguards to minimise the misuse of data.

Application of human rights online

Core Principles:

Digital technologies provide unparalleled opportunities for the promotion, advancement and defence of human rights. However, they also provide the means to suppress, limit and violate rights, for example, through surveillance, censorship and online harassment, algorithmic bias and automated decision-making systems. If we, as a global community, are to subscribe to a human centric digital ecosystem, we must ensure that human rights whether online or offline are protected and safeguarded.

Key Commitments:

Rights online must be afforded the same protections as those offline, in accordance with the rule of law and international human rights legal obligations. There must be consistency and certainty in application and compliance must be mandated.

Accountability criteria for disinformation and misleading content

Core Principles:

Misinformation and disinformation whether offline or online, threaten to undermine the overall wellbeing of our societies and economies. While advancements in digital technologies and information ecosystems offer new opportunities to share and consume information, they also have the capacity to create and perpetuate content that can polarise and undermine trust, resulting in social fragmentation. Attempts to address these challenges are varied. These can include direct and narrow measures targeted at content or broader more systemic approaches aimed at improving the technical operations of digital ecosystems. Interventions must also recognise and protect the value of free speech and information. This is a multifaceted problem, and we believe the collective expertise of diverse stakeholders is critical to addressing these challenges holistically.

Key commitments:

We encourage the GDC to support a collective commitment to addressing disinformation and misleading content. The GDC should draw on multistakeholder expertise and discourage duplication of effort by considering existing initiatives such as the World Wide Web Consortium's Credible Web Community Group work², the Internet IEEE's dataport repositories

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² https://credweb.org

of Fake News³ and specific symposiums such as 24th International Conference on Information and Communications Security (ICICS 2022)⁴.

Regulation of Al

Core Principles:

Artificial Intelligence is rapidly evolving, transforming societies and economies. As the use of Al applications increases, so too do concerns related to human values, fairness, privacy, safety and accountability. Collaborative multistakeholder expertise must be actively encouraged and facilitated in order to progress the transformative benefits of Al while mitigating the risks.

The Future of Life Institute's open letter calling for a six month pause in the development of AI systems highlights the growing nervousness in many quarters of the potential dangers of the rapid and unregulated growth of AI systems. The letter⁵ states: "AI labs and independent experts should use this pause to jointly develop and implement a set of shared safety protocols for advanced AI design and development that are rigorously audited and overseen by independent outside experts."

We believe that AI should operate on human-centred values and be used for purposes that are beneficial to society. The regulation and use of AI systems should ensure reliability and safe use, and be transparent, accountable and contestable regarding its purpose, use and design. It should also provide for privacy and security of data.

Key Commitments:

The GDC should endorse the need for all stakeholders to work together to shape the development and beneficial use of AI technologies based on the above principles. The GDC should support and not duplicate the ongoing work streams on AI, including in the OECD, EU, and the IGF's Policy Network on AI ⁶(PNAI) and instead promote their cohesive collaboration in order to minimise duplication.

Digital commons

Core Principles:

Technology development has created unprecedented opportunities, fostering collaboration, connection and development. However, its potential for harm (e.g.: cybersecurity, lack of trust and accountability, the lack of equitable access to information or knowledge resources), appear to be increasingly overshadowing its benefits. Regulation is struggling to keep pace with technology developments, complex ethical and social questions continue to challenge, and vested interests seek to dominate discussions seeking solutions. To address these complexities, a collaboration that draws on a varied knowledge base is critical to developing

³ https://ieee-dataport.org/keywords/fake-news

⁴ https://www.ieee-security.org/Calendar/cfps/cfp-ICICS2022.html

⁵ https://futureoflife.org/open-letter/pause-giant-ai-experiments/

⁶ Policy Network on Artificial Intelligence (PNAI) | Internet Governance Forum (intgovforum.org)

solutions that are broad based and forward looking. A multistakeholder collaboration will also help to progress consensus-based outcomes that have considered a range of perspectives.

Key Commitments:

The GDC should support a human centric approach to digital transformation and encourage and actively support multistakeholder collaboration in shaping all aspects of digital policy. The digital commons is a shared resource and a global good that must benefit all humanity and not be stifled or segmented by technological, legal-political or societal measures. Digital policies should promote trust and accountability, encourage innovation and foster access based on open, community developed standards.

Other areas

Multistakeholder cooperation

Core Principles:

Technological developments bring both benefits and challenges, and the rapid pace of change requires increasingly agile and flexible responses.

The UN⁷ has pledged to "improve digital cooperation" given we live in an age of 'digital interdependence'. Improving digital cooperation requires a collaborative approach that draws on the varied expertise of the multistakeholder community. Paragraph 93 of the 'Our Common Agenda' report also recognises the value of multistakeholder collaboration by calling for a multistakeholder digital technology track to develop the GDC which will outline 'shared principles for an open free and secure digital future for all'.

Digital technologies have been recognised as a critical tool in achieving the SDGs. The 17 SDGs are broad ranging, united by the overarching goal¹⁰ to ensure 'peace and prosperity for people and the planet, now and for the future'. However, the depth, range and complex interlinkages of the SDGs makes this an almost unachievable goal without inclusive collaboration across all stakeholder groups (government, private sector, the technical community, academics, civil society).

Complex digital issues cannot properly be addressed in silos. Effective, practical and fit for purpose solutions are best developed via multistakeholder processes, drawing on the expertise of a range of relevant stakeholders. These processes should provide for open and inclusive bottom-up participation, and transparent, consensus-based decision-making.

Multistakeholder processes allow ideas and proposals to be debated on their merits and to consider a diverse range of perspectives. This increases the legitimacy and credibility of outcomes, generating greater support and commitment to implementation, and reduces the risk of unintended consequences.

⁷ UNGA Resolution: A/RES/75/1

⁸ The Age of Digital Interdependence: Report of the UN Secretary General's High Level Panel on Digital Cooperation (2019)

 $^{^{9}}$ Our common Agenda- Report of the UN Secretary General, paragraph 93, September 2021

¹⁰ 2030 Agenda for Sustainable Development

This multistakeholder approach has driven innovation and continual improvement to the internet. The Internet Engineering Task Force develops open standards that enhance the operation of the internet collaboratively through multistakeholder, transparent processes. The Internet Corporation for Assigned Names and Numbers, which coordinates the internet's unique identifiers, develops policy via multistakeholder processes. Key outcomes include the transition of stewardship of the Internet Assigned Numbers Authority.

The UN itself encourages multistakeholder collaboration and has had significant success in this regard. This includes outcomes related to the World Summit on the Information Society (WSIS), such as the WSIS multistakeholder forums and the Internet Governance Forum.

We recognise the multistakeholder approach is not without its challenges. The existing processes and institutions will need to continually evolve and be strengthened if they are to respond effectively to current policy issues, such as abusive online content, or AI and emerging digital issues. However, it remains a proven method for responding to the complex and dynamic policy and technical challenges that will continue to arise in the digital world.

Key Commitments:

Reaffirming commitment to the multistakeholder approach and multistakeholder principles will encourage and strengthen the trust environment that is essential to developing and implementing pragmatic policy. This will also strengthen commitment to evolving multistakeholder processes so they are efficient, effective and produce outcomes that are fit for purpose.

Challenges will continue to emerge as a result of ongoing technological development and it is important to recognise that no single stakeholder group will hold all the solutions.

Multistakeholder participation should be encouraged and provided for within the multilateral systems and the international structures that seek to regulate the fast-changing digital age.

We encourage recognition of the multistakeholder approach and support strengthening multistakeholder participation within existing work streams and forums. This will minimise the potential for duplication and encourage greater cooperation, collaboration and sharing of expertise.

We also encourage inclusive multistakeholder consideration of how to innovate and adapt existing multistakeholder processes to address new and emerging challenges and develop effective solutions.

Internet Governance Forum (IGF)

Core Principles:

The IGF is a key WSIS outcome and a pioneering example of multistakeholder collaboration. As a global multistakeholder platform that facilitates discussion and information sharing, it has the potential to develop innovative solutions to a variety of digital policy issues.

Since its inception, the IGF has evolved into a network of structures that now includes Dynamic Coalitions, Best Practice Forums, Policy Networks and National, Regional and Youth

IGFs. These various streams target different audiences and together with its capacity building focus reaches a broad spectrum of stakeholders. Its non-binding, non-decision making format facilitates discussion of issues in a space that is not contentious and not necessarily influenced by geopolitics and national sovereignty priorities. We believe that the IGF can improve digital cooperation by facilitating consideration of a series of perspectives with an issues-based problem-solving approach.

Key Commitments:

We propose that the GDC recommit to the IGF and encourage consideration of ways to enhance its value and efficiency as both a discussion forum and a key source of information on digital policy issues. We note the IGF has adapted and evolved in response to changing expectations. We believe this flexibility is one of its core strengths which will allow it to respond quickly to future digital challenges.

We note the WSIS+20 review will consider the IGF mandate. We support the continuation of the IGF and its ongoing evolution and development as part of the internet ecosystem. We consider it an important resource to build capacity and contribute meaningfully to digital policy discussions.

Signatures

The undersigned individuals and organisations have developed this contribution and are broadly representative of diverse Australian internet communities, from civil society, academia, business, the technical community and the government.

Asia Pacific Network Information Centre (APNIC)

.au Domain Administration

Internet Association of Australia

Internet Australia

Identity Digital Australia

Tech Policy Design Centre, Australian National University.

Klée Aiken

Donna Austin

Keith Besgrove, Chair, General Advisory Standing Committee, .au Domain Administration

Jordan Carter

Sabina Fernando

Caroline Greenway

Cheryl Langdon-Orr

Holly Raiche

John Stanton CEO Communications Alliance Ltd

Annaliese Williams, Chair, NetThing