

# Global Digital Compact Submission

30 April 2023

Secretary-General Guterres and participants of the Summit of the Future,

Thank you for the opportunity to provide input for the Global Digital Compact and Summit for the Future. We believe the Compact's goal of an open, free, and secure Internet aligns closely with Cloudflare's mission and core values, and we look forward to participating in your ongoing work.

Cloudflare (<a href="www.cloudflare.com">www.cloudflare.com</a>) is a technology company on a mission to help build a better Internet. We believe a better Internet must be faster, more secure, and more reliable for everyone. To that end, Cloudflare's suite of products protect and accelerate any Internet application online without adding hardware, installing software, or changing a line of code. Internet properties powered by Cloudflare have all web traffic routed through its intelligent global network, which gets smarter with every request. As a result, they see significant improvement in performance and a decrease in cyber attacks.

Since its founding, Cloudflare has worked to improve the global Internet by modernizing its infrastructure, and protocols to be faster, more private, more secure, and more reliable for everyone. For example, Cloudflare has helped secure Internet traffic by providing free SSL certificates, encrypting DNS and improving TLS, and making post-quantum encryption available free and by default.

Cloudflare has also worked to democratize access to technology by making network security and privacy technologies that were previously only available to large enterprises, affordable and easy for everyone to use. For example, Cloudflare offers a substantial free plan, available for anyone, that includes free services like unmetered DDoS protection and universal SSL encryption. We also offer additional free security services to human rights defenders and other vulnerable organizations through programs like Project Galileo.<sup>1</sup>

<sup>&</sup>lt;sup>1</sup> https://www.cloudflare.com/galileo/.

## 1) Connect all People to the Internet, including all Schools

#### **CORE PRINCIPLES**

- Reinforce universal access to the Internet as a human right.<sup>2</sup>
- Promote digital inclusion and free exercise of human rights online, by ensuring underserved groups have equal access to digital tools,<sup>3</sup> particularly cyber security and privacy-enhancing technologies.

### KEY COMMITMENTS, PLEDGES, AND ACTIONS

- The private sector should help promote Internet access through the provision of services, tools, and training, particularly for underserved groups. Cloudflare will continue to offer underserved communities that run their own community networks free and secure connectivity to the Internet through our global interconnected network.<sup>4</sup>
- Governments should continue to prioritize investments to close the digital divide and promote digital equity programs.<sup>5</sup>

## 2) Avoid Internet Fragmentation

#### CORE PRINCIPLES

- Support a free, open, stable, interoperable, reliable, and secure Internet.
- Condemn Internet shutdowns and state-directed network disruptions.
- Governance and regulation should be targeted and proportional, with any actions to address content directed to the provider that has the technical and operational ability to act as narrowly as possible, to minimize negative effects on the availability of non-targeted content.

### KEY COMMITMENTS, PLEDGES, AND ACTIONS

- The private sector should work with governments and civil society to ensure that
  information about Internet shutdowns and blocking is transparent and publicly accessible.
  Cloudflare has committed to working with researchers to share data about Internet
  shutdowns and selective Internet traffic interference and to make the analysis of this data
  public and accessible.<sup>6</sup>
- Governments should only implement regulation associated with blocking and filtering if it
  can be done in a manner consistent with the human rights principles of transparency,
  necessity, proportionality, due process, and remedy.

<sup>&</sup>lt;sup>2</sup> https://www.un.org/en/content/common-agenda-report/assets/pdf/Common\_Agenda\_Report\_English.pdf.

<sup>&</sup>lt;sup>3</sup> https://www.un.org/techenvoy/sites/www.un.org.techenvoy/files/general/Digital Inclusion Summary PDF.pdf.

<sup>&</sup>lt;sup>4</sup> https://www.cloudflare.com/pangea/.

<sup>&</sup>lt;sup>5</sup> https://blog.cloudflare.com/internet-for-all-us/.

<sup>&</sup>lt;sup>6</sup> Cited in U.S. State Department, <u>Private Sector Commitments to Advance Democracy</u>, Fact Sheet, Mar. 29, 2023. See also, <u>https://radar.cloudflare.com/</u>.

 Governments should consider the impact of regulations on the global Internet, and avoid regulation that is likely to increase or expand Internet fragmentation.

## 3) Protect Data

Cloudflare has invested in the development and deployment of cutting-edge cryptography and Internet standards to help people improve the security and performance of their websites and services. Cloudflare researchers are active contributors to the Internet Engineering Task Force (IETF) and other standards organizations, and our extensive network allows us to bring privacy-enhancing technologies (PETs) from the experimental stage to deployment in our global network. We have released a number of services that deploy state-of-the-art PETs for DNS and other communications to help individuals, businesses, and governments alike, and we've made substantial contributions to the development of privacy-enhancing Internet protocols. Examples of PETs Cloudflare has helped develop, support, or implement include: DNS privacy, Transport Layer Security (TLS)/QUIC, ECH, Privacy Pass, and DAP.<sup>7</sup>

#### CORE PRINCIPLES

- Promote the adoption and implementation of privacy-enhancing Internet standards and protocols.
- Ensure that the development of privacy-enhancing Internet standards and protocols includes meaningful multi-stakeholder engagement and is consistent with human rights principles and accounts for human rights impacts.
- Promote universal access to post-quantum cryptography for free and by default.

### KEY COMMITMENTS, PLEDGES, AND ACTIONS

- The private sector should provide access to post-quantum cryptography for free and by default. Cloudflare has already committed to providing post-quantum encryption for free, by default, for all of its customers.<sup>8</sup>
- The private sector and Internet standards bodies should ensure that civil society perspectives are included in the development of future Internet standards, protocols, and privacy-enhancing technologies. Cloudflare has already committed to incorporating consultation with civil society and human rights experts on its development of future privacy-enhancing standards and protocols.<sup>9</sup>

<sup>&</sup>lt;sup>7</sup> For more information, see Cloudflare Request for Information Response, US Office of Science and Technology Policy (OSTP), Privacy-Enhancing Technologies, FR Doc. 2022-12432.

<sup>&</sup>lt;sup>8</sup> Cited in US State Department, Private Sector Commitments to Advance Democracy, Fact Sheet, Mar. 29, 2023.

<sup>&</sup>lt;sup>9</sup> Cited in US State Department, Private Sector Commitments to Advance Democracy, Fact Sheet, Mar. 29, 2023.

## 4) Apply Human Rights Online

#### CORF PRINCIPLES

- Commit to respect, protect, and fulfill human rights for all, both online and offline. 10
- Ensure that regulatory or incentive-based initiatives directed at technology company conduct align with the UN Guiding Principles on Business and Human Rights (UNGPs).<sup>11</sup>
- Commit to inclusive and open multi-stakeholder governance of the Internet and other digital technologies, and to sustained dialogue with external stakeholders, including private sector, civil society, and human rights experts.<sup>12</sup>

#### KEY COMMITMENTS, PLEDGES, AND ACTIONS

- Governments should commit to ensuring that Internet governance and regulations are consistent with the UNGPs, and International Human Rights law, as well as human rights principles of legality, necessity, and proportionality.
- Governments should evaluate potential domestic and global human rights impacts when considering new digital regulation, particularly regarding vulnerable populations and potential impact or precedent in difficult jurisdictions.
- The private sector should help promote human rights online by supporting human rights defenders and other vulnerable communities. For example, Cloudflare provides human rights defenders, vulnerable communities, and other non-profit organizations with access to free or low-cost cyber security and other privacy-enhancing technologies through programs like Project Galileo.<sup>13</sup>
- Governments should support effective multi-stakeholder governance processes and avoid passing laws or regulations that undermine the multi-stakeholder model of Internet governance.

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<sup>&</sup>lt;sup>10</sup> Freedom Online Coalition, Ottawa Agenda: Recommendations for Freedom Online, 2022.

<sup>&</sup>lt;sup>11</sup> See, e.g., B-Tech, *Building Blocks for Tech Regulation - Limitations and Advantages of a Business & Human Rights Approach*, available at

https://www.ohchr.org/sites/default/files/documents/issues/business/b-tech/2022-12-19/Summary-Note-Building-Blocks-for-Tech-Regulation.pdf.

<sup>&</sup>lt;sup>12</sup> Freedom Online Coalition, The Ottawa Agenda: Recommendations for Freedom Online, 2022.

<sup>&</sup>lt;sup>13</sup> https://www.cloudflare.com/galileo/.