GLOBAL DIGITAL COMPACT

FREEDOM ONLINE COALITION SUBMISSION

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I. Details

Please select whether you are answering this survey for yourself or on behalf of an entity or organization. Note: If you are providing information on behalf of an entity or organization, it will be understood to represent a submission from the entire entity or organization and will be reflected on the public site accordingly.

- Individual
- Entity/Organization

Name of entity/organization - Freedom Online Coalition

Type of entity/organization -

- Academia/research institution/think tank
- Civil society or non-governmental organization
- Government
- International, regional or multilateral organization
- Media
- Private sector/Corporation
- Technical community
- Other (please specify)

Description of entity/organization:

The Freedom Online Coalition (FOC) is an intergovernmental coalition that was established at the inaugural Freedom Online Conference in The Hague, the Netherlands, December 2011. Since its inception, the FOC has been committed to advancing internet freedom – free expression, association, assembly, and privacy online – worldwide. The FOC believes that the human rights that people have offline must also be protected online, and commits to working together, and with all stakeholders who share these views, to support Internet freedom and protect human rights online worldwide.

FOC member states are committed to work together diplomatically to voice concern over measures to restrict Internet Freedom, support those individuals whose human rights online are curtailed, and ensure Internet freedom and issues related to digital technologies are on the international policy agenda as a way to drive concrete solutions and outcomes.

Since 2011, the Coalition membership has grown to include 36¹ Member States, spanning from Africa to Asia, Europe, the Americas, and the Middle East.

The Coalition has an annually rotating Chair. Each year, in consultation with other FOC member states and the FOC Advisory Network, the incoming FOC Chair develops a Program of Action which outlines the FOC's vision, priorities and activities for the respective year. In 2023, the FOC is chaired by the United States.

Entity/organization website - https://freedomonlinecoalition.com/

Geographic Scope of Activity -

- Global
- Regional
- Country

Contact information for submission

- Name Zora Gouhary
- Title Senior Programme Lead, Support Unit
- Email Address zora@gp-digital.org
- Email address (confirm) zora@gp-digital.org

II. Process of consultation/preparation

Describe the process you followed to collect, consult, and prepare your input.

Canada, Freedom Online Coalition (FOC) Chair 2022, commissioned the FOC sub-entities, i.e. issue-based multistakeholder working groups, to prepare submissions for input into the GDC. FOC sub-entities, including the Silicon Valley Working Group, the Task Force on Artificial Intelligence and Human Rights, the Task Force on Digital Equality and the Task Force on Internet Shutdowns, held consultations and developed separate submissions on specific areas identified in the GDC survey, and relevant to the sub-entities' focus.

Each sub-entity is composed of a number of FOC member states and FOC Advisory Network members - an independent group of non-governmental stakeholders advising the FOC governments on priority issues. In addition, some of the groups, such as the Task Force on Internet Shutdowns, are open to external non-governmental consultees who offer their expertise on the issues at hand.

Following these consultations, the completed separate submissions were finalised and shared with Canada, FOC Chair 2022, and the FOC Support Unit, which acts as the Coalition's secretariat. The received submissions were then compiled into one final submission to the GDC survey.

What is the approximate number of <u>entities</u> that were engaged through process of consultation/preparation of input?

0-25

26-50

51-100

More than 100 (please specify)

What is the approximate number of <u>people</u> engaged through process of consultation/preparation of input?

1-4

5-25

26-50

51-100

101-500

¹ Currently, the FOC consists of thirty-six members: Argentina, Australia, Australia, Canada, Chile, Costa Rica, the Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Ghana, Ireland, Italy, Japan, Kenya, Latvia, Lithuania, Luxembourg, the Republic of Maldives, Mexico, Moldova, Mongolia, the Netherlands, New Zealand, Norway, Poland, Slovakia, Spain, Sweden, Switzerland, Tunisia, the United Kingdom and the United States.

501-1000

More than 1000 (please specify)

III. Inputs to the Global Digital Compact

There are seven areas of the Global Digital Compact mentioned in the Secretary-General's Common Agenda on which you are invited to submit inputs. In addition, if there are any additional areas that you feel should also be included in the Global Compact, please submit them under the category of "Other Areas" below.

For each area, we ask that you submit your views and inputs, organized along the following two aspects:

- a) Core principles that all governments, companies, civil society organisations and other stakeholders should adhere to
- b) Key commitments, pledges, or actions that in your view should be taken by different stakeholders governments, private sector, civil society, etc. in order to realize the abovementioned principles (please be as specific and action-oriented as possible.)

While submissions in this form are limited to 2500 characters per text box, you may also submit any additional inputs or elaboration (submission to be made in PDF format) via email to digitalcompact@un.org. Please note, however, that while your submission will be made available online subsequently, it will not be part of automated data visualization results which is based on this form.

Please select the areas on which you would like to submit inputs

- A. Connect all people to the internet, including all schools
- B. Avoid internet fragmentation
- C. Protect data
- D. Apply human rights online
- E. Accountability for discrimination and misleading content
- F. Regulation of artificial intelligence
- G. Digital commons as a global public good
- H. Other areas

For each area that you selected previously, we ask that you submit your views and inputs, organized along the following two aspects:

- i) Core principles that all governments, companies, civil society organisations and other stakeholders should adhere to: and
- ii) Key commitments, pledges, or actions that in your view should be taken by different stakeholders governments, private sector, civil society, etc.

1. Connect all people to the internet, including all schools

CORE PRINCIPLES

- **Digital inclusion** to ensure that societies can participate meaningfully and equitably in all aspects of society, both online and offline.²
- Digital inclusion includes reliable and meaningful connectivity and access, bridging digital divides worldwide.³

KEY COMMITMENTS, PLEDGES, AND ACTIONS

This section refers to key commitments, pledges, and calls to action outlined in several FOC joint statements and underpinning documents:

The Ottawa Agenda: Recommendations for Freedom Online4

- Advance digital inclusion internationally to promote a rules-based, democratic, and inclusive
 world where human rights and fundamental freedoms are upheld in online and digital
 contexts, with the goal of ensuring everyone can fully enjoy their human rights online.
- Advocate for a global, free, open, interoperable, secure and reliable Internet, to resist Internet fragmentation and promote accountable, inclusive, and responsive democratic societies, at priority forums, including the United Nations, while working towards overcoming digital divides, advocating for ubiquitous, secure, affordable, equitable, and high-quality connectivity.
- Support policies, initiatives, education and research that increase digital literacy and empower
 individuals to think critically about the information they are consuming and sharing, effectively
 advocating for risk mitigation and to taking steps to keep themselves and others safe while
 navigating diverse online spaces.
- Collaborate with domestic and international initiatives and partnerships that advocate for safe
 and equitable online spaces for everyone, elevating traditionally excluded voices, such as
 youth, women and girls, as well as persons or groups in a vulnerable situation, such as,
 Indigenous Peoples, LGBTI persons, racial and ethnic minorities, persons belonging to
 national or ethnic, religious and linguistic minorities, persons with disabilities, and older
 persons, through the UN and other international fora, with specific focus on closing the
 gender digital divide and preventing and responding to the exposure of online gender-based
 violence, harassment and abuse.

10th Anniversary Helsinki Declaration⁵

We will redouble our efforts in working together for free, open, interoperable, secure, and
reliable Internet worldwide through promoting at the UN and other international fora initiatives
and partnerships for achieving universal access to the Internet by 2030.

Joint Statement on Digital Inclusion6

² Cited directly from the Freedom Online Coalition, <u>The Ottawa Agenda: Recommendations for Freedom Online</u>, 2022.

³ Cited directly from the Freedom Online Coalition, *Program of Action*, 2022.

⁴ In 2022, the FOC adopted the <u>Ottawa Agenda</u>, which provides a set of recommendations for freedom online to reflect the evolution of the Coalition's vision and scope of work since its inception in 2011. The recommendations were developed with input from FOC Members, Advisory Network representatives, and external stakeholders through domestic consultations in Canada and regional consultations held in North America, Latin America, Europe, Middle East & North Africa, Sub-Saharan Africa, and the Asia-Pacific.

⁵ Freedom Online Coalition, <u>10th Anniversary Helsinki Declaration</u>, 2021.

⁶ In 2020, the FOC adopted a joint statement on digital inclusion, which recognizes the importance of meaningful digital inclusion in enabling people to exercise their human rights more fully, but also acknowledges that digital inclusion poses both collateral opportunities and risks. The statement builds on a number of other commitments to promote digital equality, with initiatives to overcome various digital divides having been launched by a plethora of stakeholders, from civil society organisations to the private sector; governments; and various UN organisations tasked with working towards the SDGs.

- The conduct and support of good quality, independent research, on supply and demand side challenges affecting digital inclusion and digital divides. Research activities should investigate existing and emerging issues related to digital access that may negatively affect digital inclusion by deterring Internet use, such as human rights violations and abuses relating to privacy, online abuse, censorship, surveillance and other cybersecurity methods that limit individuals' ability to exercise their human rights and fundamental freedoms. Governments should also encourage more efforts by the private sector to publish independent, research based reviews on their data sets, conducted within an ethical, privacy-protective framework.
- Civil society organizations should be supported in their efforts to address barriers and bottlenecks to digital access, cybersecurity risks, and on how to develop policy that drives positive outcomes related to the improved access and use of digital technologies. Moreover, all stakeholders should be encouraged to share best practices on issues pertaining to bridging digital divides, especially in support of community networks, and enabling digital inclusion, and governments should play a supportive role in facilitating this.
- Welcoming contributions, and leadership, by the private sector and civil society to promote digital inclusion. Encourage the private sector to ensure that resources accrued for the purpose of overcoming digital divides are used transparently for their intended purpose in line with the UN Guiding Principles on Business and Human Rights.
- Encouraging the availability of free Internet access points in public spaces, especially in schools and libraries in economically underprivileged communities.
- Promoting open-source software, open access technologies, open data, and open learning towards enabling meaningful access, as well as supporting the people who develop these resources.
- Enacting digital policies which give special consideration to those who face particular
 difficulties in reaping the benefits of digital inclusion. Governments should build into their
 programs and policies safeguards to make sure these persons are able to benefit fully in the
 push for digital inclusion. These may consist of, inter alia, creating safe and accessible
 spaces, childcare facilities and specially trained support staff.
- Advancing, with the help of public-private partnerships, digital literacy and other technology training in trusted and comfortable locations (libraries, community centers, places of worship, schools, recreation centers, senior centers, etc.) which is tailored for different levels of education and specific needs and supported.
- Facilitating, reinforcing, and developing multi-stakeholder models of Internet governance, including growing capacity of civil society to participate in fora like the Internet Governance Forum, expanding availability of independent Internet exchange points, ensuring ability of private sector providers to connect and exchange data traffic directly with one another, and similar inclusive models.
- Addressing underlying causes of digital exclusion (economic, social, political and cultural contexts) because technical solutions alone will not bridge digital divides; and support initiatives at intergovernmental spaces that further digital inclusion.

Joint Statement on Defending Civic Space Online7

 The FOC calls on all governments to promote vibrant and resilient civic space, including respect for human rights and fundamental freedoms, democracy, and the rule of law,

⁷ In this joint statement, the FOC expresses concern about shrinking civic and democratic spaces online as a result of state-sponsored obstruction of free expression, peaceful assembly, and free association. The FOC recognizes the Internet as an invaluable tool for human rights defenders and civil society and notes that civic space online is integral to a vibrant civic space offline. It further recognizes that state-sponsored obstruction of these rights is a direct challenge to the FOC's goal of protecting and promoting both the exercise of human rights online and an open and interoperable Internet. The statement highlights that a robust and protected civic space forms the cornerstone of accountable, inclusive, and responsive democratic societies.

consistent with their obligations under the International Covenant for Civil and Political Rights in particular, which is central to the maintenance and development of an open, interoperable, reliable, and secure Internet.

- Bearing in mind States' international obligations under international human rights law, the FOC calls upon:
 - (a) all stakeholders to work together to ensure that the Internet is designed and governed in a manner that respects human rights and enables individuals to engage in civic space;
 - (b) governments, the private sector, international organizations, and civil society, to work together toward a shared approach-firmly grounded in respect for international human rights law-to evaluate, respond to, and remedy State-sponsored efforts to unduly restrict civic space, and business practices that inappropriately contribute to, facilitate, or cause restriction.
- Governments should consult where possible with civil society in the development of laws and policies, including those on counter-terrorism, national security, cybercrime and cybersecurity, as well those that impact encryption and anonymity online, to help ensure that these laws and policies are consistent with States' obligations under international human rights law.
- The FOC calls on all governments to refrain from using counter-terrorism, national security, cybercrime, cyber-security, anti-terrorism and anti-cybercrime measures and laws to unduly limit the ability of human rights defenders to exercise their human rights. Any such legislation, new or existing, should be evaluated against potential adverse effects on human rights.
- The FOC encourages governments to protect and promote civic space through laws and policies that expand access to emerging technologies such as blogs, private messaging apps, and over-the-top services rather than restricting their use through overreaching regulation and the imposition of high compliance burdens that inhibit access.
- The FOC recognizes the crucial role of the information and communication technology (ICT)sector to respect human rights. The FOC encourages companies to engage in multistakeholder initiatives and explore best practices in line with the UN Guiding Principles on Business and Human Rights.

Joint Statement on Internet Censorship8

The FOC calls on all governments to refrain from content restrictions on the Internet that violate international human rights law and to create an enabling environment for free expression and access to information online.

- States must not restrict, moderate, or manipulate online content, disrupt networks to deny users access to information, or employ internet censorship technologies, contrary to their international obligations. At the same time, states should play a constructive role in working with ICT companies to enhance transparency regarding their content moderation and mediation processes, including those that are automated. Governments should also encourage ICT companies to adopt fair remedial mechanisms in contentious cases.
- The FOC firmly believes in the value of free and informed political debate, offline and online. and its positive effects on long term political stability. The Coalition calls on governments, the private sector, international organizations, civil society, and Internet stakeholders to work

⁸ In this joint statement, the FOC expresses deep concern about the growing trend of state-sponsored Internet censorship, which challenges Coalition's goals of protecting and promoting human rights online and protecting and extending an open and

interoperable Internet. To address this trend, the FOC calls upon governments to refrain from content restrictions on the Internet that violate international human rights law and to create an enabling environment for free expression and access to information online. Furthermore, it calls upon all stakeholders "to work together toward a shared approach – firmly grounded in respect for international human rights law - that aims to evaluate, respond to, and if necessary, remedy state-sponsored efforts to restrict, moderate, or manipulate online content, and that calls for greater transparency of private Internet companies' mediation, automation, and remedial policies."

together toward a shared approach - firmly grounded in respect for international human rights law - that aims to evaluate, respond to, and if necessary, remedy state-sponsored efforts to restrict, moderate, or manipulate online content, and that calls for greater transparency of private Internet companies' mediation, automation, and remedial policies.

Contribution from the FOC Task Force on Digital Equality

Please note that the views of the Task Force on Digital Equality do not necessarily reflect the opinions of the full FOC membership.

Building on the FOC's <u>Joint Statement on Digital Inclusion</u>, the Task Force on Digital Equality aims to translate the statement's recommendations into concrete action that has tangible, positive outcomes for promoting digital equality. Task Force defines connectivity and access as extending universal, open, secure, reliable, affordable, high-quality Internet access:

Connectivity and Access						
Term	Definition					
Universal	 Exploring new regulatory models including community-level governance to increase access. Supporting small-scale networks, community-owned and locally-owned telecommunications infrastructure towards reaching last-mile coverage and providing services that meet local needs. Expanding availability of independent Internet exchange points, ensuring ability of private sector providers to connect and exchange data traffic directly with one another, and similar inclusive models. Providing free Internet access points in public spaces, especially in schools and libraries in economically underprivileged communities. Enabling equal access to information and content by supporting and upholding strong net neutrality protections. Facilitating, reinforcing, and developing multi-stakeholder models of Internet governance, including growing capacity of civil society to participate in fora like the Internet Governance Forum. 					
Open	 Enabling and promoting the development and use of open-source software, open access technologies, open data, and open learning towards enabling meaningful access, as well as supporting the people who develop these resources. 					
Secure	 Providing secure public access points or those that lend electronic devices to individuals or communities who need them. Developing and promoting policies and techniques that create secure spaces online including cyber security, encryption, and data protection while protecting against the misuse of such measures in a way that violates human rights. 					
Affordable	 Ensuring the cost of access to broadband and mobile ownership is affordable including through avoiding levying high taxes on consumers and mobile operators. 					
Reliable and High- quality	 Expanding access to and building infrastructure for underserved areas and populations. Working with internet service providers to ensure connectivity is reliable and o high quality and data packages are affordable. 					

The Task Force on Digital Equality defines "digital equality" as digital inclusion that is equitable, accessible, inclusive, safe, meaningful and human-rights respecting:

Digital Equality						
Term	Definition					
Equitable	 Bridging the gender digital divide from a human rights perspective. This includes addressing factors that result in the withdrawal of women, girls and gender diverse individuals from digital and civic spaces such as gendered disinformation and online gender based violence, including sexual violence, harassment and abuse. 					

	 Addressing underlying causes of digital exclusion and discrimination (economic, social, political and cultural contexts), including gendered causes. Ensuring that Al algorithms do not reinforce harmful stereotypes and biases that discriminate on the grounds of sex, age, disability, sexual orientation, gender identity, race, ethnicity, origin, language, religion, or any other grounds. 					
	 Addressing supply and demand-side challenges affecting digital inclusion and digital divides, such as digital gender divides. Supporting research to understand drivers of digital exclusion. This includes 					
	encouraging more efforts by the private sector to publish independent, research-based reviews on their data sets, conducted within an ethical, privacy-protective framework.					
	 Encouraging the public and private sector to ensure that resources accrued for the purpose of overcoming gender, age and other digital divides are used equitably and transparently for their intended purpose. 					
	 Embedding gender equality and non-discrimination in technology development. Supporting digital solutions that promote and advance equali 					
	 and non-discrimination. Applying accessibility standards for persons with disabilities in digital and technological solutions to ensure their equal access. 					
Inclusive	 Building digital literacy with a focus on delivering programs to underserved areas/populations, in the public education system, and offering skilling programs that enable individuals to adapt to rapidly evolving technology. 					
	 Emphasizing digital policies which give special consideration to those who face particular difficulties in accessing or reaping the benefits of digital inclusion. This includes marginalised or vulnerable populations and persons with disabilities. 					
Safe	 Acknowledge gaps in internet access and digital skills as security concerns since they are as factors that create differential vulnerabilities to cyber- attacks. 					
	 Providing and supporting training in digital security and safety with an emphasis on women, girls, persons with disabilities, sexual and gender minorities, and persons that are marginalized or in vulnerable situations. 					
	 Increasing accountability for discrimination, violence and misleading content of internet service providers and other relevant technology partners. Protecting personal data and privacy. 					
	Addressing online gender-based violence as a serious threat to gender equality and safety as well as democracy. Women and girls, and especially those who face greater risk for multiple and intersecting forms of discrimination, are the primary targets of online violence and abuse, which					
	push them out of public participation.					
Meaningful	 Ensuring full and meaningful use and development of the internet that meets the needs and interests of all, including persons with disabilities and persons or groups that are marginalised or in vulnerable situations. 					
	 Supporting the creation of content in local languages and ensuring content represents a country's diverse communities, meets local needs, and preserves local knowledge. 					
Human rights-	 Adopting human rights-based approaches to access is an important enabler of digital inclusion that both encourages open dialogue online while providing 					
respecting	 safeguards for vulnerable populations. Developing policies and systems that are rooted in international human rights standards towards promoting and creating safe, secure, inclusive, and open spaces online and deterring actions that impact Internet use, such as human rights violations, online abuse, censorship, surveillance and other methods that limit individuals' ability to exercise their human rights and fundamental 					
	freedoms. Promote trustworthy and human-rights based artificial intelligence and promote our digital commons as a global public good.					

2. Avoid internet fragmentation

CORE PRINCIPLES

• Free⁹, open, interoperable, reliable, and secure Internet. 10

KEY COMMITMENTS, PLEDGES, AND ACTIONS

Shutdowns and state-sponsored network disruptions may silence political opposition, limit peaceful protests and prevent human rights defenders from documenting abuses. Moreover, arbitrary network disruptions are inconsistent with the targets of the Sustainable Development Goals, undermine the economic benefits of the Internet and disrupt access to essential services such as health care.¹¹

Blocking, filtering, or shutting down the Internet suppresses the right of peaceful assembly and freedoms of association and expression; eroding civic space; reinforcing a continued climate of economic uncertainty; disrupting access to healthcare, emergency services, and financial services; preventing payments for salaries, utilities, and education; and limiting the ability of journalists, human rights defenders, and others to report on and document human rights violations or abuses that are taking place during Internet shutdowns, or communications disruptions. ¹²

This section refers to key commitments, pledges, and calls to action outlined in several FOC joint statements and underpinning documents:

Joint Statement on Freedom of Expression Online¹³

 All governments should immediately end Internet shutdowns and to refrain from content restrictions or actions that restrict civic space online and offline, in violation of states' obligations under international human rights law. All governments should act in a manner that ensures a free, open, interoperable, reliable and secure Internet, and fully respects human rights including the freedom of expression.

The Ottawa Agenda: Recommendations for Freedom Online 14

• Emphasize the need to overcome multiple, persistent digital divides, including the gender digital divide, and push back against the fragmentation of the global Internet.

10th Anniversary Helsinki Declaration¹⁵

 We will redouble our efforts in working together for free, open, interoperable, secure, and reliable Internet worldwide through taking action in speaking out against and countering Internet shutdowns, network disruptions and censorship that are inconsistent with international human rights law.

Joint Statement on State Sponsored Network Disruptions¹⁶

 Publically commit to maintain or develop human rights-respecting legislation that details the limited circumstances in which communication networks may be intentionally disrupted,

⁹ Please note that the use of the word "free" does not refer to free in cost.

¹⁰ Cited directly from the Freedom Online Coalition, <u>The Ottawa Agenda: Recommendations for Freedom Online</u>, 2022.

¹¹ Freedom Online Coalition, <u>Joint Statement on Freedom of Expression Online</u>, 2021.

¹² Freedom Online Coalition, Joint Statement on Internet Shutdowns in Iran, 2022.

 ¹³ In 2021, the FOC issued a joint statement on Freedom of Expression Online. Finland presented the statement on behalf of the FOC during the interactive dialogue on the annual report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression at the 47th session of the United Nations Human Rights Council.
 14 In 2022, the FOC adopted the Ottawa Agenda, which provides a set of recommendations for freedom online to reflect the

¹⁴ In 2022, the FOC adopted the Ottawa Agenda, which provides a set of recommendations for freedom online to reflect the evolution of the Coalition's vision and scope of work since its inception in 2011. The recommendations were developed with input from FOC Members, Advisory Network representatives, and external stakeholders through domestic consultations in Canada and regional consultations held in North America, Latin America, Europe, Middle East & North Africa, Sub-Saharan Africa, and the Asia-Pacific.

¹⁵ Freedom Online Coalition, *FOC 10th Anniversary Helsinki Declaration*, 2021.

¹⁶ In 2017, the FOC issued a joint statement expressing deep concern over the growing trend of intentional state-sponsored disruptions of access to or dissemination of information online.

consistent with Article 19 of the International Covenant on Civil and Political Rights (ICCPR) in this regard. The members of the Freedom Online Coalition are committed to respecting the human rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights and ICCPR, reaffirming that everyone has the right of peaceful assembly and to the freedoms of association, opinion, and expression. This includes the right to hold opinions without interference and the freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of one's choice.

- Improve transparency in national governments' regulatory, judicial, and law enforcement agencies. Governments can demonstrate their commitment to promoting and protecting human rights online by taking steps to improve transparency regarding how and when governmental agencies may conduct network disruptions.
- Include issues related to intentional network disruptions adversely affecting human rights in
 diplomatic activities, such as bilateral and multilateral engagements and negotiations.
 Governments can address the economic, social, and political risks of these sorts of network
 disruptions in bilateral and multilateral engagements, encouraging partners to refrain from
 such intentional disruptions and developing effective, human rights-respecting laws,
 legislation, and regulations designed to protect human rights online.
- Collaborate with Internet service providers (ISPs), mobile telephony operators, social media
 companies, and other stakeholders to promote policies and practices in line with the United
 Nations Guiding Principles on Business and Human Rights (UNGPs) regarding responses to
 government requests to disrupt Internet and mobile network services in order to stifle human
 rights. The FOC encourages governments to develop dialogues with Internet stakeholders to
 discuss how to promote and protect human rights online, including issues around such
 network disruptions.
- Issue public statements that highlight such instances of network disruptions and coordination; coordinate through embassies in the countries where such network disruptions are taking place to jointly urge governments to refrain from and cease such measures.

Joint Statement on Internet Shutdowns in Iran¹⁷

• Respect human rights obligations, including under articles 19, 21, 22 of the International Covenant on Civil and Political Rights.

Joint Statement on Restrictions on Access to Social Media¹⁸

- Restrictions on content or links shared via social media sites are only permissible in accordance with International human rights law, in particular Article 19(3) of the International Covenant on Civil and Political Rights. Such legal provisions should be established pursuant to democratic processes, narrowly tailored, and enforced with appropriate transparency.
- The Freedom Online Coalition strongly condemns restrictions in violation of human rights law of content shared via social media, and in particular the wholesale blocking of social media sites, to restrict individuals from exercising their human rights online. We also note with concern efforts by states to use third-parties to impermissibly restrict access to content or undermine the security and stability of social media sites. Equally troubling are instances where national security or public order is evoked as pretext to block social media.
- As stated in the Freedom Online Coalition's "Tallinn Agenda", we call upon governments
 worldwide to promote transparency and independent, effective domestic oversight related to
 electronic surveillance, use of content take-down notices, limitations or restrictions on online
 content or user access and other similar measures, while committing ourselves to do the
 same.

¹⁷ In 2022, the FOC issued a joint statement condemning the measures undertaken to restrict access to the Internet in Iran. ¹⁸ In 2014, the FOC issued a joint statement on restrictions on access to social media, where it expressed concern at the blocking of social media sites and the use of third-parties to restrict access to content in violation of international law.

3. Protect data

CORE PRINCIPLES

- Personal data should be protected by reasonable security safeguards against security and privacy risks.¹⁹
- Governments should refrain from restricting transborder flows of personal data between their own and another country where sufficient safeguards exist.²⁰

KEY COMMITMENTS, PLEDGES, AND ACTIONS

This section refers to key commitments, pledges, and calls to action outlined in several FOC joint statements and underpinning documents:

Joint Statement on Restrictive Data Localisation Laws²¹

- The Coalition recognizes that governments may decide that certain data they hold or are responsible for must be stored on servers within their national borders, as one aspect of a comprehensive, secure information management policy.
- The Freedom Online Coalition members support an open and interoperable Internet, as reaffirmed in the "Tallinn Agenda," as well as in the NETmundial Principles and the OECD Guidelines Governing the Protection of Privacy and Transborder Flows of Personal Data, and the Coalition calls on all States to do the same.
- The Coalition invites companies, when required by laws or regulations to store data locally, to conduct appropriate human rights due diligence consistent with the UN Guiding Principles on Business and Human Rights.

Joint Statement on the Use and Export of Surveillance Technology²²

 The Coalition notes that, as reflected in the UN Guiding Principles on Business and Human Rights, companies, including those that market and provide surveillance technology, have human right-related responsibilities. The Coalition recalls the expectation that such companies uphold these responsibilities, including by implementing appropriate systems and policies and conducting human rights due-diligence with regard to the provision of surveillance technology and related services.

¹⁹ Cited directly from the FOC's 2015 joint statement on restrictive data localisation laws.

²⁰ Cited directly from the FOC's 2015 joint statement on restrictive data localisation laws.

²¹ In 2015, the FOC issued a <u>joint statement</u> on restrictive data localisation laws. It expresses concern regarding the use of privacy and security considerations by authoritarian governments as a pretext to force Internet companies and service providers to store user data on servers physically located within their domestic borders.

providers to store user data on servers physically located within their domestic borders.

22 In 2014, the FOC issued a joint statement on the use and export of surveillance technology.

4. Apply human rights online

CORE PRINCIPLES

- Commit to respect, protect, and fulfil human rights for all, both online and offline.²³
- Strengthen internet infrastructure.²⁴
- Reaffirm support for a free, open, interoperable, reliable and secure internet, noting that strong cyber security and secure and stable communication are critical to maintaining confidence and trust in the internet, and key to safeguarding human rights and realising the internet's economic, social and cultural benefits.²⁵
- Support expanded connectivity to a free, open, interoperable, reliable, and secure global internet where the rights that all persons have offline are protected online, including the freedom to seek, receive, and impart information and ideas.²⁶
- Improve transparency and accountability.²⁷
- Ensure robust, diverse, inclusive, and protected civic participation online and offline.
- Commit to inclusive and open multi-stakeholder governance of digital technologies, including the Internet, and to sustained dialogue with external stakeholders to share knowledge and expertise.²⁹

KEY COMMITMENTS, PLEDGES, AND ACTIONS

The Freedom Online Coalition believes that the human rights and fundamental freedoms that individuals have offline must also be protected online. We are committed to working together to support Internet freedom for individuals worldwide–including the freedoms of expression, association, peaceful assembly, as well as privacy rights online.

This section refers to key commitments, pledges, and calls to action outlined in several FOC joint statements and underpinning documents:

Tallinn Agenda³⁰

- States should collectively condemn through diplomatic channels, public statements, and other means — violations and abuses of human rights and fundamental freedoms online, as they occur in different countries throughout the world.
- States should halt imprisonment, harassment, physical violence, censorship, hacking as well
 as illicit filtering, blocking and monitoring of opposition voices and other repressive measures
 used to restrict freedom of expression and organisation online in contravention of international
 human rights obligations.

10th Anniversary Helsinki Declaration31

 States should unequivocally condemn the use of digital technologies for repressive and authoritarian purposes, through actions such as internet shutdowns and network disruptions

²³ Cited directly from the Freedom Online Coalition, *The Ottawa Agenda: Recommendations for Freedom Online*, 2022.

²⁴ Freedom Online Coalition, <u>Joint Statement on State-Sponsored Network Disruptions</u>, 2017.

²⁵ Freedom Online Coalition, *Tallinn Agenda*, 2014.

²⁶ Freedom Online Coalition, Task Force on Internet Shutdowns, *Resources and Best Practices for Diplomatic Engagement on Internet Shutdowns*, 2022, (available only to FOC members).

²⁷ Freedom Online Coalition, <u>Joint Statement on State-Sponsored Network Disruptions</u>, 2017.

²⁸ Freedom Online Coalition, Joint Statement on Defending Civic Space Online, 2019.

²⁹ Cited directly from the Freedom Online Coalition, <u>The Ottawa Agenda: Recommendations for Freedom Online</u>, 2022.

³⁰ In 2014, the Freedom Online Coalition issued the <u>Tallinn Agenda</u>. The FOC issued recent amendments to the Freedom Online Coalition Stockholm Terms of Reference to include country-specific statements, 2022.

³¹ Freedom Online Coalition, <u>10th Anniversary Helsinki Declaration</u>, 2021.

inconsistent with international human rights law.

 States, the private sector, and civil society shall coordinate rights-respecting advocacy on internet shutdowns and monitor ongoing technical, economic, legal, and human rights concerns regarding the use of internet shutdowns by states, especially in the context of elections, protests, and ongoing health and humanitarian crises;³²

The Ottawa Agenda: Recommendations for Freedom Online³³

States, the private sector, and civil society should adopt holistic and interoperable approaches
to countering internet fragmentation and work towards overcoming digital divides, advocating
for ubiquitous, secure, affordable, equitable, and high-quality connectivity, free from threats
such as censorship and State-sponsored internet shutdowns ensuring groups in vulnerable
circumstances or who are marginalized or disenfranchised or otherwise discriminated against
by the state or others, can fully realize their human rights online.

Joint Statement on State-Sponsored Network Disruptions³⁴

- States, as well as the private sector, should work to improve and increase transparency.
 States can demonstrate their commitment to promoting and protecting human rights online by taking steps to improve transparency in accordance with international human rights law.
- States should include internet shutdowns adversely affecting human rights in diplomatic
 activities, such as bilateral and multilateral engagements and negotiations. States can
 specifically address the economic, social, and political risks of these sorts of network
 disruptions in bilateral and multilateral engagements, encouraging partners to refrain from
 such intentional disruptions and developing effective, human rights-respecting laws,
 legislation, and regulations designed to protect human rights online.
- States, internet service providers (ISPs), mobile telephone operators, social media companies, and civil society should collaborate to promote policies and practices in line with the United Nations Guiding Principles on Business and Human Rights regarding responses to government requests to disrupt internet and mobile network services in order to stifle human rights. The FOC encourages States to develop dialogues with all stakeholders to discuss how to promote and protect human rights online, including issues such as internet shutdowns.

Resources and Best Practices for Diplomatic Engagement on Internet Shutdowns³⁵

Please note that the views of the Task Force on Internet Shutdown (TFIS) do not necessarily reflect the opinions of the full FOC membership.

The Freedom Online Coalition (FOC) Task Force on Internet Shutdowns (TFIS) drafted the following key commitments. Launched in December 2021, the FOC TFIS is a multinational and multistakeholder coordination and response mechanism on internet shutdowns. The Task Force works to improve coordination among like-minded countries, civil society, and the private sector to anticipate and respond to internet shutdowns. Their work, including this submission, builds on the FOC's 2017 Joint Statement and accompanying Good Practices for Governments on State Sponsored Network Disruptions and the 2021 G7 Leaders' Communique and Foreign and Development Ministers Communique.

Internet shutdowns imposed by governments impact all people, especially those who may be in vulnerable situations, such as women. Internet shutdowns ramp up censorship, restrict free

³² Freedom Online Coalition, <u>10th Anniversary Helsinki Declaration</u>, 2021.

³³ In 2022, the FOC adopted the Ottawa Agenda, which provides a set of recommendations for freedom online to reflect the evolution of the Coalition's vision and scope of work since its inception in 2011. The recommendations were developed with input from FOC Members, Advisory Network representatives, and external stakeholders through domestic consultations in Canada and regional consultations held in North America, Latin America, Europe, Middle East & North Africa, Sub-Saharan Africa, and the Asia-Pacific.

Freedom Online Coalition, <u>Joint Statement on State-Sponsored Network Disruptions</u>, 2017.

³⁵ Freedom Online Coalition, Task Force on Internet Shutdowns, *Resources and Best Practices for Diplomatic Engagement on Internet Shutdowns*, 2022, (available only to FOC members).

expression, and limit the dissemination and free flow of information, contributing to social and political disorder, and violence and negatively affecting public safety. According to Access Now and the #KeepltOn coalition — composed of more than 300 organizations from 105 countries — in 2022 the internet was shut down 187 times in 35 countries. Combating internet shutdowns, therefore, remains a key priority for the international community and has been notably featured in the UN Secretary-General's Roadmap for Digital Cooperation (A/74/821); and the former UN High Commissioner for Human Rights' Human Rights Council report on Internet Shutdowns (A/HRC/50/55). Overall, internet shutdowns interfere with a range of fundamental human rights. As such, internet shutdowns hinder international goals for an "open, free and secure digital future for all" and to accelerate the realization of the 2030 Agenda as captured in the UN Declaration on the Commemoration of the 75th Anniversary of the UN.

- States should specifically condemn government use of internet shutdowns, network
 restrictions, or other measures intended to disrupt individuals' ability to access and
 disseminate information and to communicate safely and securely. This includes arbitrary
 interference with encryption and anonymity tools.
- States, the private sector, and civil society shall share information on internet shutdowns rapidly as they occur, and facilitate additional information-sharing between stakeholders.
- States, the private sector and civil society should support and implement the
 recommendations in the UN Human Rights Council Report of the UN High Commissioner
 for Human Rights, "Internet shutdowns: trends, causes, legal implications and impacts on
 a range of human rights."
- States should avoid shutting down, blocking, or throttling internet, telecommunication, and/or mobile services. Doing so can violate a range of human rights, including freedoms of expression and opinion, peaceful assembly, and association. These actions also disrupt access to essential services such as healthcare and emergency services and harm the economy.

Joint Statement on Digital Inclusion36

- States and the private sector, in consultation with civil society, should ensure to safeguard human rights and fundamental freedoms online, and to implement and share such best practices on issues pertaining to internet shutdowns, bridging digital divides, especially in support of community networks, and enabling digital inclusion, and States should play a supportive role in facilitating this.
- Civil society organizations should be supported in their efforts to address barriers and bottlenecks to digital access, cybersecurity risks, and on how to develop policy that drives positive outcomes related to the improved access and use of digital technologies.

Joint Statement on COVID-19 and Internet Freedom³⁷

In response to the COVID-19 pandemic, we call upon governments worldwide:

• States should immediately end internet shutdowns, and ensure the broadest possible access to online services by taking steps to bridge digital divides.

³⁶ In 2020, the FOC adopted a joint statement on digital inclusion, which recognizes the importance of meaningful digital inclusion in enabling people to exercise their human rights more fully, but also acknowledges that digital inclusion poses both collateral opportunities and risks. The statement builds on a number of other commitments to promote digital equality, with initiatives to overcome various digital divides having been launched by a plethora of stakeholders, from civil society organisations to the private sector; governments; and various UN organisations tasked with working towards the SDGs.

³⁷ In 2020, the FOC issued a joint statement on COVID-19 and Internet freedom. The statement expresses concern about the human rights implications of certain measures introduced by governments in response to the COVID-19 crisis, such as the use of arbitrary or unlawful surveillance practices, network shutdowns, and censorship.

- To refrain from adopting or implementing laws and policies that may negatively affect the enjoyment of human rights, or that unreasonably restrict civic space online and offline, in violation of states' obligations under international human rights law.
- To promote an enabling environment for free expression and access to information online to protect privacy and to refrain from content restrictions that violate international human rights law
- To take appropriate measures to counter violence, intimidation, threats and attacks against individuals and groups, including human rights defenders, on the Internet and through digital technologies

Joint Statement on the Human Rights Impact of Cybersecurity Laws, Practices, and Policies

- States need to comply with their obligations under international human rights law when considering, developing and applying national cybersecurity policies and legislation.
- States need to develop and implement cybersecurity-related laws, policies and practices in a
 manner consistent with international human rights law, and seek to minimise potential
 negative impacts on vulnerable groups and civil society, including human rights defenders
 and journalists. This includes building, where appropriate, supporting processes and
 frameworks for transparency, accountability, judicial or other forms of independent and
 effective oversight, and redress towards building trust. It may also include embedding the
 principles of legitimacy, legality, necessity or proportionality into policy and practice.
- States should promote international cooperation on cyber issues that focuses on protecting and upholding human rights in order to build mutual trust between all stakeholders.

4. Accountability for discrimination and misleading content

CORE PRINCIPLES

- Advocate for a global, free³⁸, open, interoperable, secure and reliable Internet.³⁹
- Public access to factual and diverse information, which can make societies more resilient to disinformation.⁴⁰
- News and media ecosystem where there is access to information and plurality of media; free and independent media has a sustainable future; and public service media and local news outlets are able to thrive.⁴¹

KEY COMMITMENTS, PLEDGES, AND ACTIONS

This section refers to key commitments, pledges, and calls to action outlined in several FOC joint statements and underpinning documents:

The Ottawa Agenda: Recommendations for Freedom Online

 Engage in dialogue and cooperation with the private sector to address risks relating to digital transformation, such as disinformation, and committing to developing rules of the road for addressing information integrity online.

10th Anniversary Helsinki Declaration

- We will foster multi-stakeholder cooperation to address both hate speech, and disinformation in a manner that respects human rights, democracy and the rule of law.
- We will redouble our efforts in working together for free, open, interoperable, secure, and reliable Internet worldwide through addressing disinformation and other harmful content online and ensuring that any measures are in accordance with international law, including international human rights law.

Joint Statement on the Spread of Disinformation Online⁴²

The FOC calls on governments to:

- Abstain from conducting and sponsoring disinformation campaigns, and condemn such acts.
- Address disinformation while ensuring a free, open, interoperable, reliable and secure Internet, and fully respecting human rights.
- Improve coordination and multi-stakeholder cooperation, including with the private sector and civil society, to address disinformation in a manner that respects human rights, democracy and the rule of law.
- Implement any measures, including legislation introduced to address disinformation, in a manner that complies with international human rights law and does not lead to restrictions on freedom of opinion and expression inconsistent with Article 19 of the International Covenant on Civil and Political Rights.

³⁸ Please note that the use of the word "free" does not refer to free in cost.

³⁹ Cited directly from the Freedom Online Coalition, <u>The Ottawa Agenda: Recommendations for Freedom Online</u>, 2022.

⁴⁰ Freedom Online Coalition, <u>Joint Statement on the Spread of Disinformation</u>, 2020.

⁴¹ Freedom Online Coalition, <u>Joint Statement on the Spread of Disinformation</u>, 2020.

⁴² In 2020, the FOC issued a joint statement expressing deep concern about the growing scope and sophistication of disinformation, which has been employed by state and non-state actors with political, ideological, commercial or other motives.

- Respect, protect and fulfill the right to freedom of expression, including freedom to seek, receive and impart information regardless of frontiers, taking into account the important and valuable guidance of human rights treaty bodies
- Refrain from discrediting criticism of their policies and stifling freedom of opinion and expression under the guise of countering disinformation, including blocking access to the Internet, intimidating journalists and interfering with their ability to operate freely.
- Support initiatives to empower individuals through online media and digital literacy education
 to think critically about the information they are consuming and sharing, and take steps to
 keep themselves and others safe online.
- Take active steps to address disinformation targeted at vulnerable groups, acknowledging, in particular the specific targeting of and impact on women and persons belonging to minorities.
- Support international cooperation and partnerships to promote digital inclusion, including universal and affordable access to the Internet for all.

The FOC urges social media platforms and the private sector to:

- Address disinformation in a manner that is guided by respect for human rights and the UN Guiding Principles on Business and Human Rights.
- Increase transparency into the factors considered by algorithms to curate content feeds and search query results, formulate targeted advertising, and establish policies around political advertising, so that researchers and civil society can identify related implications.
- Increase transparency around measures taken to address the problems algorithms can cause
 in the context of disinformation, including content take down, account deactivation and other
 restrictions and algorithmic alterations. This may include building appropriate mechanisms for
 reporting, designed in a multi-stakeholder process and without compromising effectiveness or
 trade secrets.
- Promote users' access to meaningful and timely appeal processes to any decisions taken in regard to the removal of accounts or content.
- Respect the rule of law across the societies in which they operate, while ensuring not to contribute to violations or abuses of human rights.
- Use independent and impartial fact-checking services to help identify and highlight disinformation, and take measures to strengthen the provision of independent news sources and content on their platforms.
- Support research by working with governments, civil society and academia and, where appropriate, enabling access to relevant data on reporting, appeal and approval processes, while ensuring respect for international human rights law.

The FOC urges civil society and academia to:

- Continue research into the nature, scale and impact of online disinformation, as well as strategic level analysis to inform public debate and government action.
- Adequately consider the impact of disinformation on women and marginalized groups who are targeted by disinformation campaigns in this research.
- Engage with the private sector and governments to share findings and collaborate on research, whilst ensuring appropriate privacy protections are in place.

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Actively participate in public debate and in multi-stakeholder initiatives looking to address disinformation and emphasize the necessity of evidence-based discussion.

6. Regulation of artificial intelligence

CORE PRINCIPLES

- Promotion and protection of human rights, democracy, and the rule of law in the design, development, procurement, and use of Al systems.⁴³
- Transparency and accountability.44
- Work with the private sector, civil society, academia, and other relevant stakeholders. 45
- Abide by obligations under international human rights law to ensure that human rights are fully respected and protected.46

KEY COMMITMENTS. PLEDGES. AND ACTIONS

This section refers to key commitments, pledges, and calls to action outlined in several FOC joint statements and underpinning documents:

Joint Statement on Artificial Intelligence and Human Rights⁴⁷

- States should take action to oppose and refrain from the use of AI systems for repressive and authoritarian purposes in violation of international human rights law.
- States should refrain from arbitrary or unlawful interference in the operations of online platforms, including those using AI systems, and they should refrain from excessive use of national security reasons as justification for cases of interference.⁴⁸
- States should promote international multi-stakeholder engagement in the development of relevant norms, rules, and standards for the design, development, procurement, use, certification, and governance of AI systems that, at a minimum, are consistent with international human rights law.
- States shall ensure that the design, development and use of AI systems in the public sector is conducted in accordance with their international human rights obligations.
- States, and any private sector or civil society actors working with them or on their behalf, should protect human rights when procuring, designing, developing and using AI systems in the public sector, through the adoption of processes such as due diligence and independent impact assessments, that are made transparent and participatory wherever possible.
- States should encourage the private sector to observe principles and practices of responsible business conduct (RBC) in the use of AI systems throughout their operations and supply and

⁴³ Cited directly from the 2020 FOC joint statement on artificial intelligence (AI) and human rights.

⁴⁴ Cited directly from the 2020 FOC joint statement on artificial intelligence (AI) and human rights.

⁴⁵ Cited directly from the 2020 FOC joint statement on artificial intelligence (AI) and human rights.
46 Cited directly from the 2020 FOC joint statement on artificial intelligence (AI) and human rights.

⁴⁷ In 2020, the FOC issued a joint statement on artificial intelligence (AI) and human rights. The FOC called upon governments to oppose and refrain from the use of AI systems for repressive and authoritarian purposes; to ensure the design, development and use of AI systems in the public sector is conducted in accordance with international human rights obligations; and to promote, where appropriate, support efforts by the private sector, civil society, and all other relevant stakeholders to increase transparency and accountability related to the use of Al systems.

⁴⁸ Note from the Task Force on Artificial Intelligence: "States have a responsibility to ensure that any measures affecting online platforms, including counter-terrorism and national security legislation, are consistent with international law, including international human rights law. They should refrain from restrictions on the right to freedom of information, of opinion and expression, and the right to peaceful assembly and association, including in relation to political dissent and the work of journalists, civil society, and human rights defenders, except when such restrictions are in accordance with international law, particularly international human rights law."

value chains, in a consistent manner and across all contexts.49

- States should consider how domestic legislation, regulation and policies can identify, prevent, and mitigate risks to human rights posed by the design, development and use of AI systems, and take action where appropriate.⁵⁰
- States should promote and, where appropriate, support efforts by the private sector, civil society, and all other relevant stakeholders to increase transparency and accountability related to the use of AI systems on topics such as the following:
 - user privacy, including the use of user data to refine Al systems, the sharing of data collected through Al systems with third parties, and if reasonable, how to opt-out of the collection, sharing, or use of user-generated data;
 - the automated moderation of user generated content including, but not limited to, the removal, downranking, flagging, and demonetization of content;
 - recourse or appeal mechanisms, when content is removed as the result of an automated decision;
 - oversight mechanisms, such as human monitoring for potential human rights impact.
- States, as well as the private sector, should work towards increased transparency while safeguarding privacy and intellectual property rights, in order to facilitate collaborative and independent research into AI systems and their potential impacts on human rights.
- States should foster education about AI systems and possible impacts on human rights among the public and stakeholders, including product developers and policy-makers.

10th Anniversary Helsinki Declaration

The application of digital technologies that involve facial recognition and massive collection of
personal data have been used for political repression and economic exploitation. State and
non-state actors should immediately cease actions incompatible with international human
rights. We encourage the private sector to promote and increase non-discrimination,
transparency, traceability, and accountability in the design, development, procurement,
dissemination and use of digital technologies, with appropriate protections for intellectual
property.

Contribution from the FOC Task Force on Artificial Intelligence and Human Rights

Please note that the views of the Task Force on AI and Human Rights do not necessarily reflect the opinions of the full FOC membership.

The Freedom Online Coalition's Task Force on Artificial Intelligence and Human Rights drafted the following key recommendations:

• The private sector should increase exchange among each other and with academia and independent experts on how algorithms in search engines are designed, and should make efforts to streamline their criteria in content moderation of search engines also abiding by human rights principles; the private sector should increase transparency on the content moderation mechanisms applied by search engines towards private consumers.

⁴⁹ Note from the Task Force on Artificial Intelligence: "By incorporating RBC, companies are better equipped to manage risks, identify and resolve issues proactively, and adapt operations accordingly for long-term success. RBC activities of both states and the private sector should be in line with international frameworks such as the UN Guiding Principles on Business and Human Rights and the OECD Guidelines for Multinational Enterprises."

⁵⁰ Note from the Task Force on Artificial Intelligence: "These may include national AI and data strategies, human rights codes, privacy laws, data protection measures, responsible business practices, and other measures that may protect the interests of persons or groups facing multiple and intersecting forms of discrimination. National measures should take into consideration such guidance provided by human rights treaty bodies and international initiatives, such as human-centered values identified in the OECD Recommendation of the Council on Artificial Intelligence, which was also endorsed by the G20 AI Principles. States should promote the meaningful inclusion of persons or groups who can be disproportionately and negatively impacted, as well as civil society and academia, in determining if and how AI systems should be used in different contexts (weighing potential benefits against potential human rights impacts and developing adequate safeguards)."

- The private sector should develop mechanisms in order to avoid that new and emerging technologies rely, throughout their entire life cycle, on datasets, algorithms-based programming and machine learning processes that can reproduce and exacerbate existing patterns of structural discrimination, marginalization, social inequalities, stereotypes and biases.
- Civil society stakeholders should put efforts into raising awareness and increasing
 understanding among the general public about the potential impact of AI technologies on
 Human rights, and support civil societies in strengthening their resilience in that regard.
 Companies and governments should ensure that civil society and non-company
 stakeholders are allowed relevant and updated information to carry out their public
 awareness role.

Contribution from the FOC Silicon Valley Working Group⁵¹

Please note that the views of the Silicon Valley Working Group do not necessarily reflect the opinions of the full FOC membership.

The Freedom Online Coalition's Task Force Silicon Valley Working Group drafted the following key recommendations:

- We encourage companies operating in the technology sector and all companies working with new and emerging digital technologies to undertake the following commitments.
 Pledges, and actions under the UN Global Digital Compact:
- Act to apply and ensure compliance of their activities with the UN Guiding Principles on Business and Human Rights (UNGPs), including by leveraging guidance available via the B-Tech Project of the Office of the High Commissioner for Human Rights.
- Commit to enhancing co-literacy and participating in regular open dialogue and consultation with the international community, including governments, academia, and civil society organizations, on concerns around the implications of new and emerging digital technologies and human rights.
- Act to provide access to governments, researchers and other relevant stakeholders to data and algorithms that may be needed to successfully develop, implement and evaluate recommended policies and regulatory actions.
- Act to uphold and expand enjoyment of human rights online by taking measures to counter disinformation, enhance cybersecurity, develop trustworthy artificial intelligence (AI) and expand digital inclusion.
- Act to ensure that private sector led regulatory frameworks and technical standard-setting processes integrate recognition of and compliance with international human rights obligations.

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⁵¹ The Silicon Valley Working Group (SVWG) was launched in 2021 with the aim to build new forms of cooperation between the FOC and the global tech sector, whose products or services potentially impact human rights.

Any other comments on the Global Digital Compact?

Meaningful Multi-Stakeholder Engagement

"We the members of the Freedom Online Coalition underline the importance of multi-stakeholder co-operation, including governments, international organizations, civil society, private sector, academia, media, the technical community, and other relevant stakeholders, advocating for the development and use of digital technologies in ways that protect and reinforce democracy, human rights and the rule of law. We commit to inclusive and open multi-stakeholder governance of digital technologies, including the Internet, and to sustained dialogue with external stakeholders to share knowledge and expertise." 52

From the Joint Statement of the FOC Presented at the 29th Session of the United Nations Human Rights Council:

"The Coalition recognizes the need to actively engage with all relevant stakeholders, including governments, businesses, civil society, academics and other experts, in protecting and promoting human rights and fundamental freedoms online, and underlines its commitment to continuously work together in a multi-stakeholder process to further Internet freedom globally."

Would you like to be included on the email list for updates on future developments on the Global Digital Compact? If so, please include the specific emails to be added.

Yes (supportunit@freedomonlinecoalition.com)

Would you like to submit additional documentation in support of the information you have provided in this survey?

Yes

No

⁵² Cited directly from the Freedom Online Coalition, <u>The Ottawa Agenda: Recommendations for Freedom Online</u>, 2022.