



## **Contribution of the United States of America for the Global Digital Compact**

### **Introduction**

The United States welcomes the opportunity to provide a written input into the process to develop a Global Digital Compact ahead of the United Nations (UN) Summit of the Future. The United States is committed to global action to realize the opportunities of the digital age for everyone. Global digital cooperation is essential to help ensure that these technologies are a force for good around the world and that the benefits positively impact people's lives and allows for the free exercise of their human rights.

The United States supports an inclusive and transparent process under *Our Common Agenda* to develop an appropriately scoped and rights-respecting Global Digital Compact that helps outline “shared principles for an open, free and secure digital future for all.”

### **Process to Develop the Global Digital Compact**

To achieve a credible and lasting Global Digital Compact, the process and outcome should allow for the inputs and feedback from all stakeholders, including governments, civil society, the private sector, the technical community, and academia. Any effort to develop shared principles must be exactly that: shared. The process must be transparent and expert-driven, build on the over two-decades of work by the global community, include the active and meaningful participation of all stakeholders, and remain rooted in the foundational principles of the UN.

The United States applauds the co-facilitators for holding consultations with a wide range of stakeholders during the early stages of this process. The United States welcomes the initiative of the UN Secretary-General's Envoy on Technology to solicit inputs from all stakeholders and ensure

transparency and inclusivity in the UN's work. The United States is also pleased by the efforts of many stakeholders to organize their own consultations, and we encourage all interested parties to review those contributions. The United States has begun engaging with U.S. stakeholders and international partners and is committed to further dialogue.

Multistakeholder participation must continue throughout the Compact negotiating process. The United States will continue to push for the active and meaningful participation of all stakeholders, representative of the global stakeholder community, even after the initial consultative stage.

### **Scope of the Global Digital Compact**

The United States supports a Global Digital Compact that outlines shared principles to protect and promote human rights, bolster digital inclusion and digital skills, close digital divides, elevate a rights-based approach to digital development and transformation, strengthen global digital cooperation, realize the full potential of the digital economy, and support a future for the Internet that is open, free, global, interoperable, reliable, safe, and secure.

While we understand a potential desire to address many or all digital technology issues through the Global Digital Compact, participants in the process should be practical about the scope and complexity of issues under consideration. Some topics are better addressed through expert fora in other parts of the UN system, within multistakeholder processes, or at the regional, national, or local levels. The Global Digital Compact needs to also take into account and be respectful of the mandates, core competencies, limited resources, and differing governing structures of other multilateral and multistakeholder entities that will, nevertheless, be essential to promoting and realizing the principles outlined in the Global Digital Compact.

The United States welcomes that *Our Common Agenda* recognizes the current value and future potential of the Internet Governance Forum (IGF), including as a platform to address existing and emerging challenges. The

United States strongly supports the IGF as the preeminent global body bringing together all stakeholders through a bottom-up process to discuss rights-respecting solutions to Internet public policy issues. The Global Digital Compact can support the continued improvement of the IGF to further strengthen its impact as a global, multistakeholder platform. At the same time, the United States emphasizes the importance of the IGF maintaining its existing bottom-up nature.

The United States has also been a strong supporter of the World Summit on the Information Society (WSIS) process for the past two decades, including through the important work of UN specialized agencies like the International Telecommunication Union (ITU) and the UN Educational, Scientific and Cultural Organization (UNESCO). The Global Digital Compact could build on that work, including by furthering progress on the implementation of the WSIS Action Lines. The Global Digital Compact should also ensure alignment, promote synergy, and avoid duplication with UNGA's upcoming twenty-year review of WSIS in 2025 (WSIS+20).

The United States believes the process to develop a Global Digital Compact should respect and avoid duplicating existing UN processes that are already working to address related digital policy issues. For example, the UN Open-ended Working Group on the international security dimensions of cyberspace and the UN Ad Hoc Committee developing a cybercrime treaty intend to culminate their work in parallel to the Global Digital Compact process. We believe those and other issues will be better addressed through their established processes and, as such, are outside the scope of the Global Digital Compact process.

### **Elements of the Global Digital Compact**

The United States recommends that the Global Digital Compact build on the work of the IGF in 2022. The IGF adapted the proposals from *Our Common Agenda* to organize its work into the following sub-themes: (i) Connecting All People; (ii) Safeguarding Human Rights; (iii) Avoiding Internet Fragmentation; (iv) Governing Data and Protecting Privacy; (v) Enabling

Safety, Security, and Accountability; and (vi) Addressing Advanced Technologies, including Artificial Intelligence. We believe the Global Digital Compact would benefit from a section on “Accelerating Progress Towards the Sustainable Development Goals” that focuses on digital inclusion, digital transformation, and ensuring that no one is left behind. The Global Digital Compact would also benefit from a preamble and implementation section.

The United States believes that all elements of the Global Digital Compact need to pay particular attention to the rights and needs of, as well as the challenges faced by, individuals from vulnerable groups or populations. These groups include those that may be at heightened risk of becoming or are already marginalized, both online and offline, as well as demographics that face varying risks, such as women and girls, gender non-conforming individuals, and men and boys. This includes paying attention to the ways in which digital technologies accelerate, not just reflect, existing inequalities.

The United States notes that while some of the *Our Common Agenda’s* recommendations on digital technology have merit, they often represent specific solutions and not a broader framework. In some cases, the recommendation is problematic itself or not appropriate for this forum and unlikely to lead to an outcome that can be agreed upon by all UN Member States.

The United States proposes considering the following under each priority theme:

- I. **Preamble**: This section should identify cross-cutting principles that apply to all elements of the Global Digital Compact and reaffirm foundational principles, including those in the UN Charter and the Universal Declaration for Human Rights. These principles include recognition of the benefits and risks of digital technologies and reaffirmation that existing international law is applicable offline and online. This section could affirm the following priorities for global digital cooperation: make progress towards the Sustainable Development Goals (SDGs); help maintain international peace and security; close digital divides; protect

and strengthen respect for human rights; mitigate bias and inequity; and help ensure that all people can enjoy the benefits of meaningful access to digital technologies, while mitigating the risks. This section also needs to clearly recognize the roles that all stakeholders play in advancing global digital cooperation. It should recognize the importance of appropriate accountability and transparency measures across sectors. It could also recognize the existing good work to advance global digital cooperation and be clear that the goal of the Global Digital Compact is to support, but not duplicate, those existing activities.

- II. Connecting All People:** Connectivity is a critical enabler for global digital cooperation. This section should prioritize and elevate efforts to connect the unconnected and expand affordable, inclusive, safe, secure, multilingual, and reliable Internet access for all individuals, schools, organizations, and businesses. It is important that the Global Digital Compact support efforts to close digital divides around the world, including the gender digital divide, and ensure that no one is left behind, including persons with disabilities and other diverse and intersecting identities. The Compact should support the safe and equitable use of the Internet for everyone, without discrimination based on sex, race, color, ethnic, nationality or citizenship, national or social origin, location, genetic features, language, religion or belief, political or any other opinion, membership of an indigenous population, property, birth, disability, age, gender identity, or sexual orientation. This section needs to reinforce principles around promoting investment in inclusive and secure infrastructure deployment, incentivizing public-private partnerships, reducing barriers to innovation in technology and policy approaches, and reinvigorating global commitments to ensure that the 2.7 billion unconnected people around the world can access the Internet. This section should prioritize development and investment in infrastructure that supports access to digital technologies, such as, but not limited to education, science and research, transportation, and electricity. At the same time, it is important that efforts to connect all people consider the other dimensions of connectivity and access,

including issues of human rights, digital inclusion, safety, and security discussed below. The Global Digital Compact could reflect and support the work of organizations such as the ITU towards achieving universal connectivity by 2030.

- III. Safeguarding Human Rights:** This section must clearly outline the principles and safeguards that help ensure digital technologies are resources for the free exercise of human rights and are not tools for repression. This includes reaffirming that the same rights protected offline must also be protected online. The Compact should affirm that the ways in which technologies are designed, developed, maintained, governed, acquired, funded, deployed, and used should be shaped by a commitment to human rights and the principles of equality, inclusivity, sustainability, transparency, accountability, diversity, and respect for privacy. It needs to reaffirm principles of the rule of law, appropriate legal protections, legitimate purpose, non-arbitrariness, and effective oversight. This includes providing access to meaningful remedies for human rights violations and abuses. This section should also reflect a commitment from all member states to refrain from misusing or abusing the Internet, data, or algorithmic tools or techniques for arbitrary and unlawful surveillance, oppression, and repression. Additionally, it could reinforce the need to ensure that biometric tools should be used only when lawful and appropriate. It needs to reinforce the principles embedded in the UN Guiding Principles for Business and Human Rights, including those concerning actions that should be taken by businesses enterprises, including technology platforms, to respect and promote human rights in their operations. Finally, this section could strengthen the commitment in the UN Secretary-General's *Roadmap on Digital Cooperation* that the UN will consider human rights implications in its own adoption and use of digital and emerging technologies, including the use of such technologies to improve the security and effectiveness of UN peacekeeping missions.
- IV. Accelerating Progress Towards the SDGs:** This section can help ensure that connectivity and digital technologies are improving quality of life

for all people, increasing economic prosperity, and helping to make progress towards the SDGs. It is important that the global community furthers the goal of digital inclusion by focusing on issues like improving digital literacy, skills acquisition, and digital transformation to close digital divides and strengthening capacities to ensure individuals can use the Internet safely and in their own language and realize the economic and social potential of the digital economy, particularly for those in underserved communities. This section should also focus of the transformative power of open digital markets, promote the principle of Net Neutrality, and strengthen entrepreneurship and innovation to stimulate development and use of digital tools, including by small and medium-sized enterprises (SME), towards achieving and surpassing the SDGs. It should promote the essential roles of the private sector and a positive enabling and regulatory environment in increasing access to the digital economy for the underserved and promote the protection of consumers, particularly vulnerable consumers, from unfair practices online. It could also underscore the critical importance of creating and supporting an enabling environment for the development and amplification of online content that is relevant and meaningful for people in their own communities, including diverse cultural content, information, and news. This section should encourage digital development and transformation that is sustainable, reduces the environmental footprint of the Internet and digital technologies, and is a tool to combat and mitigate the impacts of climate change.

- V. Avoiding Internet Fragmentation:** The global Internet, facilitated by the free flow of information, continues to be a powerful catalyst for sustainable development, a tool for people to improve their quality of life, including through access to education, health resources, and economic opportunity, and a platform where people can freely exercise their human rights. This section should promote a future for the Internet that is an open, global, interoperable, reliable, and secure and that continues to be governed by the multistakeholder model. This section needs to help ensure that the Internet continues to evolve as an open and decentralized network of networks. This section needs to

promote the importance of trustworthy network infrastructure and service suppliers. This section should also consider ways to mitigate the risks and harms when actors misuse the Internet or inappropriately restrict access and content, and it should highlight the dangers on the integrity of global connectivity from government-imposed Internet shutdowns and degrading domestic Internet access.

**VI. Governing Data and Protecting Privacy:** This section needs to highlight principles that strengthen human rights-respecting data governance, including data privacy and transparency, and help ensure that expectations are set for how sensitive (including personal) data is collected, used, stored, accessed, aggregated, transferred, protected, and maintained. This effort includes transparency about algorithms that use the data, to the extent feasible. This section needs to recognize that data governance capacity within governments is essential but insufficient on its own, and these protections need to be built into data governance systems. It is important that this section emphasize that government access to sensitive (including personal) data should be based on the rule of law and conducted in accordance with applicable international human rights law, reinforcing principles that promote trust in cross-border data flows. This section could also advance best practices and highlight the commitment of all member states to protect individuals' privacy, sensitive (including personal) data, and the confidentiality of electronic communications and information on end-users' electronic devices, consistent with the protection of public safety and applicable domestic and international law. This section should include the principle of data minimization with limitations on the use, processing, retention, aggregation, and dissemination of data consistent with the purpose for which it was acquired.

**VII. Enabling Safety, Security, and Accountability:** As highlighted in the *Roadmap on Digital Cooperation*, there is a strong linkage between principles of digital trust and security and efforts to realize the 2030 Agenda for Sustainable Development, and digital technologies must be deployed and used in a safe and trustworthy manner. This section



needs to address the importance of information integrity and resilience as a means through which the misuse of online platforms for digital repression (including censorship and harassment) can be prevented. This section should promote online safety and help ensure that stakeholders are working together to mitigate harms and address accountability for online platforms, products, and services, including through principles for appropriate regulatory frameworks for governments to advance accountability and transparency for technology platforms. This includes strengthening efforts to protect children through stronger privacy and online protections. It also includes strengthening efforts to prevent and respond to technology-facilitated gender-based violence (TFGBV) that threatens the safety and rights of women and girls; combatting child sexual exploitation; and protecting LGBTQI+ persons, members of ethnic minorities and other marginalized and vulnerable groups, human rights defenders, political activists, journalists, civil society, and others in public life, such as women politicians. This also means strengthening efforts to avoid discrimination in algorithmic decision-making and promoting transparency about algorithms and content moderation decisions. It should encourage countries to build national capacity for domestic cyber resilience, particularly to protect critical infrastructure, and encourage global action to strengthen cybersecurity capacity and expertise worldwide. This section could also recognize existing work already underway in the UN system on these issues, including the work in the Open-ended Working Group on international security in cyberspace, the Ad Hoc Committee developing a UN cybercrime treaty, the 67<sup>th</sup> Session of the Commission on the Status of Women and the implementation of its agreed conclusions, the ITU's cybersecurity development efforts, and the IGF's thematic work and global dialogue on cybersecurity policy issues, among others.

**VIII. Addressing Advanced Technologies, including AI:** New and emerging digital technologies, including artificial intelligence (AI), are already rapidly changing lives and businesses around the world and have pervasive and far-reaching global implications. These technologies have

demonstrated significant benefits and will continue to yield new advances in industry, education, science, and more. Yet these technologies also have potential risks, and their ultimate impact remains uncertain. As such, a global, multistakeholder, and multi-sectoral approach towards addressing advanced technologies is essential to ensure they are a force for good and that associated risks are mitigated, including in the development and design of such technologies. This section needs to recognize the potential benefits of these technologies, including to economic growth and improved health outcomes. At the same time, this section should be clear-eyed about the risks of some technologies, including risks to economies, labor, human rights, safety, privacy and data protection, national security, and digital security. This section should recognize that these technologies can reinforce and exacerbate existing biases and societal inequalities and increase misinformation, disinformation, and mal-information. This section should also support a risk-based approach to the governance of AI technologies as embodied in the U.S. National Institute of Standards and Technology's (NIST) AI Risk Management Framework (RMF), which recognizes that the risks of AI technologies depend on the context of their design, development, deployment, and use. This section, therefore, needs to reflect a policy environment that promotes a human rights and safety-based, secure, human-centric approach to trustworthy AI that fosters responsible research and development and that preserves economic incentives to innovate, while respecting a range of national and international approaches to governance.

- IX. Follow-up and Implementation:** This section needs to ensure that member states and other stakeholders work together to promote the Global Digital Compact principles, both inside and outside the UN system. It should encourage cooperation and collaboration among stakeholders from around the world and avoid duplication of effort. A key forum to continue the dialogue on the Global Digital Compact will be the IGF, which should continue to serve as a bottom-up, multistakeholder platform within the UN system to discuss these and related issues. This section should also recognize the important, two-

decades of work related to implementation of the WSIS and ensure the Global Digital Compact aligns with the existing follow-up and review mechanisms and WSIS+20. Finally, this section should encourage all UN entities to adopt new digital tools to improve the work of the UN system, based on the principles of the Global Digital Compact.