Global Digital Compact

A Multi-Stakeholder Consultation on Shaping the Global Digital Compact

Submission From

DIGITAL EMPOWERMENT *foundation*

India-Level Multi- Stakeholder Consultation to Contribute to the Campaign of United Nation's **'Global Digital Compact'**

Global Digital Compact

Location: New Delhi
Date: March 06, 2023

Our Common Agenda – Theme 7: Improve Digital Coordination

Participants: Multistakeholder; 40 rural information agents from 15 different states of India; around 70 digital innovators from India, Sri Lanka, Bangladesh and other south Asian countries; civil society organisations; bureaucrats, technocrats and academics

Format and Methodology: The consultation started with a few keynote addresses from eminent experts on digital access and rights followed by focused groups discussions and the consolidation of inputs by facilitators

The multistakeholder consultation organised by Digital Empowement Foundation was attended by several stakeholders, including bureaucrats, civil society organisation members, representatives of organisations, government and people from the margins. With the objective of developing comprehensive inputs in each thematic area of the United Nation's Global Digital Compact, the participants split into seven groups and discussed the core principles involved in each and the key commitments that the government, private sector and civil society should adhere to for improving digital coordination while leaving no voice behind.

"The technology is changing fast, and the regulations sometimes stay static; we need short-term policies and regulations on AI," said one of the participants in the discussion on the regulation of Artificial Intelligence. A critical point on how people's right to remain unconnected is as essential as their right to have resources to be connected emerged from the discussion on connecting all people to the internet. The thematic discussion also deliberated how the internet should not be fragmented and the core principles of net neutrality should be upheld. The thematic discussion on applying human rights online pointed out how the lack of basic resources to survive in communities such as Afghan refugees in India limits them and compromises on asserting their human rights online. One suggestion that emerged from the discussion on protecting data was using a message notification whenever the government or third parties use personal data.

The consultation was led by

Amandeep Singh Gill
UN Secretary-General's Envoy on Technology

Laurent Le Danois
Team Leader - Cooperation Section, Delegation of the European Union to India and Bhutan

Abhishek Singh
President & CEO NeGD; MD & CEO Digital India Corporation

Osama Manzar
Founder and Director, Digital Empowerment Foundation

The group discussions were facilitated by

Mohd Tarique,
(Ashoka Fellow Director, Koshish, TISS)

Connect all People to the Internet, Including all Schools

Shalini Kala
(Rural Development & Agriculture Specialist)

Accountability for Discrimination & Misleading Content

Natasha Badhwar
(Professor at Ashoka University)

Apply Human Rights Online

Amir Ullah Khan
(Professor at MCRHRDI)

Protect Data

Amitabh Singhal
(Internet & Telecom Policy Expert)

Avoid Internet Fragmentation

Dr Renata Dwan
(Senior Expert, Office of the UN Envoy to Technology)

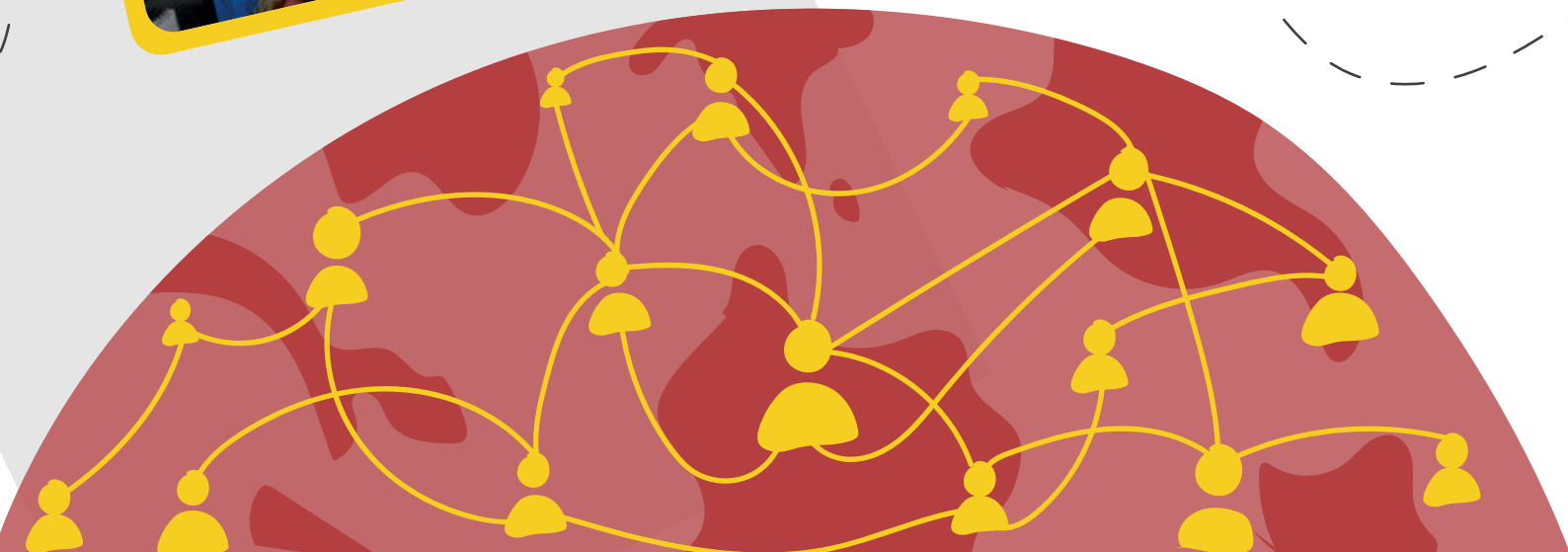
Regulation of Artificial Intelligence

Syed Kazi
(Director at Council for Social and Digital Development (CSDD)

Digital Commons as a Global Public Good

1

Connect all people to the Internet, including all schools



Core Principles

- Equal access- everyone, regardless of gender, geography, and economic status, should have access to the Internet.
- Any and all government programs with a digital mode of implementation should be based on real-life contexts - so assuming universal connectivity needs to be noted because it should not be the case that lack of connectivity is going to affect my rights (and therefore, the next point remains important).
- Right to remain unconnected is just as important.

Key Commitments:

- **Civil Society:** To bring the details, and information about programs to the ground level would be best done by civil society organisations due to their presence. Understanding the resistance of people to some programs is also their responsibility, as well as finding the dark areas/gaps.
- Governments should engage in the scaling up of programs. Cost-effective content development, and flattening the geographical skews in investments is also government responsibility. This includes building infrastructure and investing in people, like teachers.
- The private sector should invest in the research and development of new platforms and applications.

Action Points:

- An application that works in a hybrid mode, perhaps without internet connectivity.
- Platform and content both have to be available in local/vernacular languages.
- Convergence of different schemes/programs that remove the exclusions Two-way partnership between NGOs and Governments to get technology to every individual.
- Increasing the number of Community Resource centres like the existing ones, (similar to the ones maintained by DEF) because they provide an effective model.

2

Avoid Internet fragmentation

Core Principles

- Counter a potential threat to the One World One Internet, a key pillar towards building a Free to Access, Open and an interoperable Internet
- Fragmentation, or Splintering the Internet or Balkanization of the Internet is real and happens in many ways all around us and remains a threat to Free and Open Internet. It threatens the very core – Network neutrality.
- Caused by government actions blocking access to the internet, commercial interests charging differential fees and for preferential access
- Leads to security vulnerabilities, and lesser democratisation

Key Commitments:

Governments: Government/Regulatory policies, rules and actions should by default keep the Internet open & freely accessible and limit interference to the minimum and strengthen Network Neutrality principles.
Private sector players must promote open and interoperable Internet, using and adopting open standards and avoiding proprietary protocols, not insist on commercial prioritization of paid-for traffic.
Both *government and private sector* must contribute to Strengthening Global Internet Governance to keep developing and establishing norms and practices, standards and protocols to more robustly prevent instances of fragmentations

Civil Society: Internet Governance Organisations must deepen engagements with governments to keep facilitating and sensitizing governments, business and civil society to keep coordinating and working together to prevent Fragmentation. Elaborate capacity building & resource allocations especially in developing and LDCs areas for training and skill development and building Infrastructure, where little or none exists.

All three must work together towards:

- Encouraging encryption and privacy applications and practices
- Wider adoption of various Security protocols and standards (DNSSEC, TLS, PKI, MANRS, KINDNS, DANE, SPF, DKIM, DMARK, etc.) – Building resilience.
- Standardized and improved protocols viz BGP and OSPF – better interoperability, and Universal adoption of IPv6 protocols. Promote building more ubiquitous infrastructure/networks and lowering costs of devices and access.

3

Protect data

Core Discussion:

People discussed what data is and what public and personal data is, whether this data needs to be protected, whether people 'have anything to hide' should be a criterion for the right to privacy, why we worry about privacy and vulnerability, on how AI/algorithms work on data, on surveillance, and more.

Core Principles

- Personal data is important and needs to be protected. Data is not one homogenous unit- it needs to be classified because along with public data, there is also data that is sensitive and confidential. Bank and Aadhaar ID details, or health data would fall into this category.
- Consent on what data is being used and where is required, and needs to be made understood.
- AI and its impacts are not properly understood, but it is a threat when AI finds and sorts personal data without a proper system in place.
- An international standard for data protection.

Key Commitments:

Do *Governments and the Private Sector* that collect sensitive data actually have strong mechanisms to keep data safe? In light of several incidents of breaches, these have to be ensured after being promised to the public.

Civil Society, and the International Community in particular, like the EU or the UN has to take the lead in internationalising a law for data protection, something that sets a global standard and is adopted by nation-states. The Government has to ensure this strong data protection law is enforced immediately.

4

Apply human rights online

Core Discussions:

A rich discussion took place on a variety of issues, and among a diverse crowd there were people who worked on the ground with several communities, both for bringing them connectivity and digital literacy, as well as looking into other challenges like the many aspects of human rights that were violated. They included two people from Assam, who worked with tea plantation labourers; others from Mewat, an area that witnesses violence against the minority community; some working with artisans in Punjab; and some working with migrant workers and other thrust communities who were stuck without food and rations during the pandemic; some representing Afghan refugees. The discussion highlighted the challenges of poverty and literacy in rural areas, leading to both limited human rights and digital fraud. How do people who do not have basic access to food/resources raise the issues of human rights? There is an increase in people falling prey to digital frauds linked to OTPs across social classes and geographies. Blame cannot be allocated saying people were illiterate or did not attend training programs. Many children during the pandemic were better able to identify fake news and misinformation about the coronavirus spread and vaccines than several older, mature members of the press and even the government who took to blaming marginalised castes and communities.

Key Commitments:

Governments should implement cyber-security laws, and laws to discourage misinformation. They should work on stopping internet shutdowns. People who raise their voices offline are charged cases, and those who raise their voices offline are met with internet shutdowns. The shutdowns also prevent the adoption of digital services. To this end, perhaps *the International Community and Organisations* should enact and pressure the governments for a law to prevent governments from engaging in internet shutdowns.

Private Sector: While soft skill training is necessary, hardware is just as important. Funding, support and strategy for hardware can be sourced from the private sector. This is also something NGOs and Civil Society organisations can work on. Additionally, they also should work with the Government and Private sectors to ensure their commitments are properly met.

5

Introduce accountability criteria for discrimination and misleading content

Core Principles

- Who is to be held accountable? How much are the governments, the companies or the people themselves accountable? There needs to be an understanding as well as a template of accountability.

- Technology has to be responsible, it should not be promoting misleading content.

- Ensure all marginalised groups or the groups that tend to get ignored - have to be focused on.

- Laws in place that are not being enforced need to be enforced.
  A balance between accountability for content while not stifling freedom of speech and creativity.

Key Commitments:

All sectors should work together on building a template of accountability. The UN should also coordinate this process. In addition,

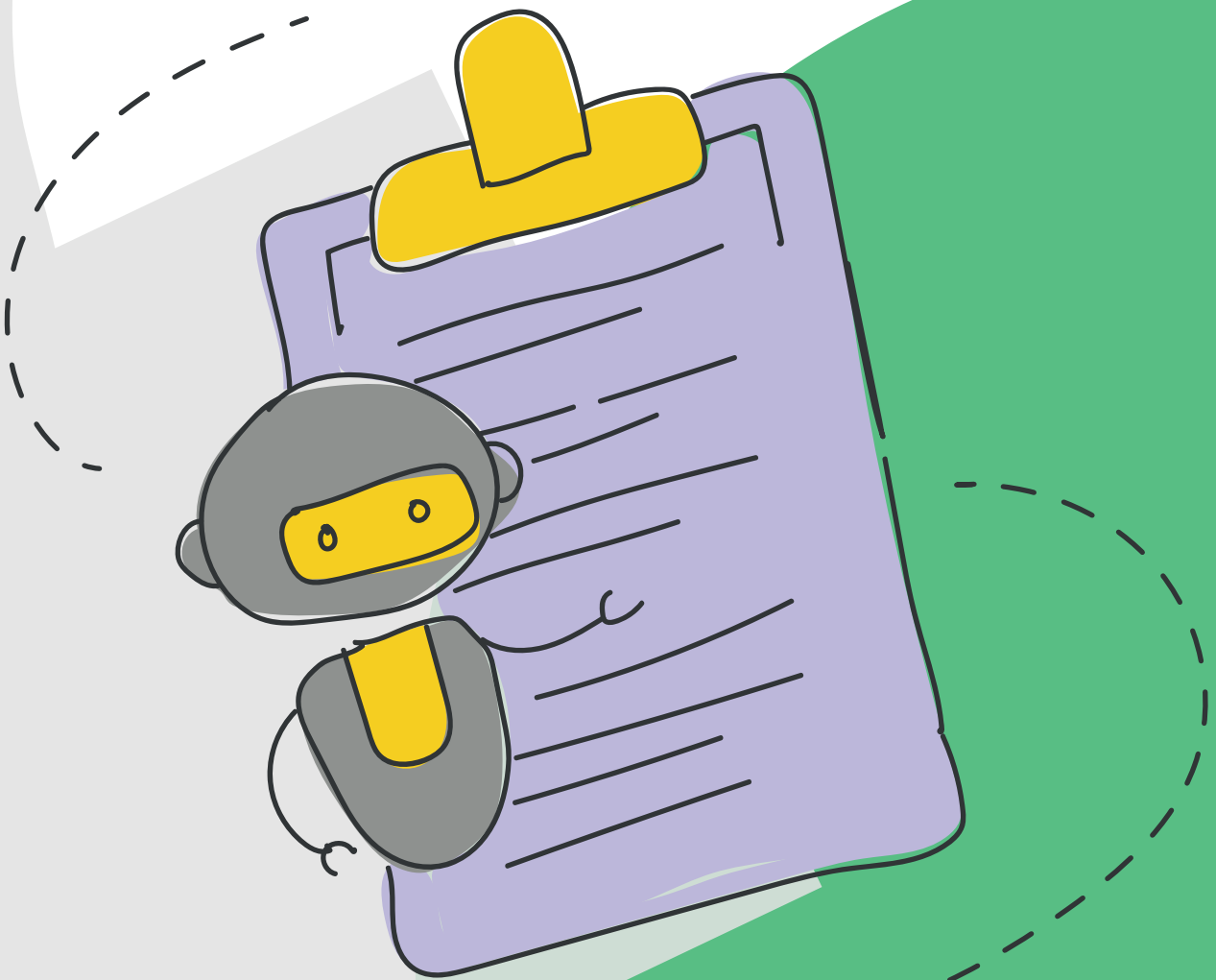
- *Governments:* define, and design-compliant redressal mechanisms and prevent repeat offences for misleading content - while also not discouraging creativity and freedom of expression.

- *Private Sector:* To design and build responsible platforms that discourage fake news and misinformation. Redressal mechanisms also need to be built into the platforms.

- *Civil Society:* Bring issues they see on the ground to the notice of the government. Aid in the timely verification of content by working with institutions on the ground.

6

Promote regulation of Artificial Intelligence



Core Discussions:

Why does there need to be regulation? Because it is about machines simulating human actions and behaviours. It can also reinforce the digital divide between those who have access to data (in both designing systems and being represented in data) and those who do not get to participate. AI is also going to regulate future human thinking, and therefore some intervention is necessary to decide how we want the future of critical thinking to be.

Three *'E's* – *E*thical: human-centred, the biases fed into AI systems through faulty or incomplete data; *E*quity: access needs to be equitable to prevent gaps of people who are outside data; *E*xpertise: AI will not achieve its goals and won't be useful if the data which it draws is not good. How do we look at the verifiability and authenticity of the data?

Key Commitments:

Apply a shorter time frame to regulations, given the nature and speed of development of AI technology.

- Think about a conversation-type model for regulation rather than laws; This can be between communities, sectors, and countries to collectively try and resolve challenges.
- We need a careful definition of AI.
- A critical part of the regulation of AI is data literacy. This is where Civil Society Organisations come in. This education will bring the empowerment to participate in the conversation about AI. This connects to the question of how much under the hood of an AI tech we need to know and understand to resolve the challenges.

7

Digital Commons as a global public good

A comparatively lesser participation in this table than in the others, given the confusion and lack of clarity on what the Digital Commons is. Is it a public hood, how can it be one, and what are the narratives around this?

Key Commitments:

- Digital resources and access are critical for everyone
- An understanding and awareness of the Digital Commons are important.
- The Digital Commons must be based on right-based principles - based on universality, diversity, and accessibility; it must be access-restrictions-agnostic.

Key Commitments:

- *Governments:* Policy and programs must be facilitative of promoting the Digital Commons at the levels of central and local governances, i.e, decentralised. An international charter which the governments could follow would be helpful towards UN SDGs.
- *Private Sector:* In making the digital commons more accessible and participative since the private sector owns most licences and content.
- *Civil Society:* In building awareness in the community on the digital commons, its needs and making it participative for everyone.