

## Comments on Rev 3 changes to the Global Digital Compact draft text

The GDC drafting process has entered its final and wholly intergovernmental phase with the circulation to UN member states on 11 July 2024 of the third revised draft text (Rev.3). This text has not been published on the Technology Envoy's website and unlike the previous revisions there has been no formal opportunity for non-government stakeholders to express their views and submit proposals.

Furthermore, the text was subject to a very short period of *silence procedure* under which member states were invited to notify the GDC Co-facilitators (Sweden and Zambia) by 16 July if they had any substantive objections to the Rev.3 text. A number of states have broken the silence with submitted objections and the Co-facilitators need now to consider whether to reopen the multilateral negotiations on the parts of the text relating to the objections.

### The Rev.3 text changes

Many of the text revisions in Rev.3 are inconsequential minor editorial adjustments. However, there are some notable and potentially significant changes and additions to the draft text, including the following relating to objectives and principles:

- Objective 4 is now defined now as concerning data governance “approaches” which arguably infers the commitments are less prescriptive in policy terms than in the previous versions of the text.
- Objective 5 now concerns only artificial intelligence and the previous references to “emerging technologies” have been deleted from the title of the objective and the underlying text.
- Principle (i) goes into more specific detail about product lifecycle stages from design to decommissioning.
- There is an additional new principle (l) which is ensuring there is implementation capacity in developing countries: “*We will enhance partnerships to ensure the provision of the required means of implementation to developing countries including the mobilization of financial resources, capacity-building and the transfer of technology on mutually agreed terms.*”

Text changes in the parts of the text relating to commitments include the following:

#### *Objective 1 Commitments on Connectivity:*

- Addition of affirmation of the ITU's “important role (para 10).
- Access by developing countries to satellite orbits is now prioritised (para 11 c).
- The 2050 target on design sustainability has been removed (previously a standalone para 11 f).

### *Objective 1 Commitments on Digital Literacy:*

- Migrants and indigenous peoples have been added to the list for targeting and tailoring capacity building (para 11 e).
- New commitment in para 11 h) supports “*efforts to provide opportunities for quality and inclusive science, technology, engineering and mathematics education and research and promote women and girls’ participation in all roles and at all levels.*”

### *Objective 2 Commitments on Expanding Inclusion*

- Deletion of specific references to cybersecurity (paras.20 and 21)
- New text on stable and consistent supply chains (para 21 e)

### *Objective 3 Commitments on Human Rights*

- Deletion of reference to establishing a UN Digital Human Rights Advisory Group (para 24).

### *Objective 3 Commitments on Internet Governance*

- Rewording of the role of the IGF as “*the primary multistakeholder platform to discuss Internet governance issues*” which deletes reference to “public policy” (para 27).
- The previous commitment by the UN to provide “*financial support*” for the IGF has been deleted in favour of relying on the existing model of “*voluntary funding*” by public and private sector donors (para 28 b). This is despite widely acknowledged concerns by stakeholders that this has been ineffective in not securing sufficient funds and therefore has been a constraint on IGF sustainability, in particular with regard to support for its expanding range of intersessional activities.

### *Objective 3 Commitments on Digital Trust and Safety*

- The previous key policy reference to both “unlawful and harmful content” (i.e. content that may technically be legal under national laws) has been deleted (para 30 a).

### *Objective 3 Commitments on Information Integrity*

- There is an additional new commitment to promote “*evidence gathering by UN entities in collaboration with governments and relevant stakeholders, on the impact of mis- and disinformation on the achievement of the Sustainable Development Goals*” (para 34 e).

### *Objective 4 Commitments on Data Governance Approaches*

- The amended heading now refers to policy “*approaches*”
- Switch in emphasis of UN’s role from promoting “*cooperation*” to promoting “*capacity building*” (para 37).
- The previous commitment to create an “*international data collection system*” and reference to “the goal of a global environmental data set” in relation to the Paris Agreement (Rev.2 para 44 d) have been deleted.

#### *Objective 4 Commitments on Interoperable Data Governance*

- This is a new heading under Objective 4 which includes paras 47 and 48 that were under the previous Cross Border Data Flows heading.
- There is a new updating proposal which requests the CSTD to establish a working group for multistakeholder dialogue on “*data governance at all levels*” (para 47).
- There is a new additional commitment to “*continue discussions in the United Nations, building on those outcomes and recognizing the ongoing work of other relevant bodies and stakeholders, including the United Nations Statistical Commission, in our efforts to pursue common understandings for data governance at all levels, as relevant for development* (new para 48).

#### *Objective 5 Commitments on Artificial Intelligence*

- The UN is no longer described as having a “*critical role*” but having an “*important role*” which infers less emphasis (para 53).
- The reference to safety standards has been deleted (para 54 b).
- There is some narrowing of the functions of the proposed “*International Scientific Panel on AI*” which is now described as to be established “*within the UN*” rather than previously “*under its auspices*”. This suggests there will likely be greater UN oversight of its work (para 55 a).
- The proposed “*Global Dialogue on AI Governance*” will be initiated “*within the UN*” rather than “*under its auspices*” while the reference to the ITU’s “*AI for Good Summit*” has been deleted. The consequence of these changes will likely be greater UN oversight of the conduct of this important dialogue (para 55 b).
- The previous proposal to establish a “*Global Fund for AI for Sustainable Development*” has been dropped. Instead the UN Secretary-General is invited to develop “*innovative financing options*” for the consideration of the UN General Assembly (para 62).

#### *Changes to the Follow up and Review section of the GDC*

- New additional para 67 responds positively to the calls from many stakeholders in their responses to the GDC consultations for a stronger commitment to build on the WSIS process (including the IGF): “*We will build on the processes emanating from the WSIS, including multistakeholder platforms such as the IGF and the WSIS Forum, to advance implementation of Compact commitments and actions.*”
- There is stronger more explicit recognition of the important role of the UN IGF and the national and regional IGFs with the potential function of having an “*annual policy discussion track to facilitate the contribution of all stakeholders to the delivery of the Compact’s commitments and actions*”, to be considered during the WSIS+20 Review (para 70).
- The potential linkages between the GDC and next year’s WSIS+20 Review is also reaffirmed as providing the means “*to identify how WSIS processes can be leveraged to support implementation of the Compact*” (para 71).

- At the same time, however, there remains the controversial proposal for the UN Secretary-General to establish a new office for “*strengthening UN system-wide coordination*” that would build on the current Technology Envoy’s office (para 72). There are no details on how this would be funded and there will continue to be concerns by stakeholders about the impact of this body on the role of the IGF and the WSIS Forum as open platforms for multistakeholder engagement in the GDC implementation and follow up phases generally.

### Next steps in the GDC process

The parts of the Rev.3 text which may be subject to possible renegotiation following the received objections from member states on 16 July, if they are accepted by the Co-facilitators as being sufficiently substantive and commanding wide support, are likely to be the following

- Internet governance – Objective 3 paras 26-28
- AI governance – Objective 5 paras 49-56
- Follow up review phase – paras 63-72

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