

## **IGF 2023: Main Session on Future of Digital Governance**

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The crisis of digitality is entirely a crisis of its governance. So, how do we re-frame global digital governance, And how do we ensure that the future of Global Digital Governance takes into account a world besieged by extreme inequality?

The GDC process initiated by the UNSG precedes the 20th year review of the World Summit on the Information Society (WSIS) in 2025. The arrangements forged through the GDC must correspond to the momentous changes, providing the normative directions and key themes to inform the WSIS+20 review process.

But where do we begin and what must we acknowledge?

A productive and fruitful engagement with the GDC process requires recognition of a historical faultline – a democratic deficit that continues to mark the technical governance of the internet. Today's geopolitical tensions are also rooted in the stranglehold over the digital economy of a few large TNCs from mainly 2 countries, the distressing degeneration of the public sphere, and the imponderables around the future of AI governance.

With data and AI technologies decisively shaping value chains and market power in a pandemic-stricken world, public policy discussions on digital issues are also now part of entire multilateral system - from digital trade to biodiversity, health, food, and oceans.

So – this is a story of contestation, complexity, and uncertainty. Where do we go from here?

Firstly, we do not want to be running in the same place as we invent the new institutions of tomorrow. The SG's July 2023 policy brief conceptualizes two main institutional arrangements - a tripartite digital policy space, the Digital Cooperation Forum (DCF), for the short term; and a Global Commission on Just and Sustainable Digitalization (Global Commission), for the long term.

The Digital Cooperation Forum and its tripartite dialogic mode seems to bring back echoes of the IGF. Caution is needed so that it does not simply reproduce all the flaws of the IGF (with due respect to the strengths of IGF). We know that dialogue is important, but public policy is more than dialogue, it is based on tenets of public interest and democratic deliberation. It cannot be held hostage to tokenistic representation and diversity optics.

The Global Commission for a reinvented multilateralism, is a worthwhile idea.

But both these bodies must derive their mandate from the WSIS plus 20 process – built consultatively and democratically, with engagement from CS. Sadly, the most powerful countries from the global North do not want new arrangements. Please read their submissions online to the GDC consultations process.

Second, we need to move from a technical idea of data governance to humanise it, to evolve rights adequate to the epoch of homotechnicus. That data must flow freely, albeit with ‘trust’, is a refrain that strips the realpolitik of data governance, reducing any contention with the cross-border flow of data to the singular issue of data privacy guarantees.

What we need is a new articulation of rights that accounts for people’s development sovereignty in the digital paradigm, a new narrative of “data flows with rights” – including the right to connectivity and data public goods, the right to be forgotten, the right to be represented (or not) in digital systems, data rights for algorithmic work environments and so on.

We need a people’s data and AI constitutionalism at the international level - that is, an instrument that also legitimises people’s collective right to a) determine how aggregate data resources are utilised and b) enjoy their rightful claims in the benefits of data-enabled intelligence. Without a bed rock of principles, the mechanisms to achieve coherence across the multilateral system cannot evolve.

Third, without reining in the power of digital TNCs through mandatory obligations in all jurisdictions of their operation, global digital governance cannot encourage innovation, economic pluralism or environmental sustainability. It cannot respect peoples’ rights. We are at an inflection point – the planet is not synthetic. We need ambition.

Fourth, global digital governance calls for system wide rebooting. We need a reform of international financial institutions, and the international tax regime for public finance of digital infrastructure development. The conversation must shift to public digital innovation ecosystems – that are nurtured globally, so that private enterprise can thrive everywhere, and people can be connected on their terms.

To conclude - The present of digital governance is not in a good place. This assessment is based on a simple counterfactual. Had we evolved governance institutions and mechanisms that were adequate to our digital coexistence, the Information Society would have been more like the aspirational values of the Geneva declaration. It would have fostered justice, and the dignity and worth of the human person. It would have respected peace and upheld the fundamental values of freedom, equality, solidarity, tolerance, shared responsibility, and respect for nature.

We are nowhere close.

The test of successful digital cooperation would be in one core idea -- the right to flourishing of people and the planet – this would mean public agora built on pluralism and inclusion, economies that thrive on peering and reciprocity, and societies of unlimited creativity and self-actualisation.

*[These inputs were shared during the [Main Session on Future of Digital Governance](#) at the Internet Governance Forum held in Kyoto, Japan on 11 October 2023]*