

# Submission of Inputs for the Global Digital Compact

## I. Inputs into 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 above-mentioned 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](mailto: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

- 1. Connect all to the internet, including all schools
- 2. Avoid internet fragmentation
- 3. Protect data
- 4. Apply human rights online
- 5. Accountability for discrimination and misleading content
- 6. Regulation of artificial intelligence**
- 7. Digital commons as a global public good
- 8. Other areas

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



1. Core principles that all governments, companies, civil society organisations and other stakeholders should adhere to; and
2. Key commitments, pledges, or actions that in your view should be taken by different stakeholders – governments, private sector, civil society, etc.

## 6. Regulation of artificial intelligence

### a) Core Principles

- The international human rights framework and the specific rights guaranteed under it apply to the regulation of artificial intelligence (AI), including the rights to life, privacy, freedom of expression, association, assembly, freedom of movement, non-discrimination and effective remedy (individual and collective).
- The regulation of AI which interferes with the rights to privacy or freedom of expression are only permitted when the interference is provided for by law, pursues a legitimate aim, is proportionate and is no more than necessary to achieve that aim.
- The regulation of AI should take a human rights and risk-based approach which focuses on mitigating potential harms whilst promoting the development and use of AI systems that are beneficial for the enjoyment of human rights.
- The regulation of AI should apply to the design, development, application and review of AI systems, or in other words, to all stages of the AI life cycle, particularly when its use has a potential impact on human rights.
- The regulation of AI must apply to all relevant actors, including public and private entities, and establish legal obligations where appropriate. This should involve requirements to identify, analyse and evaluate human rights risks of AI systems.
- The regulation of AI must provide effective safeguards, such as redress mechanisms (individual and collective) for those negatively impacted by AI systems. This requires that individuals are informed when an AI system makes a decision which may impact their rights, and provides accessibility and explainability for the individual to effectively challenge decisions.
- The regulation of AI should include specific provisions which mitigate risks of bias and discrimination. Regulation must not be implemented in a discriminatory manner.
- The regulation of AI should involve prohibitions of certain AI systems when they pose unacceptable risks to human rights that cannot be sufficiently mitigated.
- The regulation of AI should be underpinned by principles of accountability and robust transparency, which are reflected in the Sustainable Development Goals and the UNGPs on Business and Human Rights.



- Ethical approaches, including ethical values and principles, should not serve as the sole basis for the development of AI regulation. Regulation should be firmly rooted within the existing international human rights framework so as to not undermine its importance.

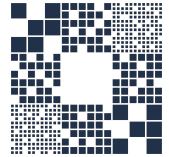
a) *Key Commitment/Pledges/Actions*

States

- States should commit themselves to developing regulation which mitigates the various means in which AI may pose risks to human rights, including through their own use of AI systems as well as by other actors.
- States should apply inclusive approaches and foster meaningful participation by ensuring diversity and broad participation in the development of AI regulation, that guarantees participation in the decision-making processes, use and evaluation of AI systems throughout their life cycle.
- States should commit themselves to developing regulation of AI that includes mechanisms ensuring algorithmic transparency, appropriate oversight procedures, periodic human rights impact assessments, enforcement powers for regulators – particularly for high risk AI systems, auditability and traceability throughout the AI life cycle, resulting in a comprehensive accountability framework.
- States should commit themselves to developing or updating data protection and anti-discrimination frameworks to respond to the challenges posed by AI.
- States should review, on a regular basis, their procedures, practices and legislation regarding the surveillance of communications, including mass surveillance and the interception and collection of personal data, as well as regarding the use of profiling, automated decision-making, machine learning and biometric technologies, with a view to upholding the right to privacy by ensuring the full and effective implementation of all their obligations under international human rights law.

Private Sector

- Private actors should commit themselves to more widespread and systematic efforts to undertake human rights impact assessments which adequately assess the actual and potential impacts of AI systems.
- Companies should undertake general human rights due diligence when it comes to AI, as well as specific human rights impact assessments and ensure that the findings of these assessments are fully integrated into corporate practice through mitigation efforts and remedial actions. These findings should also be made publicly available and on a periodic basis to promote transparency.



- Due diligence by private actors should be complemented by processes which assess whether business models themselves may create risks to human rights.

#### Civil Society

- The development and implementation of AI regulation should reflect a multi-stakeholder approach, including one that involves civil society organisations and other actors in a meaningful way. This should include those representing groups that are likely to be most adversely affected by AI technologies.

Any other comments on the Global Digital Compact?

<https://ia.derechosdigitales.org/en/>