

Multilateral initiatives for upholding human rights in digital technologies

A task for the UN or for liberal democracies?

SUMMARY

With their rapid advancement in recent times, digital technologies have undeniably had major positive and also negative impacts on human rights. They have offered people better opportunities to communicate and exchange information, thereby empowering them to exercise their right to freedom of expression and association, among others, and to draw public attention to human rights violations. On the other hand, they have enabled disinformation, cyber-surveillance and abusive behaviour, such as hate speech, cyber-crime and misuse of personal data.

There is a broad consensus that the same human rights and human rights obligations that apply offline also apply in the digital environment. However, new technologies are creating a fundamentally different paradigm for human interaction, and the current international human rights framework has conceptual gaps. The main question for the international debate is how to fill these gaps. Through soft ethical standards or binding rules? What is the best forum for this? While the UN is best placed, given its universal scope, it has been weakened by the actions of authoritarian states. Multilateral coalitions of democratic states are an alternative avenue, but they bring a risk of fragmentation of the global space for digital technologies.

When looking at how human rights play out in the digital context, it is important to carefully balance the benefits and risks of new technologies, to apply a multi-stakeholder approach, and to bear in mind that human rights obligations, while still incumbent on states as the main duty bearers, also apply to businesses, particularly those behind new technological developments.

The EU is involved in the discussions on the above issues, both in the UN and in coalitions of liberal democracies. In parallel, the EU is working on developing guidance and binding norms on how human rights obligations apply at EU and national level with respect to the digital environment.



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Introduction

New digital technologies have had multiple [societal impacts](#). They have significantly empowered individuals to exercise their human rights, and helped expose multiple human rights violations. At the same time, they have been abused as [instruments](#) of control, surveillance and disinformation by governments and private entities alike. Their unequal uptake creates a [deepening digital divide](#), particularly in the least developed countries, and raises issues of discrimination.¹ Other effects can be more indirect and long term but equally serious, one example being the [impact](#) of artificial intelligence (AI) on the future of work, particularly in the form of job losses and deepened inequalities. A similar dual tendency has been observed during the coronavirus pandemic: digital technologies have allowed many human activities to continue while limiting direct human interaction, but at the same time, certain governments have applied abusive measures, [restricting](#) freedom online, increasing surveillance and misusing personal data. Violence against women and girls perpetrated with the help of information and communications technology has also been [exacerbated](#) by the pandemic.

Human rights norms were drafted in the pre-digital age: the three main pillars of the international human rights framework were established between 1948 and 1976: the [Universal Declaration of Human Rights](#) was adopted in 1948, the [International Covenant on Economic, Social and Cultural Rights](#) entered into force on 3 January 1976, and the [International Covenant on Civil and Political Rights](#) a few months later, on 23 March 1976. Of the seven other UN [core human rights treaties](#), five were adopted before 1991 and were therefore not designed to affirm human rights in a digital environment. Of the two most recent ones adopted in 2006, the [International Convention for the Protection of All Persons from Enforced Disappearance](#) and the [Convention on the Rights of Persons with Disabilities](#), only the latter includes some relevant provisions on promoting access for persons with disabilities to new information and communications technologies and systems, including the internet.

The current international human rights framework therefore has conceptual gaps, since 'new technologies are creating a fundamentally different world that does not line-up exactly with our traditional paradigms'.² This raises the question of whether existing treaties should be amended or just reinterpreted, or whether new specific ones should be adopted. The main path pursued by international forums has been of reaffirming and reinterpreting existing norms in the digital realm, when necessary. However, with the UN again becoming an [ideological battleground](#) between liberal democracies and authoritarian regimes that are pushing for their own illiberal interpretation of human rights, this task has become more complicated. Liberal democracies have therefore taken up the task of promoting human rights in digital technologies in various formal or informal settings (such as the Organisation for Economic Co-operation and Development – OECD, the G7, and the Summit for Democracy), in addition to their work done within the UN.

At the same time, it has become increasingly clear, particularly in the case of artificial intelligence, that a human rights perspective cannot wait for new technologies to develop and then respond to emerging challenges. The [design](#) of new technologies requires human rights to be considered from the start. According to [experts](#), democratic values need to be taken into account in the definition of international technical digital standards as well. Currently, there is no human rights [compliance requirement](#) towards international standardisation processes, which provides fertile ground for authoritarian [influence](#). Hence, the need for democracies and for the international community to carefully consider any new technological developments from a human rights perspective.

UN framework

The need for a multilateral approach within the UN

The challenges posed by new technologies are often transnational in nature. A multilateral approach therefore appears, at least according to the UN bodies, as instrumental in helping states

to keep up with the current rate of technological innovation and to avoid a race-to-the-bottom 'which permits technological harms to flourish in some jurisdictions while undermining countermeasures in others'.³

Despite the obstacles posed by political competition inside its ranks, the UN is in principle [best positioned](#) for working towards a universally oriented understanding of the way in which international human rights norms apply to digital technologies, and for providing guidance on the matter. The UN is the custodian of international human rights treaties and has several UN Charter-based bodies that deal with human rights. Through its specific mechanisms, such as the Universal Periodic Review, it aims to improve states' accountability with regard to human rights norms, including in the digital realm, although in practice political [disagreements](#) among its members often hinder this mission. The UN, with its complex mesh of agencies and bodies, is also an appropriate organisation to facilitate the kind of multi-stakeholder approach that is [needed](#) to complement multilateral cooperation on the matter.

The need to reconceptualise international human rights norms

According to various UN reports (as referenced in this section), existing international human rights norms provide a sufficiently solid foundation to deal with the challenges arising from digital technologies, but need to be reinvigorated and (re)interpreted.⁴ Establishing a comprehensive human rights framework for new technologies should help overcome the current proliferation of ethical principles and voluntary codes of conduct covering only a limited range of human rights. Proposals by UN reports in this regard include: creating 'a comprehensive manual or guide on how human rights norms can be applied to new technologies, especially as embedded in governance and business models'.⁵

So far, the interpretive work has been done through soft law instruments, such as declarations and resolutions adopted under the auspices of UN forums (see next section), as well as through the jurisprudence of the UN treaty monitoring bodies. An example of a comprehensive interpretive attempt with respect to a UN human rights treaty is the [General Comment](#) (25/2021) of the UN Committee on the Rights of the Child on children's rights in relation to the digital environment. While UN treaties establish obligations for states, the UN [Guiding Principles on Business and Human Rights](#) do so for businesses and can provide a solid foundation for guiding their action, also with regard to new technologies.

The UN sustainable development goals provide another framework for establishing links between human rights and new digital technologies. A UN General Assembly [2018 resolution](#) recognises the potential of information and communications technologies to foster sustained, inclusive and equitable economic growth and sustainable development, and the achievement of the UN 2030 Agenda for Sustainable Development. In this context, the 2018 resolution underscores the crucial role of working towards bridging digital divides, including that related to gender.

Examples of UN reports that apply a human rights perspective to new technologies

Disinformation and freedom of opinion and expression: 'Disinformation is problematic, but so too are the responses of States and companies. Laws and policies are often being made with sub-optimal knowledge of online harm, without adequate data, research or public consultations. States have resorted to disproportionate measures such as Internet shutdowns and vague and overly broad laws to criminalize, block, censor and chill online speech and shrink civic space'. ([Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Irene Khan](#), April 2021)

Use of artificial intelligence (AI) on the enjoyment of the right to privacy and associated rights: a [Report of the United Nations High Commissioner for Human Rights](#) (September 2021) recommends inter alia: banning AI applications that cannot be operated in compliance with international human rights law; combatting discrimination linked to the use of AI systems by States and business enterprises; and adopting legislative and regulatory frameworks that adequately prevent and mitigate the multifaceted adverse human rights impacts linked to the use of AI by the public and private sectors.

Human rights defenders: Using the Internet, new technology and online space to promote and protect human rights, human rights defenders 'are finding important opportunities, but are also more and more exposed to abuse and threats, including with regard to their families, smears and intimidation, ridicule, stigmatization and defamation. They are also subjected to unlawful surveillance, which has led or often leads to other human rights violations, including arbitrary detention'. ([Report of the Special Rapporteur on the situation of human rights defenders, Mary Lawlor](#), July 2020).

The role of new technologies for the realisation of economic, social and cultural rights: a report by the UN secretary-general on [The role of new technologies for the realization of economic, social and cultural rights](#) (March 2020) recommends inter alia: accelerating efforts to bridge digital divides and technological gaps between and within countries; investing in the right to social protection to both build resilience to changes caused by technological innovation and to protect labour rights in all forms of employment; and addressing discrimination and bias in the development and use of new technologies, particularly in terms of the enjoyment of economic, social and cultural rights.

Racial discrimination and emerging digital technologies: states must reject a 'colour-blind' approach to governance and regulation of emerging digital technologies; states should address the 'diversity crisis' in these technologies; states must prevent and mitigate the risk of the racially discriminatory use and design of these technologies. ([Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance](#), June 2020).

Relevant UN bodies' resolutions

The UN General Assembly (UNGA) and the UN Human Rights Council (UNHRC) have adopted several resolutions that deal with human rights and new technologies from different angles, while the UN Secretary-General and the UN High Commissioner for Human Rights, as well as various rapporteurs (e.g. the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, see also box above) have drafted reports.

United Nations General Assembly

The silver thread in relevant UNGA resolutions⁶ is that 'the same rights that people have offline must also be protected online'. Similar obligations for duty bearers apply in the digital environment as in the offline context. For example,⁷ UNGA resolutions on the right to privacy make it clear that states have a duty to respect and protect the right to privacy in the context of digital communications; to put an end to violations of this right and to create the conditions to prevent such violations; and to provide for access to effective remedies. Businesses should meet their responsibility to respect human rights in accordance with the UN Guiding Principles on Business and Human Rights.

UN Human Rights Council

The UN Human Rights Council – the subsidiary body of the UNGA that deals specifically with human rights at intergovernmental level – has also adopted several relevant resolutions⁸ on the promotion, protection and enjoyment of human rights on the internet; on new and emerging technologies and human rights; on the right to privacy; and on the rights of the child. It has affirmed the same fundamental principle as the UNGA, namely, that the same rights that apply offline also apply online. As early as 2012, in a resolution on the promotion, protection and enjoyment of human rights on the internet, the UNHRC stated that 'the same rights that people have offline must also be protected online; in particular, freedom of expression, which is applicable regardless of frontiers and through any media of one's choice'. In its resolution [41/11 of 11 July 2019](#) on new and emerging digital technologies and human rights, the UNHRC stressed the potential of these technologies to facilitate efforts to promote and protect human rights and fundamental freedoms, but also the need to bridge the digital divide and to be mindful of these technologies' complex impacts. The resolution on new and emerging digital technologies and human rights ([47/23 of 13 July 2021](#)) advocates for a holistic, inclusive and comprehensive approach and the need for all stakeholders to collaborate.

UNESCO initiative on artificial intelligence

Artificial intelligence systems pose a specific new class of risks for human rights. They are becoming increasingly important in all aspects of the economy and society, but at the same time they can be purposefully designed to infringe on human rights or they can have unintended harmful consequences on these.⁹ Given their high degree of autonomy, it is important that they be designed in line with human values from the very start. A set of ethical principles can provide useful guidance for those working to develop such systems, and also for regulators and decision-makers.

On 24 November 2021, the 192 member states of UNESCO's General Conference adopted a [Recommendation](#) on the Ethics of Artificial Intelligence after a two-year drafting process that was driven by independent and governmental experts and included consultations with multiple stakeholders. The recommendation is the first global framework that sets itself the aim to guide states in the use of artificial intelligence from an ethical perspective. States are asked to 'give effect within their jurisdictions to the principles and norms of the Recommendation', but compliance is voluntary. Businesses are not addressed by the recommendation, which can be seen as a limitation.

The recommendation contains a set of values and principles to be respected in AI systems. Human rights play a central role, but references to democracy are few,¹⁰ the emphasis being instead on 'peaceful, just and interconnected societies'. This does not prevent the document from having a strong focus on civil and political rights. The recommendation states that 'respect, protection and promotion of human dignity and rights as established by international law, including international human rights law, is essential throughout the life cycle of AI systems' (point 13). Human rights and fundamental freedoms should not be violated or abused within interactions with AI (point 15). The obligation to respect human rights norms in the lifecycle of AI systems rests with governments, the private sector, civil society, international organisations, technical communities and academia. New technologies need to provide new means to advocate, defend and exercise human rights and not to infringe them (point 16). Peace, inclusiveness and justice, equity and interconnectedness should be promoted throughout the lifecycle of AI systems. The principles to be respected include fairness and non-discrimination, and the right to privacy.

The risk of political bias in the work of the UN

The work of the UN in this area also faces hurdles caused by the politically divergent agendas of its member states.

Cybercrime treaty

An example of how divisive and potentially harmful new regulatory initiatives can be is the proposed convention on countering the use of information and communications technologies for criminal purposes (cybercrime treaty) put forward by [Russia](#) under the auspices of the United Nations. Through resolution [74/247](#) of December 2019, the UNGA established an open-ended [ad hoc intergovernmental committee](#) of experts to elaborate an international convention on cybercrime. The project proved very divisive from the start, as shown by the vote on the resolution: it gathered only 79 votes in favour, to 60 against, with 30 abstentions. After several delays due to the pandemic, the ad hoc committee held its [first session](#) from 28 February to 11 March. It has to meet at least six times to produce a draft. The draft treaty has raised [serious concerns](#) that, should it be adopted in this form, it could undermine human rights by criminalising free expression and undermining privacy. Civil society [organisations](#) have asked that human rights considerations be integrated at every drafting stage.

Political divisions pose risks to the mission of the UNHRC

The UNHRC has provided important clarification on the application of human rights norms to digital contexts through its relevant resolutions, but its interpretive work is not without political controversies. These may undermine unanimity and lead to selective treatment of relevant issues.

Freedom of the internet: In its most recent resolution on [the promotion, protection and enjoyment of human rights on the internet](#), adopted in July 2021, the UNHRC condemned internet shutdowns and online censorship and any other measures that 'prevent or disrupt an individual's ability to seek, receive or impart information online' as being in violation of international human rights law. It encouraged states to take 'the necessary and appropriate measures to promote free, open interoperable, reliable and secure access to the Internet'. This resolution further advocates internet neutrality and expresses support for the protection of the confidentiality of digital communications using encryption. However, the adoption of this resolution could not secure unanimity in the Council, with four countries abstaining. China called for a [vote](#) to block consensus and abstained (together with Cameroon, Eritrea and Venezuela). According to a [human rights think-tank](#) monitoring the UNHRC, this type of behaviour 'may presage a coming ideological clash between China and Western States in this important new area of human rights work'.

Freedom of expression: The UNHRC's work on freedom of expression also faces politically motivated limitations. A resolution on freedom of opinion and expression ([44/12 of 24 July 2020](#)) underlines that responses to disinformation 'must be grounded in international human rights law, including the principles of lawfulness, legitimacy, necessity and proportionality'. According to a European Parliament [study](#), however, this resolution 'fails to address the impact of surveillance technologies which cause significant chilling effect on freedom of expression'. The study explains this with the increased influence that authoritarian states have had over the agendas of the UN forums, using them as 'means of shielding themselves from criticism, promoting their own illiberal projects', and 'reshaping international legal standards in ways that advance their interests'. This is reminiscent of the Cold War era, when the UN was more of an ideological battleground for human rights issues than a body working to encourage respect for human rights.

UNESCO artificial intelligence guidelines: Where are the AI superpowers?

The position of the two [leading powers](#) in artificial intelligence – the United States and [China](#) – on these guidelines is noteworthy. The United States' position is [absent](#), due to former President Trump's decision to pull his country out of UNESCO, a move that [might be reversed](#) by the Biden Administration. China has expressed support for the guidelines, yet there are doubts about its genuine commitment. One of the recommendations (No 26) bans social scoring and mass surveillance. Paradoxically, China, by agreeing to this system, [seems](#) to back a ban on its own social scoring (the '[social credit system](#)', which covers a broad range of areas – from finance to traffic control – but is fragmented and is not fully standardised). At home, China has leveraged both its

authoritarian model and its vast [internal market](#) to secure itself [AI leadership](#). China [introduced](#) its own set of ethical guidelines governing AI one month before UNESCO adopted its recommendation. Whether it is truly committed to implementing UNESCO norms remains an open question. This situation illustrates the gap between international commitments and national practices, and raises questions about the efficacy of international initiatives under UN auspices.

International internet standards and their importance for an open net

A proposal on internet standards – the '[New IP](#)' – presented by Huawei at the International Telecommunication Union (ITU, a UN agency) in 2019 revealed the importance of technical standards for human rights and their potential for limiting human rights. According to experts, this proposal, which ended up being rejected, entailed a serious risk for basic freedoms on the internet, as one of its provisions – to assign a unique identifier to each user – would compromise users' anonymity. Governments would therefore be able to perform surveillance on individual persons, and the internet would become an ideal [tool](#) for social repression and control. China however continues to push for other initiatives along this line, which would entail a risk of [fragmenting](#) the global internet. The ITU is headed by a Chinese national, making commentators [wonder](#) if China is not interfering with UN officials' duty to act independently of national guidance.

China could also use its Belt and Road initiative, particularly its [Digital Silk Road](#) component, to export its own [digital standards](#) and thereby undermine international norm-setting. It could also assist other governments to [better control](#) their internet, which could possibly lead to a split of the worldwide web into a free and a closed internet.

Multilateral initiatives supported by democratic countries

In various multilateral formats, democracies have taken up the task of ensuring the integration of human rights and democratic values in new technologies and defending these values against the potential harmful effect that these technologies can have. This approach does not necessarily constitute an alternative or a confrontational approach to the UN-based multilateral work. It reinforces the leadership of democratic powers and their capacity to counter authoritarian influence, including in global multilateral forums. The need for universal solutions remains. According to [experts](#), for example, digital standard setting must be global, and to achieve this universalism, democracies must not only cooperate among themselves but also reach out to all like-minded countries.

Furthermore, democracies face their own challenges not only in ensuring respect for human rights in new technologies, but also in fighting the [erosion of democracy](#) driven by the increased (not infrequently negative) impact of these technologies on the informational landscape, political representation and labour markets. Multilateral cooperation initiatives provide a good opportunity to exchange practices, learn from one another and find effective solutions.

OECD

Recognising the need 'to shape a stable policy environment at the international level to foster trust in and adoption of AI in society', on 22 May 2019, the OECD Council adopted a set of [Principles on Artificial Intelligence](#) in order to promote AI systems which are human-centric. Some [40 countries](#) subscribed to these principles – 36 OECD member countries (including all 22 countries that are members of both the EU and the OECD), and six non-member countries (including two EU countries).¹¹ One of the five principles, 'Human-centred values and fairness ([Principle 1.2](#))' states that 'AI actors should respect the rule of law, human rights and democratic values, throughout the AI system lifecycle. These include freedom, dignity and autonomy, privacy and data protection, non-discrimination and equality, diversity, fairness, social justice, and internationally recognised labour rights'. This principle acknowledges the importance of human intervention and oversight over AI systems.

G7

The G7 – the forum of the world's economically most powerful democracies – has tackled the need for upholding human rights on the internet as well. The [G7 foreign and development ministers' communiqué](#) published on 5 May 2021 asked all countries to refrain from shutting down the internet and mobile network services, 'thereby undermining the exercise of individual rights and freedoms'. Also in 2021, G7 [digital and technology ministers](#) published a declaration asking G7 members to collaborate with each other and with like-minded partners in relevant forums to ensure the development of digital technical standards that support G7 members' core values. In [Annex 3](#) to this declaration, the ministers committed to fostering human rights online particularly with respect to freedom of opinion and expression (including the right to seek, receive or impart information), as well as the right to privacy. In [Annex 1](#), G7 members committed to working with stakeholders to develop and deploy internet protocols that sustain 'an open, interoperable, reliable, and secure Internet, one that is unfragmented, supports freedom, innovation and trust, and empowers people'.

Council of Europe

The Council of Europe has been active in reaffirming the importance and applicability of human rights on the internet and in the broader digital environment. Its Commissioner for Human Rights, in a 2014 [report on the application of the rule of law to the Internet and the wider digital world](#), stated that standards and principles that apply offline must also be upheld online.

The European Convention on Human Rights remains the fundamental [instrument](#) for dealing with new realities. The European Court of Human Rights has already produced a rich body of [jurisprudence](#) that deals with human rights in the digital environment, particularly the right to privacy and [personal data protection](#), but also with issues such as freedom of expression and access to information, and state surveillance. While interpreting existing standards remains the main approach for integrating the digital perspective in human rights norms, adoption or modernisation of new conventions is also an avenue followed by the organisation. The Council of Europe has adopted conventions on issues with a strong link to the digital realm, such as on [cybercrime](#) (2001) and on the [protection of children against sexual exploitation and sexual abuse](#) (2007). It modernised the 1981 Personal Data Protection Convention ([2001 update](#)) to take into account the new realities.

In 2019, the Council of Europe created an [Ad Hoc Committee on AI](#) (CAHAI), which is working on a framework, based on human rights and democratic standards, for the development, design and application of artificial intelligence.

The Freedom Online Coalition (FOC)

The [Freedom Online Coalition \(FOC\)](#), established in 2011, is a multilateral and multi-stakeholder initiative to support internet freedom and promote human rights online. It brings together [34](#) countries from all over the world (of which 16 EU countries), which are committed to the principle that people should enjoy human rights equally offline and online. According to the FOC's mission statement, it aims to ensure that internet freedom issues are included in international policy through diplomatic coordination, but also to shape global norms and promote multi-stakeholder collaboration. At its 10th anniversary in 2021 in Helsinki, the coalition adopted a declaration entitled [Towards a Rules-based, Democratic and Digitally Inclusive World](#), in which human rights were a key issue. In the document, the coalition declared that it opposed 'Internet shutdowns, network disruptions and censorship that are inconsistent with international human rights law', as well as 'online violations that shrink civic space, such as arbitrary or unlawful surveillance practices'.

The 2020 Summit for Democracy

The Summit for Democracy, convened by the United States in December 2020, included a strong emphasis on digital aspects in relation with democracy, and saw the launch of several [initiatives](#):

- Denmark, Norway, Australia and the United States launched an [Export Controls and Human Rights Initiative](#) with the aim to put in place export control policies 'to prevent technologies from falling into hands that would misuse them'.
- Canada, Denmark and the United States launched a **Surveillance Principles Initiative** whose purpose is to outline 'how governments should use surveillance technology in a manner consistent with the Universal Declaration of Human Rights and the rule of law'.
- the United States launched a new **Multilateral Surge and Sustain Fund for Anti-Censorship Technology** to support 'critical censorship circumvention technology platforms, connecting more users to the uncensored internet and sustaining these connections in times of greatest need'.

Another initiative suggested by the US shortly before the Summit for Democracy – The Alliance for the Future of the Internet – was [postponed](#) due to [concerns](#) expressed by civil society activists and some government experts that it would fail to fulfil its objectives. The Biden Administration [resumed](#) its efforts to launch this alliance in January 2022.

European Union initiatives

The EU has been at the forefront of efforts to develop a normative framework for digital technologies. Not long ago, the Commission [proposed](#) including digital principles and rights in a solemn interinstitutional declaration between the European Commission, the European Parliament and the Council. The Commission published its proposal in January 2022, calling it the [Declaration on European Digital Rights and Principles](#). This non-binding declaration would make a set of recommendations to decision-makers and businesses about how to fulfil their human rights obligations in respect to the digital environment. It is supposed to serve as a reference point in the European context, but could reinforce the EU's image as a model in this area internationally.

The [Trade and Technology Council](#) established between the US and the EU in 2020 aims to coordinate policy on tech issues, including on preventing transfers of technology when this technology may be reused in ways that infringe on human rights or security. The EU also actively supports multilateral initiatives in the United Nations. According to the [EU report on human rights and democracy in the world 2020](#), 'the EU contributed to the development of the UN Secretary-General's Roadmap on Digital Cooperation, co-leading the work of the Roundtable on Digital Human Rights. ... The EU also took part in consultations by the Human Rights Council Advisory Committee ahead of the upcoming HRC report on digital and human rights. The EU also contributed to ad hoc consultations with the UN Special Procedures and the Human Rights Council advisory bodies on a wide range of issues related to human rights and digital technologies'.

The EU has also taken concrete steps to reinforce its cooperation on digital issues with partners all over the world. The EU has set up the [Global Gateway initiative](#) to strengthen connections between Europe and the rest of the world and help partner countries tackle the digital divide and integrate with the world. One of its objectives is to promote 'an open, plural and secure internet'. The Council too has [reaffirmed](#), with regard to the EU's global connectivity ambitions, the centrality of human rights and the rules-based international order in the EU connectivity agenda.

European Parliament's position

The February 2022 [resolution](#) on human rights and democracy in the world and the European Union's policy on the matter – annual report 2021, calls on the Commission and the Council to strengthen the EU's response and work towards the creation of international safeguards on disinformation, cyber-attacks and other hybrid threats emanating from malign foreign actors seeking to undermine societal resilience and democratic processes across the EU, in our neighbourhood and beyond.

A [report](#) by the Special Committee on Foreign Interference in all Democratic Processes in the European Union, including disinformation, adopted by the Plenary in March 2022, puts an emphasis on the need for global, multilateral cooperation between like-minded countries in relevant international forums on foreign interference and other destabilisation operations, with a view to establishing international norms and principles. It further 'calls for the EU and its Member States to initiate a process at UN level to adopt a global convention to promote and defend democracy that establishes a common definition of foreign interference'.

MAIN REFERENCES

UN Secretary-General's High-level Panel on Digital Cooperation, [Report: Age of Digital Interdependence](#), 2019.

Human Rights Council Advisory Committee, [Study: New and emerging digital technologies and human rights](#), 2021.

Council of Europe, [A study of the implications of advanced digital technologies \(including AI systems\) for the concept of responsibility within a human rights framework](#), Rapporteur: Karen Yeung, 2019.

ENDNOTES

- ¹ UN bodies have been among the most active worldwide in monitoring the impact of new technologies on human rights, see e.g. the [2020 Call for action on human rights of the UN Secretary General](#), the UN Secretary-General's [Roadmap for Digital Cooperation](#), or the [2021 UNHRC Advisory Committee study](#). This study highlights two groups of challenges that arise from new technologies: 1) unintended consequences and 2) uneven empowerment.
- ² See UNHRC Advisory Committee [study](#) on 'New and emerging digital technologies and human rights', presented during the 47th session of the Human Rights Council in July 2021.
- ³ See [2021 UNHRC Advisory Committee study](#).
- ⁴ For example, the UN Secretary-General's High-level Panel on Digital Cooperation [report](#) of 2019 on the Age of Digital Interdependence makes a call on 'the UN Secretary-General to institute an agencies-wide review of how existing international human rights accords and standards apply to new and emerging digital technologies'.
- ⁵ See [2021 UNHRC Advisory Committee study](#).
- ⁶ More specifically, UNGA resolutions on the rights to privacy in the digital age [68/167 of 18 December 2013](#); [69/166 of 18 December 2014](#); [71/199 of 19 December 2016](#); and [73/179 of 17 December 2018](#); as well as [73/218 of 20 December 2018](#) on information and communications technologies for sustainable development.
- ⁷ See previous note.
- ⁸ Council resolutions [31/7 of 23 March 2016](#) on the rights of the child: information and communications technologies and child sexual exploitation, [38/7 of 5 July 2018](#) on the promotion, protection and enjoyment of human rights on the Internet, [37/2 of 22 March 2018](#) on the right to privacy in the digital age and [42/15 of 26 September 2019](#) on the right to privacy in the digital age.
- ⁹ The UN Human Rights Office [published](#) a [report](#) in September 2021 that 'analyses how AI – including profiling, automated decision-making and other machine-learning technologies – affects people's right to privacy and other rights, including the rights to health, education, freedom of movement, freedom of peaceful assembly and association, and freedom of expression'.
- ¹⁰ e.g. Recommendation 29: efforts need to be made to increase transparency and explainability of AI systems, including those with extra-territorial impact, throughout their life cycle to support democratic governance
- ¹¹ Only Bulgaria, Croatia and Cyprus have not adhered.

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