T20 Policy Brief

Task Force 7
Towards Reformed Multilateralism: Transforming Global Institutions and Frameworks

ENHANCING EFFORTS AT GLOBAL DIGITAL GOVERNANCE: RECOMMENDATIONS TO THE G20

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Abstract

This policy brief highlights the challenges in attaining effective global digital governance. These include uncertainty regarding the ethical, operational, and strategic implications of digital technologies, and limited avenues for private sector expertise. The G20 is well-placed to effect meaningful change in global digital governance. The brief proposes three recommendations: (1) the establishment of a scientific advisory committee, which is intended to be an honest (knowledge) broker and fill gaps in subject matter expertise; (2) the formation of a public-private partnership task force to stuck and provide recommendations based on previous experiences with multilateralism and global governance that have successfully incorporated private sector expertise; and (3) the launch of a new Sherpa Track initiative that will serve as a platform for senior leaders to discuss global digital governance topics. By adopting these recommendations, the G20 can effectively enhance global digital governance efforts and contribute to a more stable and secure world.

The Challenge

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Effective global digital governance has proven relatively difficult to attain. Despite the United Nations (UN) General Assembly's 2015 endorsement of UN norms of responsible state behaviour in cyberspace,[1] the voluntary and non-binding nature of those norms have had limited impact on restricting actual state conduct in cyberspace. States continue to pursue cyber warfare capabilities and utilise those capabilities for grey zone operations. In the three months between January and March 2023 alone, approximately 38 "significant cyber incidents" were detected—meaning one attack every two days.[2]

Although international legal frameworks exist to regulate state conduct in traditional domains such as the maritime seas (the UN Convention on the Law of the Sea), no such equivalent exists for the cyber domain. While states might agree on the need to avoid the "potentially devastating security, economic, social and humanitarian consequences" that might result from cyber-attacks,[3] they ultimately remain reluctant to cooperate and collectively formulate a legally binding instrument that would regulate state behaviour and establish codes of conduct for operating cyberspace.

At its core, the key barrier underpinning the reluctance of states to cooperate when it comes to the cyber domain is the uncertainty regarding the ethical, operational, and strategic implications that digital technologies will ultimately have. In the pursuit of cyber norms, states must determine the boundaries of acceptable and unacceptable codes of conduct. An internationally agreed upon framework could also serve as the fundamental reference point for states when setting national legislation, such as the parameters of private sector responsibility. This necessitates a thorough understanding of how digital technologies such as AI (in both civilian and military applications) might be utilised as instruments of change and the subsequent implications for wider society.

However, the field of digital technology is a rapidly evolving one, with policymakers struggling to keep up with the pace of change. Digital technologies already span a wide spectrum of applications that provide states with a vast range of cyber capabilities. Recent developments, such as videocapable Generative AI, is poised to further expand states' 'cyber toolbox'. It is this uncertainty that states grapple with when faced with formulating cyber norms—or any other form of digital global governance effort for that matter—and is reflected in the differing viewpoints advocated by states when discussing digital cooperation issues. For example, at discussions at the UN Open-ended Working Group on security of and in the use of information and communications technologies (ICTs; hereafter, the UN OEWG), the Zero Draft of the 2022 Annual Progress Report highlighted the need to "develop common understandings on technical ICT terms".[4] Such uncertainty over the direction of digital technology trends is also compounded by different national conditions. As states are at different levels of digital development and ICT capabilities, they often have different threat perceptions and what what constitutes 'cyber threats', or the direction that cyber norm efforts should take and what might be needed (i.e., cooperation mechanisms and initiatives) to advance the discussions further.[5]

There are also limited efforts to meaningfully incorporate private sector expertise into global digital governance efforts. Although the private sector has sought to launch initiatives to promote a more secure and stable cyberspace, there are few modalities for actual multistakeholder participation. Calls for increased private sector involvement in global digital governance efforts are often met with the cold shoulder by states. For example, in mid-2022, the participation of non-state stakeholders (such as, private sector businesses, civil society, and academia) in UN OEWG meetings was blocked by member states on the basis that only states should retain the central role when it comes to matters of international security, and by extension, ICT security.[6] Among those blocked are parties to the Cybersecurity Tech Accord, an industry coalition that counts Dell, Microsoft, Nokia, and Oracle among its signatories.

Given that other initiatives such as the 2018 Paris Call for Trust and Security in Cyberspace have highlighted the responsibility of private sector actors in improving the security and stability of cyberspace, the absence of such private sector input is unlikely to work in the interest of global digital governance. After all, tech companies are responsible for the development of the digital technologies that are being discussed by states and it is likely that they will play a key role in implementing global digital governance initiatives.

The G20’s Role

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The G20 has a key role in shaping and strengthening the architecture of global governance. The G20 represents over 85 percent of the global GDP, over three-quarters of global trade, and two-thirds of the population worldwide. The five permanent members of the UN Security Council are also G20 members. All of this indicates that the G20 has tremendous potential when it comes to addressing global issues and effecting meaningful change.

With its engagement groups, the G20 is well-placed to integrate multistakeholder views and facilitate substantive progress in the field of global digital governance. Since 2016, issues pertaining to the digital domain have been on the G20's agenda. Initiatives such as the establishment of the G20 Digital Economy Working Group (DEWG), the G20 AI Principles, and annual G20 Digital Ministers Meeting are indicative of such efforts. The G20 is also well-positioned to complement other global efforts—a good example would be how the 2016 New Industrial Revolution Action Plan and 2021 Multi-stakeholder Forum on Digital Transformation in Production for Sustainable Growth align with the UN 2030 Agenda for Sustainable Development. There is, however, room for improvement, considering how existing efforts are noticeably geared towards providing advice to governments regarding bolstering their national economic capabilities (for example, upskilling workers, greening digital transformation, improving cybersecurity knowledge) at the expense of the development of actual global digital governance frameworks.

The challenge of global digital governance is ultimately one that should be addressed through multistakeholder approaches as contributions from the private sector, academia, and civil society can greatly enrich such efforts. The B20, C20, and T20 engagement groups of the G20 can help to facilitate the input of such perspectives, expertise, and ideas from the private sector, civil society, and think-tanks into the G20's policies. The B20, in particular, has given its support regarding the development of standards to ensure digital trust, privacy, and security. The T20 has also provided ideas and suggestions on how global digital governance can be improved and enhanced. In this regard, by enabling cross-cutting dialogue and making multilateralism more robust, the G20 can bolster efforts at producing a sustainable framework for global digital governance.

Recommendations to the G20

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Given the fractious nature of global digital governance efforts, this brief proposes that the G20 should encourage a functionalist approach to global digital governance that first involves collaborative efforts of a practical nature that, when executed incrementally, can serve as a consensus-building mechanism to increase cohesion amongst member states and incorporate private sector expertise when addressing the topic of global digital governance. We suggest three recommendations in this regard:

Facilitate the formation of a scientific advisory committee to bridge the subject matter expertise gap

The G20 should facilitate the formation of a scientific advisory committee to help states attain consensus on common definitions and terminologies. This would help fill the need to 'develop common understanding on technical ICT terms', something explicitly highlighted in existing UN documents. Such a committee is intended to be an honest (knowledge) broker, staffed by technical experts and, hence, non-political in nature. Additionally, the committee can also provide the necessary impartial subject matter expertise that policymakers need to better assess the ethical, operational, and strategic implications of digital technologies. Such expert-driven initiatives can also serve as a confidence-building mechanism for states and lay the foundation for subsequent initiatives that might be more political in nature, such as discussions around standards-setting and possible codes of conduct. Similar efforts, such as the UN Intergovernmental Panel on Climate Change, also indicate that having a scientific advisory committee can help to keep the issue area on the political agenda of states and serve as a de facto arbitrator on issues of a technical nature. The core contribution of having such a committee is to improve the legitimacy and visibility of the global digital governance challenge.

Establish a public-private partnership task force to identify lessons from successful multilateral efforts that managed to incorporate private sector expertise

The G20 should establish a task force to study and build upon the lessons from previous experiences with multilateralism and global governance that have successfully incorporated private sector expertise. Successful examples can be drawn from the fields of nuclear non-proliferation, space cooperation, or climate change. For example, the International Partnership for Nuclear Disarmament Verification is a public-private partnership that helps tackle transnational challenges such as monitoring and verifying nuclear disarmament. Another example of private sector players contributing to tackling global challenges include Space Situational Awareness initiatives, where private companies partake in information-sharing as part of government-led efforts to ensure that space activities are conducted in accordance with international law. This indicates that when managed correctly, the private sector can indeed play a role in global governance efforts. The G20 should therefore establish a task force to help identify key learnings from such examples and use the insights to enhance future efforts at global digital governance.

Launch a new Sherpa Track initiative that facilitates discussions between senior leaders regarding topics of global digital governance

To complement the work of the previous two recommendations, the G20 should also launch a new initiative under the G20 Sherpa Track that serves as an inclusive platform to bring together senior officials to meet on a regular basis and collectively discuss topics of global digital governance. This initiative, complemented by insights from the scientific advisory committee and public-private partnership task force (as mentioned in the previous two recommendations), can serve as a springboard for states to attain minimum-level consensus and agree upon global digital governance mechanisms that can be scaled up in the future. The G20 Chief Scientific Advisors Roundtable launched during India's G20 presidency serves as a good example.

Attribution: Chris Alden, Mary Martin, and Kenddrick Chan, "Enhancing Efforts at Global Digital Governance: Recommendations to the G20," T20 Policy Brief, July 2023.

Endnotes

[1] United Nations General Assembly, Seventieth session, Agenda item 92, December 30, 2015, A/RES/70/237

[2] Center for Strategic and International Studies, “Significant Cyber Incidents”, accessed July 20, 2023, https://www.csis.org/programs/strategic-technologies-program/significant-cyber-incidents

[3] United Nations General Assembly, Seventy-fifth session, Agenda item 98, March 18, 2021, A/75/816

[4] United Nations Office for Disarmament Affairs, Zero Draft of 2022 Annual Progress Report of the Open-ended Working Group on security of and in the use of information and communications technologies, June 22, 2022

[5] United Nations Office for Disarmament Affairs, Final Substantive Report of the Open-ended Working Group on security of and in the use of information and communications technologies, March 10, 2021, A/AC.290/2021/CRP.2

[6] Cybersecurity Tech Accord, “Industry Perspective Rejected: Cybersecurity Tech Accord releases joint statement on veto by UN cyber working group”, July 21, 2022, https://cybertechaccord.org/industry-perspective-rejected-cybersecurity-tech-accord-regrets-decision-by-states-to-reject-participation-in-un-open-ended-working-group-on-cybe-rsecurity/

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