

Statement by Derechos Digitales at UN Global Digital Compact: Deep Dive on Human Rights

8th May, 2023 – Jamila Venturini¹

Thank you, Co-facilitators.

Since the World Summit on the Information Society began, we have come a long way in understanding the human rights implications of digital technologies and the need for States to recognize that the same rights that people have offline must also be protected online.

However, while at the international level there is clarity that the application and implementation of human rights standards should evolve alongside the evolution of digital spaces, the reality does not match that understanding. In Latin America, access to and use of digital technologies is a reflection and a continuation of existing structural inequalities. Technologies are often used to increase surveillance, control, and further exclusion of historically marginalized groups; groups that are left out of participation in decision-making or development regarding technology and that, when “digitally included”, have precarious and limited access to the internet and that often become subject to different forms of violence.

Greater commitments are urgent to assure that policies and practices related to the digital sphere

incorporate more than a decade of advances in the recognition of human rights standards. The Global Digital Compact has a key role to influence stakeholders to comply with their obligations and responsibilities regarding the recognition, protection and promotion of human rights in digital environments not only at the individual, but at the collective level.

The Digital Compact should recognize the internet as a key enabler for the exercise of all human rights, and should promote meaningful access, which can only exist when people can use the internet freely and safely. It should encourage proactive measures to overcome gender digital divides and develop common concepts that can be operationalized towards survivor-centric and human rights based frameworks to eliminate all forms of gender based violence, including tech-facilitated. The Compact should promote frameworks that include a proper balance of rights and apply criteria on legality, necessity and proportionality for necessary responses to online violence so that they do not weaken any other fundamental rights.

¹ Statement delivered in written format due to time constraints that prevented some of the scheduled oral interventions to occur during the session.

The Compact should reinforce the responsibility of the tech industries responsibility to respect and protect human rights, and integrate strong recommendations regarding transparency, accountability and participation, including human rights impact assessments and audits. The calls from the UN High Commissioner on Human Rights for further control in the development and acquisition of surveillance systems that are not in compliance with human rights should also be part of the Compact.

Esteemed Co-facilitators and colleagues: human rights are transversal to all thematic areas within the Global Digital Compact, and commitments should be fostered to assure that all stakeholders working to advance frameworks regarding the digital environment respect existing human rights obligations, standards and criteria, including international organizations. Their representatives, as well as State representatives, should be called to meaningfully engage in existing multi-stakeholder spaces such as the Internet Governance Forum and its regional and national processes.

Thank you.