

NEWSLETTER

Issue 76, February 2023



2023 predictions: 12 trends in digital governance

Pages 2–3

EDITORIAL

We predict the trends in digital governance and diplomacy that will prevail in 2023.

Pages 2–3

COMING UP IN 2023

Highlighting the main global digital policy discussions in 2023.

Pages 4–5

BAROMETER

A retrospective of digital policy developments in December and January.

Pages 6–7

CYBERCRIME

The key takeaways from the most recent session of the Ad Hoc Committee on Cybercrime.

Page 8

2023 predictions: 12 trends to expect

Welcome to the 13th edition of our annual predictions in digital governance and diplomacy, we predict the following trends in the year ahead:

1. Technologies

Each year usually starts with promises on how the latest tech will save the world. Not this year, though. This will create the opportunity for existing tech – such as the metaverse, blockchain, and AI – will have to show its real impact beyond mere hype.

2. Digital geopolitics

Geopolitical tensions have dominated much of last year. In the digital sphere, tensions show no sign of easing, either. In 2023, they will play out most intensely in at least three main digital policy areas: the protection of submarine cables and satellites, the production of semiconductors, and the free flow of data across borders.

3. IBSA digital momentum

The IBSA trio – India, Brazil, and South Africa – is likely to play a prominent role in reforming digital governance by linking development, democracy, and multilateral diplomacy. The first tangible results from IBSA's digital momentum could be expected during India's G20 presidency, which, among others, will promote 'a new gold standard for data'.

4. Digital cooperation

Digital cooperation processes will accelerate the build-up for 2025 when the World Summit on the Information Society (WSIS) implementation will be revisited, including the future of the Internet Governance Forum (IGF). The Osaka Track on Data Governance, initiated during Japan's G20 presidency in 2019, will likely be given new life as Japan is set to host the next IGF (Kyoto, October 2023). September 2023 will see a ministerial meeting dedicated to preparing the 2024 Summit of the Future, where the Global Digital Compact (GDC) will be agreed on.

5. Human rights online

We can expect deeper implementation of the first generation of human rights online, such as

freedom of expression and privacy protection. A holistic approach to digitalisation and human rights will put the second (economic, social and cultural rights) and third generations (environmental and intergenerational) of human rights in the spotlight. The fourth generation of human rights will also become more relevant, triggered by risks due to developments in AI, bio, and nanotechnologies.

6. Content governance

Countries and companies will intensify their search for better ways to govern content. They will look for a balance between social media platforms' legal status (private businesses with little legal liability for the content they publish) and their social role (public information utilities that affect how people perceive society and politics). The EU's Digital Services Act (DSA) approach to content governance will probably serve as an example for many other nations. The outcome of Elon Musk's Twitter experiment will significantly impact the future of content governance in the business sector.

7. Cybersecurity

Many organisations and governments have improved their cyber resilience against the geopolitical backdrop of the Ukraine war. The cybersecurity agenda is gaining more traction in developing nations, which are taking part in more global processes like the UN Open Ended Working Group (OEWG) on cybersecurity and the UN Ad Hoc Committee on Cybercrime. These global processes could put pressure on the top cyber powers to behave more responsibly.

8. Digital economy

Digital economy governance will focus on digital trade, the implementation of the new global tax deal, and the regulation of cryptocurrencies. The World Trade Organization (WTO) will double down on digital trade negotiations, trying to bridge positions on data flows, data localisation, and privacy. The implementation of the new global tax deal from the Organisation for

Economic Co-operation and Development (OECD) will continue to be negotiated, with multilateral conventions to implement the deal, expected to be finalised by mid-2023. States will continue to adopt digital asset regulations, in particular, related to consumer protection and the clear involvement of the financial institutions in control of the industry.

9. Digital standardisation

The relevance of digital standards as a soft governance approach will increase. We can expect intensified cooperation on digital standardisation between like-minded countries, acceleration of standardisation of new tech, and more discussions on the human rights implications of the standards under development.

10. Data governance

Data governance will mature with the realisation that we need as many governance approaches

as there are types of data. Stakeholders will have to adopt a holistic approach that takes into account the standardisation, security, human rights, and legal perspectives.

11. AI governance

As AI becomes increasingly applied in real-world settings, arguments about ethics in general (such as how to ensure that AI solutions are created and deployed following ethical standards) will give way to more practical concerns (such as the links between AI and education).

12. The future of work

The hybrid format of office work and diplomatic negotiations, combining elements of online and in situ interactions, will be the new normal. In addition to Zoom and online meetings, new virtual reality tools will be developed to facilitate seamless online interaction.

Explore these predictions in more detail. Read more: [12 digital governance and diplomacy trends.](#)



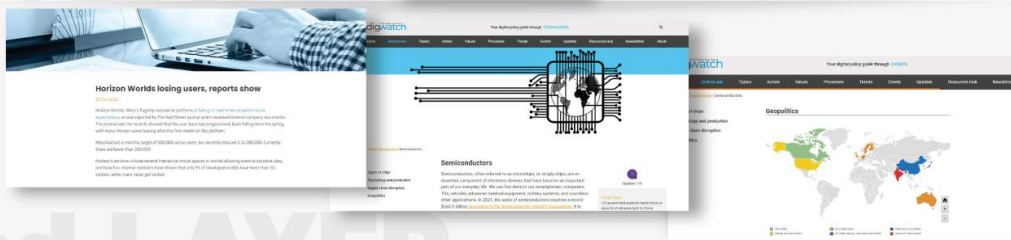
HOW TO EXPLORE PREDICTIONS IN THREE LAYERS

In this document...



on the 1st layer you can find the predictions, and clicking on the links will lead you to...

1st LAYER



...the 2nd layer, where you can find more detailed information, including updates, reports, and graphics

2nd LAYER



...the 3rd layer, where you can find primary sources, resources, and data

3rd LAYER

What to watch for: Global digital policy events in 2023

We look ahead at the digital policy calendar to highlight some of the main digital policy discussions in 2023 across the globe. As is customary, the DW team will deliver just-in-time coverage of major events throughout the year while also focusing on mainstream events addressing digital issues.

21–23 FEBRUARY. [Internet for Trust: Regulating Digital Platforms for Information as a Public Good](#) (Paris, France)

[UNESCO](#) will host a global multistakeholder conference on regulating digital platforms. The event will facilitate discussion on challenges and modes to ensure that regulatory approaches targeting digital platforms support freedom of expression and the availability of accurate and reliable information in the public sphere. The conference will feature debates and consultations on the [draft Guidance on regulating digital platforms: a multistakeholder approach](#), issued by UNESCO for [public consultation in December 2022](#).

27 FEBRUARY–4 APRIL. [52nd regular session of the Human Rights Council](#) (Geneva, Switzerland)

The first of three annual sessions of the Human Rights Council will consider and discuss the annual report of the UN High Commissioner for Human Rights (UNHCR) and reports of the Office of the High Commissioner and the Secretary-General. Reports on the human rights situation in Eritrea, Sudan, Cyprus, South Sudan, and Afghanistan, among others, will be shared with the Human Rights Council and taken into consideration.

Of particular importance to digital-related issues will be high-level discussions and considerations of reports on: 'Privacy and personal data protection in Ibero-America: A step towards globalization?'; 'Rights of the child and the digital environment'; 'Negative impact of disinformation on the enjoyment and realization of human rights'; and 'Promotion and protection of human rights and the implementation of the 2030 Agenda for Sustainable Development'.

3 MARCH. [Cyber Stability Conference](#) (New York, the USA, and online)

Organised by the UN Institute for Disarmament Research (UNIDIR), under the theme 'Use Of ICTs By States: Rights And Responsibilities Under The UN Charter', the conference focus will be on how international law applies to the use of ICTs by states. The conference will explore the rights and obligations of the UN Charter applicable to cyberspace with an aim to facilitate future-focused deliberations and contribute to the advancement of multilateral negotiations.

7 MARCH. [First ITU Forum on Embracing the metaverse](#) (Riyadh, Saudi Arabia)

The first ITU Forum on Embracing the metaverse, co-organised by the National Cybersecurity Authority (NCA), will begin ITU's endeavour to promote metaverse pre-standardisation initiatives. The forum's objective is to facilitate global dialogue on the metaverse, provide inputs, and discuss relevant topics that can aid the work of the newly established ITU-T Focus Group on the metaverse. The forum will explore the challenges and opportunities for an accessible, sustainable, and inclusive metaverse, how to develop interoperability standards, and how the metaverse can be used to achieve the SDGs and accelerate digital transformation. The forum will be followed by the first meeting of the [ITU-T Focus Group on the metaverse](#).

13–17 MARCH. [World Summit on the Information Society \(WSIS\) Forum 2023](#) (Geneva, Switzerland, and online)

The WSIS Forum 2023 will be themed 'Action Lines for building back better and accelerating the achievement of the SDGs'. The forum will build upon two tracks, the High-Level Track (14–15 March) and the Forum Track (13–17 March). The High-Level Track will consist of policy statements, high-level dialogues, a WSIS Prize ceremony, and a ministerial round table. The Forum Track will offer participants a series of WSIS Action Line facilitation meetings, workshops, training sessions, thematic special tracks, knowledge cafés, a hackathon and an exhibition about WSIS implementation. Virtual workshops will continue in April and May.

27–31 MARCH. [The Commission on Science and Technology for Development \(CSTD\)](#) (Geneva, Switzerland)

The annual session of the CSTD serves as a venue for strategic planning, exchanging lessons learned and best practices, offering insight on crucial science, technology and innovation trends, and bringing attention to emerging and disruptive technologies. The main themes for this year's edition will be: technology and innovation for cleaner and more productive and competitive production; and ensuring safe water and sanitation for all: a solution by science, technology and innovation.

11–21 APRIL, 21 AUGUST–1 SEPTEMBER. [Ad Hoc Committee on Cybercrime](#) (Vienna, Austria and New York, the USA)

The Ad Hoc Committee tasked to elaborate a comprehensive international convention on countering the use of ICTs for criminal purposes will hold its fifth and sixth sessions in Vienna and New York, respectively, with the concluding session in early January 2024. The concluding session will mark the end of the committee's work, during which a draft convention will be considered and endorsed for consideration by the UN General Assembly (UNGA) at its 78th session in September 2024.

3–5 MAY. [Forum on Science, Technology and Innovation for the Sustainable Development Goals \(STI Forum\)](#) (New York, the USA)

The 8th STI Forum will be held under the theme 'Science, technology and innovation for accelerating the recovery from COVID-19 and the full implementation of the 2030 Agenda for Sustainable Development at all levels'. As in previous years, the theme of the STI Forum will be closely aligned with that of the High-Level Political Forum on Sustainable Development (HLPF).

6–7 JULY. [The AI for Good Global Summit](#) (Geneva, Switzerland)

The AI for Good Global Summit is the main event of the AI for Good platform organised by ITU in partnership with 40 UN sister agencies and co-convened with Switzerland. The event will feature keynote speakers, cutting-edge AI solutions, pitching sessions, and performances by AI-inspired artists. It will also feature interactive displays, debates, and demonstrations of 30+ cutting-edge robots and their human designers.

10–19 JULY. [High-Level Political Forum \(HLPF\)](#) (New York, the USA)

The HLPF will be held under the theme 'Accelerating the recovery from the coronavirus disease (COVID-19) and the full implementation of the 2030 Agenda for Sustainable Development at all levels'. The HLPF meets annually to discuss the follow-up and review of the 2030 Agenda for Sustainable Development and its SDGs.

12–30 SEPTEMBER. [78th session of the UN General Assembly \(UNGA 78\)](#) (New York, the USA)

The 78th session of the UN General Assembly (UNGA 78) will open on Tuesday, 12 September 2023. The first day of the high-level General Debate will be Monday, 25 September 2023.

8–12 OCTOBER. [18th Internet Governance Forum \(IGF\)](#) (Kyoto, Japan, and online)

The Government of Japan will host the 18th annual gathering of the IGF in Kyoto from 8 to 12 October. The call for thematic issues that the meeting will tackle was open until 31 January 2023. The next step in the process is the first meeting of the multistakeholder advisory group (MAG) 8–10 March 2023, which will start planning the inter-sessional work and the programme of IGF 2023.

4–8 DECEMBER. [UNCTAD eCommerceWeek](#) (Geneva, Switzerland and online)

The 2023 edition of UNCTAD's eCommerce Week will be held under the theme 'Shaping the future of the digital economy'. It will focus on the widening of the digital gap and the danger that data-driven digitalisation could exacerbate inequalities. During UNCTAD eWeek, high-level stakeholders will focus on concrete and tangible solutions in key policy areas that must be addressed to achieve an inclusive and sustainable digitalisation, as well as answer three main questions: What does the future we want for the digital economy look like, what is required to make that future come true and how can digital partnerships and enhanced cooperation contribute to more inclusive and sustainable outcomes?

Digital policy developments that made headlines in recent weeks

The digital policy landscape changes daily, so here are all the main developments from December and January. We've decoded them into bite-sized authoritative points. There's more detail in each update on the Digital Watch Observatory.



Same relevance

Global digital governance architecture

Rwanda and Sweden, co-facilitators leading the intergovernmental process on the GDC, announced the [roadmap for the GDC process](#), including informal consultations with stakeholders and member states, thematic discussions, an issue paper based on the discussions, the presentation of said paper, and negotiations on the GDC.



Low relevance

Sustainable development

UNESCO will train news teams from leading media organisations in Ghana, Nigeria, Cameroon, and Gabon to [use digital tools for investigating and reporting on environmental issues](#).



Increasing relevance

Security

Russia-based Cold River and Iran-based Yellow Garuda hacking groups [attacked the UK government with separate phishing campaigns](#) that both target and impersonate government officials, journalists, and academics. The USA, Germany, and the Netherlands [disrupted the Russia-linked Hive ransomware network](#).

The UN Ad Hoc Committee on Cybercrime held its fourth negotiating session. [Read more about the negotiations on page 8.](#)

Ukraine [called for a 'Cyber United Nations'](#), a global entity which would help share threat information and prepare for future attacks.



Increasing relevance

E-commerce and the internet economy

[Brazil's central bank plans to launch a central bank digital currency \(CBDC\) by 2024](#), citing development and financial inclusion as the main aims.

In the wake of the FTX collapse, the UK [set out a plan to regulate the crypto industry](#), Germany called for [global crypto regulation](#), and the G20 set [building policy consensus on crypto assets](#) as a priority.

China issued [guidelines for building basic data systems](#): a data property rights system, a circulation and trading system, an income distribution system, and a security governance system, all with the aim of strengthening its digital economy.



Low relevance

Infrastructure

The [European Commission adopts revised rules for state aid for broadband networks](#). Governments will be allowed to provide state support to fixed broadband networks providing at least 1 gbps download and 150 mbps upload speeds.



Increasing relevance

Digital rights

Ireland has [fined Meta €5.5 million](#) for forcing users to consent to process their personal data 'for service improvement and security', in breach of the EU's data protection rules.

Search engine operators must [remove data from online search results if users prove it is inaccurate](#), the Court of Justice of the EU (CJEU) ruled.

[The European Commission published a draft adequacy decision for EU-US](#) data flows, including limitations and safeguards regarding access to data by US public authorities, a set of privacy obligations for US companies, and redress options for EU citizens.



Increased relevance

Content policy

UNESCO conducted multistakeholder consultations on its [Guidance for regulating digital platforms: a multistakeholder approach](#).

Musk [stated](#) no major policy changes on Twitter will be made without a vote.

Jurisdiction and legal issues

Facebook parent Meta will pay \$725 million to [settle a privacy suit over Cambridge Analytica](#).

The US Department of Justice (DoJ) and eight states [filed a lawsuit against Google](#), accusing it of abusing its dominant position in the internet advertising business and of limiting fair competition.



Increased relevance

India's Supreme Court [upheld a decision](#) by the country's Competition Commission of India (CCI) that Google is abusing its dominant position in the Android mobile device ecosystem and abusing its monopoly through its Play Store, prompting the company to [make changes](#) such as allowing users to choose their default browser, uninstall the Google browser, and allowing device makers in India to license its individual apps for pre-installation.

Germany's competition authority has ordered Google to [revise its data processing terms and practices](#) as users are not given sufficient choice over the processing of their data.



Increased relevance

New technologies

China initiated a [trade dispute procedure at the WTO against US chip export control measures](#), arguing that these measures 'threatened the stability of the global industry supply chains'.

ITU established the [ITU-T Focus Group on metaverse \(FG-MV\)](#) to work towards international technical standards for the metaverse.

The USA and the EU signed an agreement to [increase collaboration on AI research](#) to address global challenges such as climate change and natural disasters. China started implementing [rules on deepfake content](#) generated by AI.

Cybercrime Ad Hoc Committee: Takeaways from its 4th Session

The Ad Hoc Committee on Cybercrime kicked off 2023 with its fourth session in Vienna and focused on amending its consolidated document (CD). States negotiated and made amendments regarding the general provisions, provisions on criminalisation, procedural measures, and law enforcement.

Ensuring that the provisions are in line with international human rights law treaties while including additional protocols and other applicable international human rights instruments was emphasised by the majority of states.

States have divergent views on criminalisation provisions. One group of states aims to narrow the content of the convention strictly to cyber-dependent crimes. Another group of states would remain open to including both cyber-dependent and cyber-enabled crimes, while a third group aims to expand criminalisation offences and include provisions on the criminalisation of terrorism and extremism, among others. Most states agreed on the inclusion of the criminalisation of online child abuse.

So far, all provisions in the CD regarding cyber-dependent and cyber-enabled crimes, such as illegal access, computer-related forgery, and illicit use of electronic payment instruments, among many others, have been amended. However, provisions on 'violation of personal information, infringement of copyright, incitement to subversive or armed activities, extremism-related offences, terrorism-related offences, offences related to the distribution of narcotic drugs, arms trafficking, and distribution of counterfeit medicine,' are under informal consultations.

Defining cybercrime offences under the CD raises concerns over potential human rights violations. For example, the inclusion of the

criminalisation of the dissemination of false information states that: 'The definition of false information and serious social disorder shall be defined in accordance with domestic laws of each State Party.'

Regarding procedural measures and law enforcement provisions, provisions on jurisdiction are still under informal consultations. Cooperation between national authorities and service providers when retaining traffic and content data was added to the CD. Again, the issue is that the circumstances under which the state could obtain such data from the service providers, and the extent to which personal data are being protected, are left to the discretion of each state.

Some states emphasised the need to harmonise the content of the provisions in question with the ones in the Budapest Convention. And while the Ad Hoc Committee in January has made progress in drafting some parts of the convention, there are still many contentious issues that need to be addressed. Human rights protection, the definition of offences, and the implementation of such provisions need to be carefully addressed to ensure effective protection when combating cybercrime on an international level.

The fifth session will be held from 11–21 April 2023 in Vienna, when states will be called to further negotiate on the current CD and on a [new consolidated document](#).

About this issue: Issue 76 of the Digital Watch newsletter, published on 6 February 2023 by the Geneva Internet Platform and DiploFoundation

Contributors: Boris Begović, Andrijana Gavrilović (Editor), Bojana Kovač

Design: Diplo's CreativeLab | Get in touch: digitalwatch@diplomacy.edu

On the cover: 2023 predictions: 12 trends in digital governance and diplomacy Credit: Viktor Mijatović, DiploFoundation (2023) <https://creativecommons.org/licenses/by-nc-nd/4.0/>

The Geneva Internet Platform is an initiative of:

