

List of questions

Public hearing on “International digital policy”
on Wednesday, 18 October 2023, 14:30 – 16:30 hrs

Answers provided by Roxana Radu, Associate Professor of Digital Technologies and Public Policy, University of Oxford

1) What should a German strategy for international digital policy focus on, and how could Germany and Europe be better positioned in this context?

A German strategy for international digital policy should:

- Identify key priorities for the country, distinguishing between a unique mandate (and how it may evolve in time) in the international digital policy landscape and specific roles within broader frameworks of cooperation, such as NATO, G7, G20 etc. Identifying areas in which Germany can drive processes is as important as specifying the principles that guide international cooperation and strategic partnerships.
- Identify short and long-term priorities for engagement in existing international processes, in particular by minimising the “silo” effect in global digital policy discussions. In the short run, a clear timeline leading up to 2025 would help position Germany as an influential actor speaking with one voice across different fora. 2025 represents a landmark year in digital governance, as three UN processes come to an end: (1) the Open-Ended Working Group on security of and in the use of information and communications technologies, (2) the ongoing negotiation of the UN framework convention on cybercrime, and (3) the review of the World Summit on Information Society process, WSIS+20. The Global Digital Compact stream of work will most likely have an implementation component post-2024.
- Building on its strong legal tradition centred on human rights and key position within global institutions, Germany can advance a vision of the Internet as a global public good and a digital rights agenda built around an adequate accountability framework.
- Strengthen public expertise and identify areas of research that German institutions excel at to find concrete ways to: 1) feed such contributions into national processes and coordination mechanisms; 2) bring timely research evidence and expertise to inform international processes.
- Define what value-based partnerships might entail, but also the strategies needed to avoid deepening the geopolitical tensions that increasingly shape international digital policy. Open channels of communication with countries that are not aligned in terms of values should be given equal consideration.
- Outline pathways for countering polarisation by integrating a diversity of voices into multilateral and multi-stakeholder processes, by creating mechanisms to publicly monitor thematic areas and strengthen transparency.

2) What role should Germany’s international digital policy play in the European Union?

Germany’s close coordination with the European Union has been mutually beneficial. Going forward, Germany’s position in international processes and within the European Union should remain consistent, but there is scope for strengthening the country’s role in securing a European infrastructure and mitigating value chain risks, exploring sustainable solutions with European partners. Strategic dependencies within Europe need to be carefully considered, to identify where Germany could bring unique contributions in technical and standardisation terms, and where it can support rights-centred, global digital wellbeing priorities alongside the Digital Europe agenda.

3) To what extent is an increasingly multipolar world order influencing the work of the institutions traditionally responsible for internet governance, and what implications does this have for the open, free internet and access to it, or for the protection of human rights and communication freedoms? To what extent are underhand methods also being used in an attempt to undermine the international standardisation bodies in geopolitical terms, for example to impose certain values by technical means or to close markets to competition?

What consequences should this have for the German and European strategy on international digital policy?

Geopolitical tensions have greatly influenced digital policy discussions at the global level. In relation to the technical bodies responsible for basic Internet standards and protocols, these tensions have led to:

- diverted attention from common goals and solution-oriented approaches towards “small clubs” coordination
- participation structures that have solidified and are limited in their capacity to pursue reform (serving relatively small communities and under-representing the next generation of digital users)
- absence of coordination between global institutions dealing with cyber/digital space and the technical bodies governing the Internet through basic standards and protocols, such as the Internet Engineering Task Force, the Internet Corporation for Assigned Names and Numbers or the World Wide Web Consortium. This historical disconnect between standard-setting and socio-economic, political and legal decision-making has proven its limitations, as the process of codifying standards is not aligned with policy priorities and remains dominated by private, rather than public interests. The Internet Governance Forum has provided an initial bridge between
- these communities, but the expansion of its mandate is currently contested.
- new threats derived from the use of standards as political alignment tools have remained unaddressed

4) What specific measures should financial resources earmarked for international digital policy be used to fund?

Discrete funding streams should be in place for:

- prioritisation research and evidence-informed mechanisms building up to global processes in 2025
- value- and needs-driven engagement with the Global North and with the Global South
- strategic foresight with multi-disciplinary teams in order to strengthen public expertise and preparedness.
- Participation in standardisation processes and activities bridging UN conversation and technical considerations
- dialogue and open communication channels with countries that have different Internet visions

5) Could and should digital-policy considerations be taken into account more in the trade-policy decisions and initiatives of the Federal Government and the European Union, for example when drafting trade agreements – and if so, in what ways?

Better coordination between digital policy priorities and trade agreements is much needed. Keys ways to ensure coherence and consistency include: 1) ensuring the key people in these processes attend all meetings in the different portfolios; 2) factoring in time in between the meetings to allow for coordination and position assessment internally, but also externally, with a broader group of stakeholders

6) In the past, there have been repeated calls for the EU to pursue a “third way” with regard to the regulation of its digital ecosystem – distinct from China’s techno-authoritarianism and the US digital economy. Do you regard this approach as outdated, in view of the shift in German foreign and security policy (*Zeitenwende*) and the resulting need for greater digital-policy cooperation and integration with the United States and other liberal and democratic partners?

To pursue a global vision of the Internet, it is important not to disengage with certain parts of the world and to limit further polarisation. While regional blocks will continue to define their priorities, exploring alternatives for global digital wellbeing is an urgent matter.

7) How can democratic internet governance be ensured over the long term? In this context, what role is played by existing formats such as the IGF, the planned Global Digital Compact, and transnational organisations such as ICANN (particularly with regard to the multistakeholder model and civil society involvement)?

The evolution of Internet governance from the 1990s to today has been shaped by different actors, processes and practices. Its different phases show that there has always been a mix of formal and informal power relations, as well as political considerations and positionings. Looking ahead, a critical assessment of what has worked well and what has not worked well in global Internet governance is needed. The multistakeholder model has had both successes and failures in the last two decades. The involvement of civil society has been patchy and there is a need to rethink the relationship with non-for-profits, their participation in various stages of policy processes and their broader representation of interests and communities.

8) What should Germany critically examine when developing its international digital policy, with regard to the international impact of national laws on power relations, new dependencies, global justice and Germany's colonial heritage?

Answered in 1) and 3) above

9) How are digital-policy instruments currently abused by states as a tool of oppression (e.g. internet shutdowns), what developments are we witnessing in this context, and how can and should the EU and Germany take effective action to stop this?

The Internet has many control levers, from strictly technical to political instruments. Prior to taking any action, the EU and Germany need to consider which final aim is being pursued, at what level and by what means.

10) What interactions exist between national and international digital policy, what is the significance of digital foreign policy in this context, and what aspects should Germany develop even further?

With the emerging practice of cyber coordination and cyberdiplomacy, the interactions between national and international digital policy are becoming more visible. As digital rises to the top of the political agenda in an increasingly complex international ecosystem, addressing it as part of foreign policy is challenging, if that is not coordinated as a whole-of-government approach. An emerging trend that is worth exploring further is that of tech diplomacy, or specific engagement with particular industry hubs around the world.