

## Transatlantic Approaches on Digital Governance: A New Social Contract in the Age of Artificial Intelligence

CONCEPT NOTE  
Boston, 16-18, September

### Description:

The World Leadership Alliance-Club de Madrid (WLA-CdM) in partnership with the Boston Global Forum (BGF) is organizing a Transatlantic and multi-stakeholder dialogue on global challenges and policy solutions in the context of the need to create a new social contract on digital technologies and Artificial Intelligence (AI).

Over the years, Transatlantic relations have been characterized by close cooperation and continuous work for common interests and values. This cooperation has been essential to enhance the multilateralism system, considering the shared principles from both sides on democracy, rule of law, and fairness.

By comparing North American and European approaches in the creation of a new social contract on AI and digital governance, under the critical eye of former democratic Heads of State or Government, this policy dialogue will stimulate new thinking and bring out ideas from representatives of governments, academic institutions and think tanks, tech companies, and civil society, from both regions.

At the same time, the discussion will generate a space to encourage and strengthen Transatlantic cooperation on the new social contract of digital governance in the framework of needed reforms of the multilateral system and will serve as a platform to establish a **Transatlantic Alliance for Digital Governance**. Besides, the policy discussion aims to discuss the creation of an initiative to monitor governments as well as companies in using AI and generate an AI Ethics Index at all levels.

Given the world health emergency experienced in the first months of the year related to the COVID-19 pandemic and its impact in all actors and spheres of life, digital technologies, and artificial intelligence have been strong allies to face the situation in multiple dimensions (scientific, health, social, etc.). However, digital technologies also bring new challenges to address under these circumstances. New communication channels have contributed to the rapid spread of fake news about COVID-19, generating disinformation, increasing confusion and influencing society's perception, raising collective concern. On other occasions, the new tools used to track and face the virus could imply a violation of privacy rights.

	<p>The relevance of the topic leads us to include a global health security component to the Policy Lab, analyzing the implications of artificial intelligence and new technologies in this regard, as well as the response of governments, international organizations, companies and society, where the situation has demonstrated that a Social Contract on digital governance and the renewal of multilateralism and global cooperation mechanisms are more necessary than ever.</p>
<p><b>Objectives:</b></p>	<ul style="list-style-type: none"> <li>• To help leaders from both sides of the Atlantic to engage technological companies as key stakeholders of digital governance while protecting the democratic mandate of public policy-makers.</li> <li>• To generate action-oriented analysis and policy recommendations to strengthen the role of the multilateral system in shaping a common digital governance, following the call for action of WLA – CdM’s 2019 Policy Dialogue on ‘Digital Transformation and the Future of Democracy’, and the Boston Global Forum’s (BGF) work on the AIWS Social Contract 2020 and AIWS Innovation Network (<a href="http://AIWS.net">AIWS.net</a>).</li> </ul>
<p><b>Activities:</b></p>	<p>The policy discussion will:</p> <ul style="list-style-type: none"> <li>• Offer a multi-stakeholder platform to stimulate innovative thinking in the new social contract on digital governance in the framework of Transatlantic cooperation.</li> <li>• Identify tasks/responsibilities in which each stakeholder can commit in order to shape a new social contract to build a common digital governance.</li> <li>• Formulate policy recommendations to: <ul style="list-style-type: none"> <li>– Build a new social contract on global digital governance, while protecting democratic mandate for public policy makers.</li> <li>– The renewal of the multilateralism system for digital governance, considering the role of new approaches as multistakeholderism.</li> </ul> </li> </ul>
<p><b>Expected results:</b></p>	<ul style="list-style-type: none"> <li>▪ <b>Output:</b> A final report containing actionable policy recommendations for policy-makers and multilateral organizations, informed by best practices and innovative approaches from both sides of the Atlantic to build a new social contract on digital governance.</li> <li>▪ <b>Outcome:</b> Leaders from both sides of the Atlantic will be better equipped to develop and implement policy-making processes that engage technological companies, civil society organizations, citizens and AI assistants as key stakeholders of digital governance while protecting the democratic mandate of public policy-makers.</li> <li>▪ <b>Impact:</b> Public policy for global digital governance will be developed through inclusive, transparent and fair processes in the framework of a renewed multilateral system.</li> </ul>
<p><b>Timescale:</b></p>	<p>The Policy Lab on <i>Transatlantic Approaches on Digital Governance: A New Social Contract on Artificial Intelligence</i> will take place in September 16-18, 2020 in a virtual format.</p> <p>In order to move forward with the activity, the previous months, WLA-CdM and the BGF will develop a series of online policy discussions to fuel de dialogue and recommendations to the event in September.</p> <p>A follow-up policy discussion will be held in Europe, at a date yet to be determined.</p>

<p><b>About WLA-CdM</b></p>	<p><a href="#">World Leadership Alliance-Club de Madrid (WLA-CdM)</a> is the largest assembly of political leaders working to strengthen democratic values, good governance and the well-being of citizens across the globe.</p> <p>As a non-profit, non-partisan, international organisation, its network is composed of more than 100 democratic former Presidents and Prime Ministers from over 70 countries, together with a global body of advisors and expert practitioners, who offer their voices and agency on a pro bono basis, to today's political, civil society leaders and policymakers. WLA-CdM responds to a growing demand for trusted advice in addressing the challenges involved in achieving democracy that delivers, building bridges, and promoting dialogue for the design of better policies for all. This alliance, providing the vast experience, access and convening power of its Members, represents an independent effort towards respect of rule of law, sustainable development, inclusion and peace, not bound by the interest or pressures of institutions and governments.</p>
<p><b>About Boston Global Forum</b></p>	<p><a href="#">Boston Global Forum (BGF)</a>, based in Boston, Massachusetts, was founded to bring together thought leaders and experts from around the globe to participate in open public forums to discuss and illuminate the most critical issues affecting the world at large.</p> <p>BGF's principal mission is to provide an interactive and collaborative world forum for identifying and developing action-based solutions to our most profound problems.</p> <p>BGF's method is to host gatherings of thought leaders and experts to identify and dissect the most pressing societal concerns, and then to propose creative and practical solutions.</p>

## 1. Rationale

The global spread of the new corona-virus disease has forced governments, citizens and businesses around the world to respect new norms of social distancing and turn to digital technologies for an ever greater share of their daily activities. Digital technologies are rapidly transforming society, and this change is accentuated with unexpected and disruptive situations such as this global public health emergency.

Critical infrastructures of all kinds, from telecommunications to medical devices and financial services, increasingly rely on digital and artificial intelligence systems developed and operated by a small number of large technological companies.

In the medicine field, tech has a history of helping the medical industry and, therefore, to Governments to track and treat threats such as viruses spreads. With the COVID-19 rapid outbreaks, the digital health community release a slew of new tools aiming to monitor the spread of the disease and facilitate better treatment: digital epidemiology tools, chatbot helpers, Electronic Health Record (EHR) guidance tools, the rapid response test kits, use of robots to disinfect hospitals, deliver medical supplies and develop vaccines, among others. These tools have been useful both to make diagnoses as well as to help decongest overcrowded health systems and slow the transmission limiting human contact<sup>1</sup>.

The technical complexity of digital technologies, coupled with the concentration of digital markets in the hands of a relatively small number of corporate giants, gives these an unprecedented leverage over public policy-making processes aimed at governing the digital environment in all disciplines, both nationally and internationally.

<sup>1</sup> <https://www.mobihealthnews.com/news/roundup-techs-role-tracking-testing-treating-covid-19>

While the benefits of inclusive consultations in public policy-making have long been acknowledged and promoted by democracy advocates the world over, the UN Secretary-General's High-level Panel on Digital Cooperation, in its June 2019 [report](#), recommends to push inclusion one step further by adopting a multistakeholder approach to digital policy making. International digital cooperation, it asserts, cannot be led exclusively by governments through multilateral efforts; it also requires cooperation structures that involve other stakeholders such as technological companies, civil society, academics and technology specialists to address the social, ethical, legal and economic impact of digital technologies in order to maximize their benefits and minimize their harm.

During the COVID-19 global spread, for example, technology powered by AI has been useful to track the outbreak using mobile phone satellite technology and to monitor citizens' isolation in different countries. However, mass tracking of citizens' movements and contacts, as well as the collection, use and disclosure of personal data as a COVID-19 response measure may pose a violation of privacy. In this context, using or misusing data may pose risks to individual liberty or security. At this point, when in several countries extraordinary measures have been taken on this, there remains a risk that some of these measures will stay even after the situation improves.

The rapid deployment and decentralization of new technologies and artificial intelligence beyond the control of States, as well as the digital interdependence in this globalized world, presents itself as a current global challenge. It involves a division of responsibility that leads to a sweeping set of interrelated challenges for governments and the multilateral system and requires the articulation of collective responses at all levels.

The global health emergency demonstrated that to face global problems, global responses are needed starting through coordinated actions at the national level, because challenges as the novel corona-virus respect no borders. In this regard, the imperative to build communities in which all individuals have a sense of shared responsibility, and the importance of a multilateral system capable of addressing global challenges, were all put in evidence by the COVID-19 crisis.

The use of emergency powers in democracies has shown growing inclusion of relevant stakeholders, including technology companies, in facing and solving common problems. The spread of Coronavirus brought about a radical change in the way of life of society as a whole. Home-office, online learning, virtual events and meetings, have reshaped the way citizens work, live and communicate but also have provided alternative options in the interest of global public safety, making the role of digital technologies and artificial intelligence even more relevant.

Tech giants such as Facebook, Amazon, and Google have not been left out of this global problem and, as each sector of society, have taken responsibility on it. Actions as meeting with the WHO to talk about their role in combating the spread of disease and misinformation, show the progress as well as the need for a multilateral and multi-stakeholder response to solve global challenges.

The practice of multistakeholderism is not new. Multistakeholder initiatives have been burgeoning for over two decades, particularly in areas related to standard setting. In the digital sphere, examples of long-standing multi-stakeholder initiatives include the Internet Engineering Taskforce (IETF), which has been setting technical standards related to internet protocols since 1986, and the Internet Corporation for Assigned Names and Numbers (ICANN), which has been managing the global domain name system since 1998. More recently, various national and international public bodies have also permanent multistakeholder structures to advise them on digital policy, such as the UN Secretary-General's Multistakeholder Advisory Group tagged to the Internet Governance Forum.

Multistakeholderism, however, poses fundamental questions related to the core principles of democracy. By devolving to private actors important functions within the public policy-making process, multistakeholderism casts a shadow of doubt over the ability to deliver policy that meets the best public interest. While democratic governments are formed through representative systems and held in check by public accountability mechanisms, most participants in multistakeholder initiatives are motivated by private interests and free from any obligation of accountability to the broader community. The composition of multistakeholder initiatives – generally limited to a small sub-set of all the physical and legal persons who may have stakes in an issue – also gravely limits their ability to represent the whole spectrum of views that may exist among the public, resulting in less inclusivity than may have been achieved through alternative approaches to inclusive policy-making.

Yet, for digital governance, the unavoidability of engaging technological companies in policy-making remains. Their economic power, technical know-how and ability to innovate not only gives them leverage over public authorities, but also puts them in a privileged position to develop solutions that use more digital technology to address the policy challenges posed by digital technology. Democratic governments and multilateral organizations based on member Member States' decisions and policy-making, therefore, are confronted with the challenge of redesigning public policy-making processes for digital governance in such a way as to constructively engage technologies companies while protecting the democratic mandate of public policy-makers.

The WLA – CdM's 2019 'Call to Action' to promote a democratic approach to Digital Transformation and the Future of Democracy, developed during WLA – CdM's 2019 Annual Policy Dialogue and supported by its Members, invites world leaders to take proactive action to frame the development of digital technologies in an inclusive, fair and rights-based legal, political and social framework.

What role is there for technological companies in democratic policy-making? Is multistakeholderism, despite its democratic limitations, the lesser of all evils in digital governance? Or are alternative approaches to inclusive policy-making more likely to deliver effective policy that meets the best public interest? How to balance the different sources of power to build a new social contract on AI and digital governance? How to guarantee fundamental rights such as privacy in this context of collect and spread of information and using smart tools?

And on global level, is the proliferation of multistakeholder initiatives a sign of weakening of the multilateral system, or can it rather strengthen its capacity to act on digital matters? How to build an effective digital global cooperation between key stakeholders? What are the flaws and vulnerabilities in global health governance that have been exposed in the COVID-19 crisis and what are the solutions? How we can learn about the COVID-19 situation to prevent the misuse of digital technologies in fields as disinformation?

Answering these fundamental questions requires a thorough understanding of the practical application of democratic principles and a broad perspective over the workings of public policy making in democratic systems. WLA – CdM Members, who are all democratic former Heads of State or Government, are in a unique position to provide such perspective, building on their individual and collective experience of inclusive approaches to public policy-making. This project proposes to bring them together with a variety of stakeholders from the digital community –technological companies, civil society organizations, academics and public policy specialists – to shed light on these issues.

In this context, the **Boston Global Forum** – a leading convener of open public discussions gathering thought leaders and experts from around the globe - is a partner of choice. Its initiative on a new Social Contract in the Digital Age brings the idea to merge governments, citizens, technological companies, civil society organizations, digital assistants and multilateral organizations with the aim of promoting a balance of power, rights, obligations, and interests to achieve a common digital governance based on the principles of fairness, trust, transparency, and accountability.

Contrasting the North American and European experiences, where digital policy-making is most dynamic, should allow for the formulation of recommendations for national leaders and policy-makers based on best practices and the most innovative ideas to build a new social contract on artificial intelligence and digital governance, which in turn serves to strengthen the role of the multilateral system in this area, making a special contribution to its role in times of global crisis.

## 2. Objectives

In line with their common commitment to inclusive public policy making, the WLA-CdM and Boston Global Forum propose to support national leaders and public policy-makers from both sides of the Atlantic to identify ways of **engaging technological companies** as key stakeholders of digital governance while **protecting the democratic mandate that underpins public policy-making**. In this framework, conclusions and recommendations will also serve as inputs to strengthen the **new social contract for artificial intelligence and digital governance**, as well as **the role of the multilateral system** on these themes, harmonizing multilateralism and multistakeholderism approaches, and developing ways of using each to reinforce the effectiveness of the other.

## 3. Activities / Methodology

The policy discussion will start with a series of online policy roundtables to address various specific issues that conform the Policy Lab's agenda.

In September, the policy discussion will be held in a virtual format over a three-day period between the 16<sup>th</sup> and the 18<sup>th</sup> of September.

The Policy Lab will analyse current challenges to digital governance from a transatlantic perspective and in a multi-stakeholder setting, drawing on the keen, political acumen of WLA-CdM Members and offering actionable policy recommendations on crafting the policy framework that accelerated digital transformation and artificial intelligence demand.

## 4. Follow-up

As a result of the Policy Lab, a report will be prepared with conclusions and policy recommendations on the issues addressed at the online roundtables and in the virtual plenaries sessions. This exchange and its output will, in turn, fuel discussions in WLA-CdM's Annual Policy Dialogue, on '*Multilateralism that Delivers*', to be held at the end of October and where Digitalization in Multilateralism, particularly in the COVID-19 context, will be one of the main subthemes addressed.

A second policy discussion will be held in Europe in a date to determine. After this event, a final report will be prepared.