POLICY LAB FUNDAMENTAL RIGHTS IN AI & DIGITAL SOCIETIES:
TOWARDS AN INTERNATIONAL ACCORD

Club de Madrid and Boston Global Forum

7-9 September 2021

FINAL REPORT

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Final Report

## 1. Background

Since its foundation, **Club de Madrid (CdM)** has worked for the strengthening of democracy through the experienced voice and agency of its Members, democratic former Presidents and Prime Ministers from around the globe. CdM has also been working to promote a strengthened multilateral system that provides global solutions to global challenges through inclusive cooperation that leaves no one behind.

Digital transformation is one of the global challenges on which CdM and the **Boston Global Forum (BGF)** have been working for a few years. With social norms potentially compromised by the velocity of digitalization, artificial intelligence and social media, and gaps in the rules-based multilateral trading system generating trade and technology tensions between States, both organizations found that a foundational, norm-setting initiative was imperative to ensure **we manage digitalization before it manages us.**

The digitalization process is rapidly altering the panorama for fundamental rights around the world. Digital technologies and artificial intelligence (AI) create new opportunities for the enjoyment of human rights, as well as new threats to their protection. They also bring about new concepts of rights and obligations, directly arising from the relationship between citizens and technology.

Governing this transformation, with the protection of fundamental rights as a central objective, requires a new approach to public policy, in line with the systemic changes occurring in society, the economy and international relations. While there have been attempts to articulate principles for an approach to the governance of digital societies based on the protection of fundamental rights, **the international community has yet failed to define and adopt a common framework.**

With the invaluable support of **NovaWorld Phan Thiet** and partnership of the BGF, CdM seeks to contribute to **global consensus-building around a rights-based agenda for the governance of digital societies.** This initiative will feed into the work of the <u>AI World Society</u>, an innovation network created by BGF to put forward new principles for governance in the age of AI. In partnership with UN Academic Impact, BGF and the AI World Society have launched the <u>UN Centennial Initiative</u>. Its *core is the e-book "Remaking the World – Toward an Age of Global Enlightenment"*, for which they will continue to develop and promote models for a *Social Contract for the AI Age* and an *AI International Accord*, using the <u>AIWS City</u> as a sandbox to put their ideas into practice.

Over 2021-2025, CdM will feed into these efforts by convening annual policy discussions of different sizes and scopes, combining general reflections on fundamental rights in the age of AI together with more issues-based policy discussions around specific areas where digital technologies and AI are being deployed.

## 2. Policy Lab on Fundamental Rights in AI & Digital Societies: Towards an International Accord

In this context, CdM in partnership with BGF organized a Policy Lab on *Fundamental Rights in AI & Digital Societies: Towards an International Accord* in September 2021. Multistakeholder discussions aimed to build consensus around a rights-based agenda for the global governance of AI and digital societies, focusing on the following topics:

- Opportunities and threats for fundamental rights in AI & digital societies.
- Transatlantic approaches to protect fundamental rights in AI & digital spaces.

- The elements & processes for an international legal framework to protect fundamental rights in AI & digital spaces
- The Concept, Principle and Ecosystem for Digital and AI Society – "Remaking the World, Toward an Age of Global Enlightenment".
- The Global Alliance for Digital Governance
- A framework for a global law and accord on AI and digital tools

The Policy Lab followed the work initiated by both organizations on the implications of digital technologies and AI for democracy, global cooperation and multilateralism, with a particular focus on the Transatlantic space, and based on the progress of the AIWS Social Contract 2020 (Social Contract for the age of AI) and AIWS Innovation Network (AIWS.net).

The anchor of the discussions was a vision for a human-centered digital age. Policymakers around the world and at all levels of government are becoming more convinced of the need to ensure that digital technologies and AI serve the people. CdM and BGF partnered to narrow this gap between the digital and policy-making through a multi-stakeholder discussion that harnessed the political experience and insights of ten CdM Members, current political leaders, representatives from business, academia and other high-level experts.

## 3. Activities and methodology

The Policy Lab was held as a **three-day online event** from **7 to 9 September 2021.**

During these three days, participants reflected on the intersection of digital technologies, fundamental rights and global governance, analyzing the challenges and opportunities for the global community to agree on a basic set of principles to protect and promote fundamental rights in AI and digital societies.

The Policy Lab was divided into **keynotes**, and **plenary discussions** in a multi-stakeholder setting and as an integrated event production. This meant that the speakers and participants – regardless of their location – were virtually connected by an online platform.

### 3.1. Sub-Committees

During the months leading up to the Policy Lab, three **Sub-Committees** analyzed the **opportunities and threats for fundamental rights in AI and digital societies**; **Transatlantic approaches to protect fundamental rights in AI and digital spaces, and the elements and process for an international legal framework to protect fundamental rights in AI and digital spaces,** with the Concept and Ecosystem for Digital and AI Society – "Remaking the World, Toward an Age of Global Enlightenment", and the Global Alliance for Digital Governance as cross-cutting themes.

The Sub-Committees were multidisciplinary teams composed of CdM Members – democratic former Heads of State and Government - as well as experts from governments, international organizations, civil society, academia, the private sector, and decision-makers.

Based on the analysis of the status and current existing frameworks in the three key issues abovementioned, Sub-Committees prepared **briefing issues papers** in each field, and formulated preliminary, actionable policy proposals that fueled the *Policy Lab's Plenary I: Setting the context for a rights-based international accord*. These Briefing Issues Papers are included as annexes to this Report.

Participants in each Sub-Committee were:

## Sub-Committee 1: Opportunities and threats for fundamental rights in AI and digital societies

Sub-Committee leader: **Paul Twomey**, Fellow and Core Theme Leader at the Global Solutions Initiative; Distinguished Fellow at the Centre for International Governance Innovation; Commissioner of the Global Commission for Internet Governance and former CEO of the Internet Corporation for Assigned Names and Numbers (ICANN)

Sub-Committee members:

- **Hanna Suchocka**, Member of Club de Madrid, Prime Minister of Poland (1992-1993)
- **Sean Cleary**, Advisor of Club de Madrid, Executive Vice-Chair of the FutureWorld Foundation, Member of the Carnegie Council's Artificial Intelligence & Equality Initiative's Board of Advisors
- **Thomas Patterson**, Research Director of The Michael Dukakis Institute for Leadership and Innovation, Professor of Government and the Press of Harvard Kennedy School
- **Gregor Strojin**, Chair of the Council of Europe's Committee on Artificial Intelligence (CAHAI)
- **Jutta Treviranus**, Professor and Director of Inclusive Design Institute at the Ontario College of Art & Design (OCAD)

## Sub-Committee 2: Transatlantic approaches to protect fundamental rights in AI and digital spaces

Sub-Committee leaders:

- **Jerry Jones**, Advisor of Club de Madrid, Executive Vice-President, Ethics and Legal Officer, Live Ramp
- **Véronique Choquette**, Senior Policy & Programme Development Advisor at Club de Madrid

Sub-Committee members:

- **Zlatko Lagumdžija,** Member of Club de Madrid, Prime Minister of Bosnia and Herzegovina (2001-2002)
- **Irene Braam,** Executive Director, Bertelsmann Foundation North America
- **Manuel Muñiz,** Provost of IE University, Dean of IE School of Global and Public Affairs, Former Secretary of State for Global Spain at the Spanish Foreign Ministry

## Sub-Committee 3: The elements and process for an international legal framework to protect fundamental rights in AI and digital spaces, towards an AI international accord.

Sub-Committee leader: **Paul Nemitz,** Principal Advisor in the Directorate General for Justice and Consumers of the European Commission

Sub-Committee members:

- **Danilo Türk,** President of Club de Madrid President of Slovenia (2007-2012)
- **Nazli Choucri,** Boston Global Forum Board Member and Professor of Political Science at the Massachusetts Institute of Technology (MIT)
- **Eva Kaili,** Member of EU Parliament

## 3.2. Plenary sessions

Danilo Türk, President of Club de Madrid, President of Slovenia (2007-2012) and Governor Michael Dukakis, Chairman of the Michael Dukakis Institute for Leadership and Innovation & Co-Founder of the Boston Global Forum, opened the Policy Lab.

Following the opening session, Robin Kelly, Member of the U.S. House of Representatives from Illinois's 2nd district, gave the **Keynote Speech** focused on a **human-centered digital age.**

The Policy Lab had **six plenary sessions** with the following titles and objectives:

### Plenary I: Setting the context for a rights-based international accord

Plenary I aimed to define the current context and opportunities for change, proposing solutions and recommendations to governing digital transformation, with the protection of fundamental rights as a central objective.

The three Sub-Committees' insights and the ensuing panel referred to the three main topics addressed in the Sub-Committees:

- Opportunities and threats for fundamental rights in AI & digital societies
- Transatlantic approaches to protect fundamental rights in AI & digital spaces
- Elements & processes for an international legal framework to protect fundamental rights in AI & digital spaces

Participants in Plenary I were as follows:

Sub-committees' Insights:

- Paul Twomey, Fellow and Core Theme Leader at the Global Solutions Initiative; Distinguished Fellow at the Centre for International Governance Innovation; Commissioner of the Global Commission for Internet Governance and former CEO of the Internet Corporation for Assigned Names and Numbers (ICANN)
- Jerry Jones, Advisor of CdM, Executive Vice-President, Ethics and Legal Officer, Live Ramp
- Paul Nemitz, Principal Advisor in the Directorate General for Justice and Consumers of the European Commission

Facilitator: Véronique Choquette, Senior Policy & Programme Development Advisor at Club de Madrid

Panel discussion

- Hanna Suchocka, Member of Club de Madrid, Prime Minister of Poland (1992-1993)
- Kim Campbell, Member of Club de Madrid, Prime Minister of Canada (1993)
- Paul Twomey, Fellow and Core Theme Leader at the Global Solutions Initiative; Distinguished Fellow at the Centre for International Governance Innovation;

Commissioner of the Global Commission for Internet Governance and former CEO of ICANN

- Jerry Jones, Advisor of Club de Madrid, Executive Vice-President, Ethics and Legal Officer, Live Ramp
- Paul Nemitz, Principal Advisor in the Directorate General for Justice and Consumers at the European Commission

## Plenary II: Regional perspectives and models for the governance of AI and digital societies

Plenary II analysed the most relevant points of the regional proposals and other models that could serve as a basis to advance in the elaboration of a rights-based international agreement on digital technologies and AI. In addition to the dominant and much-discussed EU and US approaches to AI and digital technologies, this session also expanded the reflections to other regions of the world, looking at how different parts of the geopolitical puzzle could play out for the democratic rights-based governance of AI and digital societies.

Participants in Plenary II were as follows:

Panel discussion

- Kevin Rudd, Member of Club de Madrid, Prime Minister of Australia (2007-2010, 2013), (video-message)
- Iveta Radičová, Member of Club de Madrid, Prime Minister of Slovakia (2010-2012)
- Irene Braam, Executive Director, Bertelsmann Foundation North America
- Nanjira Sambuli, Fellow in the Technology and International Affairs Program at The Carnegie Endowment for International Peace
- David Bray, Director of GeoTech Center and GeoTech Commission, Atlantic Council
- Manuel Muñiz, Provost of IE University, Dean of IE School of Global and Public Affairs, Former Secretary of State for Global Spain at the Spanish Foreign Ministry
- Marcelo Cabrol, Manager of the Inter-American Development Bank (IDB) Social Sector

Facilitator: Ramu Damodaran, Co-Chair of the United Nations Centennial Initiative

## Plenary III: Current frameworks and agreements for AI International Accord (AIIA)

Starting from analysing strategies at the local, national and multilateral level, Plenary III discussed the key points that would allow policy-makers and decision-makers to put technology at the service of people, assessing the essential elements of current strategies to advance towards an AI international accord. The Framework for AIIA that appears in Annex V, proposes a set of measures addressed to actors and entities for immediate review, assessment, refinement, and adoption by the international community.

Participants in Plenary III were as follows:

Lead speaker: Cameron Kerry, Former Acting Secretary of the U.S. Department of Commerce

Panel discussion

- Danilo Türk, President of Club de Madrid President of Slovenia (2007-2012)
- Doris Leuthard, Member of Club de Madrid, President of the Swiss Confederation (2010 and 2017)
- Nazli Choucri, Boston Global Forum Board Member and Professor of Political Science at the Massachusetts Institute of Technology (MIT)
- Gabriela Ramos, Assistant Director-General for the Social and Human Sciences of UNESCO
- Jutta Treviranus, Professor and Director of Inclusive Design Institute at the Ontario College of Art & Design (OCAD)
- Carlos Santiso, Director of Digital Innovation in Government Directorate at Development Bank of Latin America – CAF

Facilitator: Véronique Choquette, Senior Policy & Programme Development Advisor at Club de Madrid

## Plenary IV: A Global Alliance for Digital Governance

The rapid deployment and decentralisation of new technologies and AI beyond the control of States and digital interdependence in this globalised world have led to a sweeping set of interrelated challenges that requires a division of responsibility and the articulation of collective responses in all sectors and levels.

In this context, Plenary IV analysed ways to coordinate resources between governments, international organisations, corporations, think tanks, civil society, and champions on AI and digital governance to build a peaceful, secure, prosperous, and human-centred world in the age of AI and digitalisation, aimed at moving forward to a Global Alliance for Digital Governance.

Participants in Plenary IV were as follows:

Lead speaker: Eva Kaili, Member of EU Parliament

- Aminata Touré, Member of Club de Madrid, Prime Minister of Senegal (2013-2014)
- Nguyen Anh Tuan, CEO of the Boston Global Forum
- Vilas Dhar, President and Trustee of the Patrick J. McGovern Foundation
- Donara Barojan, Co-founder and CEO of Polltix

Facilitator: John Quelch, Dean of the University of Miami Herbert Business School

## Plenary V:  The United Nations Centennial Initiative: The Practice of Fundamental Rights in AI & Digital Societies

Plenary V was based on the United Nations Centennial initiative, launched by the BGF and the United Nations Academic Impact (UNAI) in 2019 as the United Nations planned to mark its 75th anniversary the following year. The initiative brought into its fold some of the finest minds of our times as they sought to anticipate the world, and the United Nations, in 2045, the year of the organization's centennial. The core concepts of the initiative are reflected in the book "Remaking the World: Toward an Age of Global Enlightenment"; these include the idea of a social contract for the Artificial Intelligence (AI) age, a framework for an AI international accord, an ecosystem for the "AI World Society" (AIWS) and a community innovation economy. Some of these ideas

have already begun to be put into practice, including a Global Alliance for Digital Governance and the evolution of an AIWS City being developed by NovaWorld in Phan Thiet, Viet Nam.

Following the work started by BGF and UNAI, Plenary V identified ideas that could support the UN effort to maintain international peace and security, examining pressing issues surrounding technology on these matters, including AI, cybersecurity, diplomacy, and other concerns that affect the defence and promotion of fundamental rights in the digital sphere.

Participants in Plenary V were as follows:

Lead speaker: Ramu Damodaran, Co-Chair of the United Nations Centennial Initiative

Panel discussion:

- Vaira Vike-Freiberga, Member of Club de Madrid, President of Latvia (1999-2007)
- Kyriakos Pierrakakis, Minister of State and Digital Governance of Greece, Chair of the Global Strategy Group, OECD
- Thomas Patterson, Research Director of the Michael Dukakis Institute for Leadership and Innovation, Professor of Government and the Press of Harvard Kennedy School
- Sean Cleary, Advisor of Club de Madrid, Executive vice-chair of the FutureWorld Foundation, Member of the Carnegie Council's Artificial Intelligence & Equality Initiative's Board of Advisors
- Tran Dinh Thien, Professor and Senior Advisor to Vietnamese Prime Minister

Facilitator: David Silbersweig, Chairman, Department of Psychiatry and Co-Director for Institute for the Neurosciences, Brigham and Women's Hospital, Harvard Professor

## Plenary VI: Building safer, equitable and trustworthy AI and digital societies: The AI International Accord (AIIA)

After examining and analysing the existing principles, values and standards related to digital technologies and AI, Plenary VI analysed whether current conditions allow for progress towards a rights-based international framework that fits the AI and digital era and which would be the more effective way to that end.

Participants in Plenary VI were as follows:

Lead speaker: Alex 'Sandy' Pentland, Director, MIT Connection Science and Human Dynamics labs, "Making the New Social Contract Work"

- Zlatko Lagumdžija, Member of Club de Madrid, Prime Minister of Bosnia and Herzegovina (2001-2002)
- Esko Aho, Member of Club de Madrid, Prime Minister of Finland (1991-1995)
- Gregor Strojin, Chair of the Council of Europe's Committee on Artificial Intelligence (CAHAI)
- Karine Caunes, Global Program Director, Center for AI and Digital Policy (CAIDP)

Facilitator: William Hoffman, Head of Data-Driven Development, World Economic Forum

Finally, Nguyen Anh Tuan, CEO of the Boston Global Forum, Director of the Michael Dukakis Institute for Leadership and Innovation and María Elena Agüero, Secretary General of Club de Madrid, gave the closing words and next steps.

## 4. Key conclusions

- There is no doubt that digital technologies, and AI, in particular, have, for better or for worse, generated a revolution for fundamental rights. Building an international agreement on digital governance has complexities and the global policy and geopolitical environment plays a key role in facilitating or limiting the construction of this agreement.

- Common democratic values such as **respect and promotion of human rights, and the rule of law** are crucial to underpinning digital policy as an essential starting point to move towards that agreement.

- Challenges such as AI and data governance that **domestic frameworks** cannot address alone are crucial points on which we must focus. From there, we can start with small but important steps to build a culture of agreement on digital issues – with a premium on the **Transatlantic space**, that has the advantage of **shared values.**

- In a field where so much is yet to come, we are convinced that **international cooperation for Artificial Intelligence and digital technologies** is an opportunity to write the **rules together.** The Framework for AI International Accord, a part of the e-book "Remaking the World – Toward an Age of Global Enlightenment", presented at this Policy Lab is a significant start for this goal.

- We need some internationally agreed fundamental rules or norms to guide the development of technologies; we cannot anticipate to protect rights we do not fully comprehend; and the efforts that already exist are essential to continue working on the objective that gathered us these three days. It will be a challenging process, because of the variety of values and approaches that are emerging in different parts of the world, but there is common ground to be found. And to that end, **making principles operational** and integrating a **variety of stakeholders** representing countries and communities in all their diversity, including inter-generational differences is needed.

- Many of the issues discussed intersect with the **crucial work the UN is both doing and planning to do**, under the leadership of **Secretary-General Guterres**, to maintain **international peace and security, and support the achievement of the SDGs**. AI, cybersecurity, diplomacy, and development – not least social development – all relate to defense and promotion of fundamental rights in the digital sphere. It is our aim that our recommendations, the United Nations Centennial Initiative, and the book **"Remaking the World – Toward an Age of Global Enlightenment**" support *'Our Common Agenda'* and, particularly, the **Global Digital Compact** proposal.

- There is no lack of goodwill and effort to build an AI framework on which different actors – governments, local governments, and non-government actors can agree. The [UNESCO Recommendation on the Ethics of Artificial Intelligence](#) is a promising step in the right direction.

- We have also established a **Global Alliance for Digital Governance** that includes relevant stakeholders -governments, private sector, academia, civil society, international

organizations- to reduce the digital field's development gaps and bring communities together, thus contributing to the United Nations Centennial Initiative.

- We agreed on the need for a **new social contract** that takes digital transformation into account. To build a social contract suited for the digital age, going beyond traditional allies and reach out to those who think differently is crucial. The [Social Contract for the AI Age](#) is a recognized tool and will be fundamental for the Age of Global Enlightenment.

- Throughout this process of reflection, **trust** is essential and to obtain that we would need to build on security, privacy, reliability and fairness as crucial pillars that will promote digital technologies as a tool to serve inclusive societies.

- Protecting access to **information, education** and **digital literacy** and finding a balance between freedom of speech and the imperative to have a **common truth** will allow progress on drafting common rules on AI.  In this regard, the AIWS City will be a practical model for addressing this issue.

- It is tough to craft legislation and rules for technologies that are not yet being used, so we need a **risk-based approach** to digital governance. In the case of AI, this approach will help to elaborate some of the requirements for its  design, development and application phases.

- *Ex ante* and *ex-post* **regulation are not incompatible**. We need both to better govern digital. *Ex ante* regulation will allow institutions to provide guardrails for rights, including data rights, in the deployment of AI systems. *Ex post* regulation will allow AI systems to be audited. In this regard, we agreed **accountability** is a fundamental consideration in the deployment of AI technologies. We need to be able to explain how AI systems reach the decisions they reach and will allow us to work to stop the dynamics of discrimination, exclusion and inequalities that are being replicated and amplified by AI technologies. The **Global Alliance for Digital Governance** can be a significant movement for this mission.

- The **Community Innovation Economy** concept was introduced during the Policy Lab as a tool that empowers citizens to create value for themselves, for others, and for society through the application of AI, digital, block chain, and data science technologies. It is a sharing ecosystem that rewards both the creators and users of these technologies, as well as an ecosystem that encourages everyone to innovate.

- Despite the existing gaps in the regulation of digital technologies and their use, they have been fundamental **tools of resilience** during the COVID-19 pandemic and we must not forget their benefits.

- Finally, we would like to mention that many of the discussions of the six Plenaries highlighted the significant contributions of the e-book, "[Remaking the World - Toward an Age of Global Enlightenment"](#), published by the UN Centennial Initiative and the Boston Global Forum.

## 5. Next Steps

- This Policy Lab is a starting point of a 5-year initiative in which we propose to steer global conversations on fundamental rights in digital societies, to build bridges between

countries, regions and communities of practices, and identify a path to consensus around a rights-based agenda for the governance of AI and digital technologies.

- In Club de Madrid **Annual Policy Dialogue** which this year will focus on **'Rethinking Democracy: A Global Agenda for Democratic Renewal'** and will take place from the **27 to 29 October**, we will again look at the challenge of digital technologies and artificial intelligence, but focusing on the **new information ecosystem** increasingly driven by digital platforms and how to build democratic approaches to reconcile truth, trust and freedom in this ecosystem.

- Policy Lab conclusions, will feed into our October Policy Dialogue when we will again be partnering among others with the Boston Global Forum, its renowned scholars and the Global Alliance for Digital Governance, which will serve to coordinate with distinguished leaders, strategists, thinkers, and innovators, the creation of a Global Law and Accord on AI and Digital, and contribute concepts for a mechanism that has enough power to enforce them.

- Recommendations will be disseminated within both **national governments** and **multilateral decision-makers** and, in this way, feed into the most relevant political processes related to the governance of the digital transformation. They will also be incorporated into the 5-year plan of the CdM-BGF project framework.