Commission on the Digital Economy

MEETING SUMMARY

Meeting on 4 May 2022, 14:00-17:00 (Paris time - UTC+1).

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1. Opening session

The meeting was opened by **Carlos Lopez Blanco, Chair of the ICC Global Digital Economy Commission (DEC).** In his introductory notes, Carlos noted how the DEC's priorities and work plan should build on global events and agendas influencing businesses and the thinking of decision-makers on digital policy matters. Recalling latest global developments, Carlos reflected on the impact of the COVID-19 pandemic and the war in Ukraine, on globalization, free trade, and the state of multilateralism today.

In this challenging context, he stressed the importance of ICC's mission and the related agenda of the DEC. Significantly, he highlighted that the Commission will keep promoting the development of a global, open, secure, trusted and inclusive digital economy under the three priority focus areas: connectivity and access, cybersecurity, and data governance.

Following Carlos' introductory remarks, **Andrew Wilson, ICC Global Policy Director**, shared the latest updates within ICC's Global Policy Department. He noted how the successful implementation of the new standardized governance model works to ensure an effective foundation and uniformity of practices across the various commissions. The renewal of the leadership teams in several commissions resulted in the appointment of 35 new Chairs and Vice-Chairs increasing diversity across genders, geographies, and industries.

The enhancement of corporate engagement within the network, and the focus on a work plan that delivers distinct value to ICC members, have started to show very positive results. Significantly, compared to the previous year, membership went up by a quarter and ICC's media profile on public policy issues increased threefold.

Recalling Carlos' statements, Andrew highlighted the absolute imperative for ICC – as the voice of the global private sector – to lead the debate on the challenging future of globalization and global trade as well as the role and responsibility of business in society.

2. Commission workplan and next steps

In the first part of the meeting, participants discussed the progress of the Commission's work plan and priorities. Initially, **Timea Suto, ICC Global Digital Policy Lead** presented the Commission's **advocacy and engagement plan**, a multistep strategy based on (1) monitoring and engagement on policy issues of relevance and priority, (2) establishment of actionable recommendations, (3) multistakeholder endorsement, and (4) work towards a set of business indicators for a trustworthy and inclusive digital economy.

Under the guidance of DEC Working Group Leads Regional Ambassadors and National Committee representatives shared their perspectives on the Commission's latest work items and their relevance and shared updates from their region / country as context for future

work.This was followed by discussion and further input from Commission members on the agenda and next steps of the DEC's three Working Groups.

2.1. ICC Working Group on Cybersecurity

Rene Summer, Lead, ICC WG on Cybersecurity
Hossam Elgamal, ICC Global Digital Economy Commission Ambassador to Africa
Valeria Vinci, Legal Expert, ICC Italy
Ken-Ying Zeng, Partner of Lee and Li Attorneys-at-law, ICC in Taipei (ICC Taipei)

Since the publication of the ICC Policy Primer on Cybersecurity, the Working Group (WG) has launched two Issues Briefs. Rene delved into the latest: ICC Cybersecurity Issue Brief #2: Implementing norms and rules for responsible state behaviour in cyberspace and enhancing cooperation to counter cybercrime.

To follow up on this publication, the WG is:

  a. preparing an Annex to Issue Brief #2 on the upcoming United Nations Cybercrime Treaty and

  b. enhancing the implementation of norms through 'Cyber Development Goals (CDGs)'.

These additional papers and outreach will be leveraged in the two major UN processes the Working Group is actively participating in, thanks to ICC's UNGA observer status: the Ad Hoc Committee to Elaborate a Comprehensive International Convention on Countering the Use of Information and Communications Technologies for Criminal Purposes (AHC Committee on Cybercrime) and the Open-ended Working Group on security of and in the use of information and communications technologies (OEWG) respectively.

Offering perspectives and updates from the African region, Hossam emphasized the utility of Issue Brief #2 on building cybersecurity frameworks and encouraging political action. He highlighted existing challenges on the continent such as the lack of national security strategies or public-private collaboration, as well as hopeful opportunities for engagement and collaboration. He noted three main ongoing initiatives: the Policy and Regulation Initiative for Digital Africa (PRIDA), the West African Response on Cybersecurity and Fight against Cybercrime (OCWAR-C), and the AU Commission's-Global Forum on Cyber Expertise (GFCE) joining efforts by the Africa Computer Emergency Response Team (AfricaCERT). In the same vein, he highlighted the fact that the 17th Internet Governance Forum (IGF) will be taking place this year in Addis Ababa (Ethiopia). Valeria and Ken-Ying followed the conversation commenting on the added value of Issue Brief #2 from a national perspective. First, from the ICC Italy perspective, Valeria appreciated its contribution to the new Italian Cybersecurity Strategy, especially on the need to incorporate cross-sectoral perspectives to move in the compliance environment. Second, from the ICC Chinese Taipei perspective, Ken-Ying underlined the value of policy recommendations on cybersecurity implementation and cybercrime attribution issues.

Participants voiced the positive international welcome of the CDGs as a tool to develop a secure and safe cyberspace, especially in relation to the objectives and work of the OEWG. The Working Group will continue to develop the concept and provide additional details to the CDG framework with the aim of rallying the global multistakeholder community around these objectives. Participants noted the importance of considering cross-sectoral activities, enhancing the attribution of resources for cybersecurity, and working jointly to face cross-

border cybercrimes. They highlighted the importance of collaborating with like-minded initiatives of certain organisations such as the Steering Group on Cyber Security and Prosperity of Asia-Pacific Economic Cooperation (APEC), the Toolbox on Cybersecurity 5G of the European Union (EU), the Digital Development Partnership program of the World Bank or the work on Digital security of the Organisation for Economic Co-operation and Development (OECD).

Participants also stressed the importance of having a strong business voice in the conversations on cybercrime to inform the development of an International Convention, including the definition of cybercrime and the scope of the convention as well as procedural matters and safeguards. The Working Group is now starting a brainstorming and ideation phase to focus on gathering broad business perspectives on the topic that will inform ICC's positions and advocacy.

For action: Interested Commission members and National Committee representatives are:

➢ invited to join the ICC Working Group on Cybersecurity.

➢ strongly encouraged to participate in the brainstorming and ideation phase of the Group's work on cybercrime and comment on the draft Annex to IB#2 (attached);

➢ encouraged to contribute to the development of the CDGs and take leading roles in local/regional awareness raising and advocacy.

2.2. ICC Working Group on Data Governance

Carolyn Nguyen, Lead, ICC WG on Data Governance

Makoto Yokozawa, ICC Global Digital Economy Commission Ambassador to Asia

The session was opened by Carolyn stressing the fundamental role that data flows play in today's economy and in the pursuit of resilient economic growth to recover from the COVID-19 pandemic. In this context, the Working Group's focus on delivering robust business guidance and recommendations on creating data governance frameworks that promote data free flows with trust is all the more important. This work should be done in collaboration with other major business organizations (such as the Group's partnership with Business to the OECD) to maximize impact and influence.

Carolyn highlighted the Working Group's recently launched [White Paper on Trusted Government Access to Personal Data Held by the Private Sector](#) and proposed a related advocacy plan.

Significantly, this paper proposes a set of draft principles to encourage international agreement on compelled government access. These are based on the seven draft principles already in consideration by the OECD and offer additional perspectives for consideration, based on the research conducted by CFIEC, as presented by Makoto (for details see slides attached).

The proposed advocacy plan entails distilling these principles into a set of 7+1 (see slide 28) and engaging in a concerted communication campaign to:

1. raise awareness of the issue with both businesses and governments worldwide

2. rally the multistakeholder community in support of the 7+1 principles

3. work with the ICC National Committee network and likeminded business organizations to coordinate outreach to governments and international organizations working on the topic to maximize impact.

This plan is closely tied to a set of international events that act as milestones for the Working Group's deliverables and offer valuable opportunities for engagement.

Participants reviewed and approved this advocacy plan and expressed their willingness to play an active role in awareness raising and outreach, as well as in supporting ICC's involvement in the projected events such as the OECD Ministerial Conference on Digital Economy 2022 or the APEC Third Senior Officials' Meeting (SOM3), among others. They also suggested future deliverables on non-personal data issues and highlighted the importance of linking the work on trusted government access to the work of the Cybersecurity WG on cybercrime. Finally, there was wide agreement on the need to reach multistakeholder collaboration and engagement on the issue of data governance.

For action: Interested commission members and National Committee representatives are:

➢ invited to join the ICC Working Group on Data Governance.

➢ invited to provide feedback on the advocacy plan for the ICC White Paper and its proposed principles.

➢ strongly encouraged to take leading roles in regional or national outreach and awareness raising.

2.3. ICC Working Group on Connectivity and Access

Chris Wilson, Lead, ICC WG on Connectivity and Access
Diego Molano, ICC Global Digital Economy Commission Ambassador to South America

The conversation on this agenda item focused on the recently finalized ICC White Paper on Delivering Universal Meaningful Connectivity which established two basic principles for policymaking and three priority areas for improvement on the issue (see slide number 47). Providing background on the paper's development and plans for its advocacy, Chris highlighted the public launch of the paper that is planned for the High Level Week of the **WSIS Forum 2022** on May 30 during a workshop organized by ICC BASIS. Other opportunities for advocacy around the paper will follow during the year, such as the ITU WTDC 2022 and the IGF 2022.

Participants reviewed the paper providing insights based on regional experience. Diego's intervention shed light on the state of a connectivity in Latin America. He noted progress in delivering connectivity catalysed by the COVID-19 pandemic, but underlined the lack of political commitment within national agendas to tackle existing challenges and effectively advance on delivering universal meaningful connectivity. Importantly, participants highlighted the need to consider not only the extension of access, but the quality of connectivity. Finally, they suggested a link with related work in other for such as the OECD.

For action: Interested commission members and National Committee representatives are:

➢ invited to join the ICC Working Group on Data Governance;

➢ strongly encouraged to **share case studies** on delivering universal meaningful connectivity to help populate a repository to be annexed to the White paper and amplify outreach and impact, especially in national and regional context;

> ➢ encouraged to join advocacy efforts at the WSIS Forum 2022 and upcoming events.

3. Overview of related ICC activities

In the second part of the meeting, speakers shared brief updates on ongoing ICC initiatives linked to the work of the Digital Economy Commission.

Christiaan van der Valk, Vice Chair of the ICC Global Digital Economy Commission, updated on the ongoing work of the ICC Working Group on Continuous Transaction Controls. Particularly, he shared the successful delivery of the ICC Continuous Transaction Control (CTCs) Practice Principles which have already received extensive multistakeholder support and endorsement.

Charly Gordon, ICC Global Policy Lead, SMEs, gave an overview of a new project in partnership between the ICC Small Business Champions Network and the European Law Institute to produce a Data Management Guide for SMEs (attached). The Guide aims to provide small and medium-sized enterprises with tailored guidance that can help them unleash the full potential of data for their organisation and ensure that they become more active participants in the data economy.

For action: Interested commission members should reach to ICC Secretariat and to Charly Gordon. Commission members are:

> ➢ encouraged to flag any potential gaps in the current draft (shared by the ICC Secretariat) and provide further comments and suggestions to ensure that the document is both comprehensive and fit for purpose;

> ➢ particularly encouraged to provide a list of best practices targeted at SMEs on part (3) "How should you treat the data you control?"

Gabriel Petrus, Head of ICC Centres of Entrepreneurship (CoE), informed the participants of the ongoing work of the CoE which focuses on developing the world's largest, open and interconnected entrepreneurial ecosystem. Digitalization is transversal on its 10 CoE Hubs around the world, and Global Programmes.

For action: Interested commission members on partnering or contributing to the work of the CoEs should reach to ICC Secretariat and to Gabriel Petrus.

4. Conclusion and next steps

In concluding the remarks, ICC Secretariat invited members to share events, projects, and opportunities for outreach and promotion of the Commission's recent work. Follow-up meetings for the three thematic working groups will be scheduled during the week of 16 May. This will be an opportunity to include meeting feedback on the groups' work plans for the year.

The ICC Secretariat will aim to schedule the next meeting of the Commission for November 2022.