Quarterly Public Policy Report

auDA's Public Policy Report - October to December 2023

Research released in the quarter

auDA regularly commissions research about the internet and its impacts on the Australian community and economy. In the final quarter of 2023, we have published two major research reports.

In November 2023, auDA released its _Digital Lives of Australians 2023: Readiness for emerging technologies report_. The report found take-up of emerging technologies by Australian consumers and small businesses is limited, highlighting the need for greater education, affordability and fit-for-purpose regulations to reduce barriers to entry, build confidence and unlock benefits.

The report provides necessary insight to aid governments, business, industry and the education sector to tackle these contemporary challenges and support Australians to continue to access wide-ranging value from the internet and internet enabled technologies.

To launch the report, we hosted a webinar with experts providing their insights and discussing the practical implications of the report findings.

In December, auDA released its _Atlas of Australia Online 2023_ report that was conducted by League of Scholars in collaboration with researchers from CSIRO's Data61 and the University of Technology Sydney.

This auDA commissioned research builds on analysis of .au domain name registration data and geographic, economic, and technical information, and presents a contemporary atlas of Australia's online landscape mapping out digital business intensity and clusters of technological innovation. To find out more, watch the webinar.

In the first week of January 2024, auDA released _The Global Digital Compact: Lessons Learned from the Submissions of the Multistakeholder Internet Community report_ that was commissioned by auDA and conducted by Konstantinos Komaitis.

This report provides a high-level assessment of the submissions received by the UN Secretary-General in response to his report, Our Common Agenda, in which a Global Digital Compact (GDC) was recommended to be agreed at the Summit for the Future, scheduled to take place in September 2024. The report is supported by an Annex of Themes and a matrix setting out the views of all 178 submissions.

In this edition we cover in brief:

Domestic public policy matters	Internet governance and global policy

• **Cyber security**
• **Digital identity**
• **Digital technologies and platforms**
	• **Internet governance**
	• **Global policy**
	    ○ United Nations AI Advisory Body
	    ○ President Biden's Executive Order on AI
	    ○ UK AI Summit

Domestic public policy matters

Cyber security

On 22 November 2023, the Australian Government released the 2023-2030 Australian Cyber Security Strategy (Strategy) with a strong and renewed focus to support multi-stakeholder internet governance. The Strategy was accompanied by the 2023-2030 Australian Cyber Security Action Plan (Action Plan), which supplements the Strategy and details the key cyber security initiatives that will be delivered over the next two years.

auDA was proud to champion the multi-stakeholder model and advocate for its inclusion in the Strategy. We welcome the due prominence of the model in the Strategy.

A key success criterion of the Strategy is that: "The internet will be open, free, secure and interoperable – with responsible and accountable multi-stakeholder management and governance" in 2030."

The Strategy proposes to "defend an open, free, secure and interoperable internet in international forums" and states:

> "Australia will also strengthen coalitions in our region to defend the existing model for the internet. We will continue to defend the technical infrastructure essential to the availability and integrity of the internet and its institutions, and oppose efforts to

bring the technical management and governance of the internet under government control. We will do this by promoting the multi-stakeholder model of internet governance and strengthening the capacity for all stakeholders – including industry, civil society, academia and the technical community – to engage in internet governance mechanisms."

The Strategy also proposes the Government will take action to "...enhance cyber cooperation through existing forums, frameworks and initiatives [including] bilateral, minilateral, multilateral and multistakeholder partnerships."

It also refers to Australia increasingly "seeing countries with interests at odds with our own trying to rewrite the existing and agreed rules." The response is to "...defend the governance of this ecosystem and its multi-stakeholder model, to protect and promote a peaceful, stable and interoperable cyberspace."

The Government also highlighted the importance of the multi-stakeholder model in technology standards:

> "We will promote robust international standards in the technology underpinning cyberspace, the internet and the digital economy, including emerging technologies...We will support multi-stakeholder participation in standard setting to include relevant expertise and deliver outcomes consistent with our values and economic interests."

On 22 December, the Government released the [2023-2030 Australian Cyber Security Strategy: Cyber Security Legislative Reforms Consultation Paper](). Significant proposed changes include the introduction of mandatory ransomware reporting, the establishment of a Cyber Incident Review Board, and the expansion of the Security of Critical Infrastructure Act 2018 (*SOCI Act*) to cover data storage systems used by critical infrastructure entities and to grant increased powers to the Minister to deal with consequence management. Submissions will close **on Friday, 1 March 2024.**

auDA's contribution:

In its [submission to the Department of Home Affairs' consultation on the 2023-2030 Cyber Security Strategy](), auDA made several recommendations with focus on supporting the multi-stakeholder internet governance model, and maintaining an open, free and secure internet for all.

We are currently working on our response to the proposed legislative reforms set out in the above-mentioned Cyber Security Legislative Reforms Consultation Paper.

Digital identity

On 30 November 2023, the *Digital ID Bill* was [introduced into Parliament](#), paving the way for significant security, privacy and productivity benefits.

The *Digital ID Bill* will provide for:

- A voluntary Accreditation Scheme for Digital ID providers operating across the private and public sectors.
- An expansion of the existing Australian Government Digital ID System to include participation of private sector entities over time.
- Greater privacy and consumer safeguards and establishes the Digital ID Regulator, which will be the Australian Competition and Consumer Commission (ACCC), and an expanded role for the Information Commissioner as privacy regulator.

For more information, visit https://www.digitalidentity.gov.au/legislation.

auDA's contribution:

auDA responded to the Draft Digital ID Bill and Draft Digital ID Rules consultation in October 2023 emphasising that a trusted Digital ID system is a critical component of a trusted internet. Read our [submission](#) for more information on our policy stance on Digital Identity.

Digital technologies and platforms

In November 2023, the Senate Economics References Committee tabled its [final report](#) for the [inquiry into the Influence of international digital platforms](#).

The final report highlights that despite the potential for harm, digital platforms are not regulated like other industries including banks and telecommunications providers. Concerns raised include:

- Unfair bargaining power, contract terms and trading practices
- Inadequate dispute resolution
- Collection and use of data collection
- Scams
- Fragmentation of the Australian regulatory space
- Lack of alignment with international regulations
- The need for a coordinated approach to digital regulation, noting the current sphere involved duplicated and overlapping regulations
- The need for better coordination between regulators and policymakers.

The report notes that regulation of digital platforms is split across various agencies with, in some cases, competing priorities. The committee considers a new regulatory regime could address fragmentation and improve regulatory efficacy.

Some of the committee's notable recommendations include that the Australian Government:

- Establish a digital platforms coordination body
- Introduce legislation to prevent anti-competitive practices
- Implement mandatory dispute resolution requirements for large platforms
- Establish a tribunal for small disputes with digital platforms
- Require designated platforms to report advertising material via a public register
- Implement mandatory reporting on algorithm transparency, data collection and profiling by very large platforms, particularly identifying what personal data is collected and how it is used
- Legislate mandatory industry codes on the collection, use and retention of children's data.

auDA's contribution:

In its [submission to the Senate Inquiry](), auDA emphasised the need for better coordination between regulators and policy makers.

auDA's submission is cited on p. 175 in the final report:

> ".au Domain Administration Ltd (auDA) told the committee that closer engagement with stakeholders is needed at all stages of policy development. It advocated for coordinated efforts between regulators, policy makers, the private sector, technical community, academia, and civil society. It recommended: … all relevant regulators and government departments actively participate in a multi-stakeholder policy development approach. This would help to avoid siloes and overlapping consultation processes facilitated by different government entities and drive greater certainty amongst industry and consumers."

Internet governance and global policy

Internet governance

ICANN78 Hamburg

The 78th meeting of the Internet Corporation for Assigned Names and Numbers (ICANN78), was held from 21-26 October in Hamburg, Germany. 2023 marked the 25th anniversary of ICANN.

Several sessions focused on the upcoming 20-year review of the World Summit on the Information Society (WSIS+20) in 2025. You can read our blog on why WSIS+20 matters to find out more. With WSIS+20 looming, ICANN is considering its next strategic plan.

Support for the multi-stakeholder approach was echoed at the Welcome and Opening Ceremony by Germany's Minister for Digital and Transport, Dr Volker Wissing. The Minister noted responsibility for the internet does not end at nation state borders and that global cooperation between all stakeholders is a mainstay of the multi-stakeholder internet governance system. The Minister stated the Global Digital Compact (GDC), which is expected to be negotiated at the United Nation's 2024 Summit of the Future, offers an opportunity to "mainstream" important principles at a global level. These ideas align with auDA's Internet Governance Roadmap, published in August 2023.

auDA's contribution:

During ICANN78, auDA had an opportunity to discuss the Roadmap with international stakeholders and presented it to ccNSO members during a ccTLD News session.

auDA also enjoyed an opportunity to meet with our colleagues from the Pacific Islands, continue conversations that started at the Asia Pacific Regional Internet Governance Forum (APrIGF), hosted by auDA in August 2023, and consider how we can better work together across the region to support an open, free, secure and global internet.

For more ICANN meeting highlights, read the auDA ICANN78 blog and watch auDA's ICANN78 readout webinar.

Global Policy: what's happening overseas?

United Nations AI Advisory Body

At the Internet Governance Forum (IGF) in Kyoto, held in October 2023, the United Nations (UN) introduced the UN's global multi-stakeholder Advisory Body on AI (Advisory Body) composed of 38 members and a permanent member of the Secretariat.

The Advisory Body will engage relevant stakeholders and coordinate existing multi-stakeholder initiatives (e.g., UN IGF initiatives, G7, G-PAI, WEF, OECD, White House commitments, UK AI Summit) to reinforce synergies across different national and regional efforts, promote interoperability and international collaboration on AI governance.

A key responsibility of the Advisory Body will be to consider how to link different initiatives on AI governance so that AI works for all humanity in all nations and regions.

In doing that work, auDA expects the Advisory Body to work closely with existing multi-stakeholder dialogues on AI issues, most particularly the Internet Governance Forum's Policy Network on AI (PNAI).

By mid-2024, after further public consultations, the Advisory Body is expected to release a final report on the AI landscape and options for global AI governance. Results and findings from that report will be discussed at the Summit of the Future scheduled for September 2024.

Find out more: **High-Level Advisory Body on Artificial Intelligence**

President Biden's Executive Order on AI

On 30 October 2023, President Biden released the Executive Order (EO), which outlines a coordinated, government-wide approach to AI and establishes new standards for AI safety and security. Key facts about the EO include:

- It builds on prior AI initiatives, including the Blueprint for an AI Bill of Rights and the voluntary commitments made by leading AI companies.
- It requires companies developing foundation models that pose serious risks to national security, national economic security, or national public health and safety to notify the federal government when training the model, and to share the results of all red-team safety tests (structured testing to identify potential flaws and vulnerabilities).
- The Department of Homeland Security (DHS) must create an advisory committee - the AI Safety and Security Board - that looks at how the AI standards developed by NIST could be applied to the critical infrastructure sectors.
- The committee will also look at ways in which deploying AI may make critical infrastructure systems more vulnerable to critical failures, physical attacks, and cyber-attacks, and shall consider ways to mitigate these vulnerabilities.
- The Biden-Harris Administration will continue to expand bilateral, multilateral, and multistakeholder engagements to collaborate on AI.

Companies are not compelled to comply with the EO.

Find out more: Executive Order on the Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence

UK AI Summit

The AI Safety Summit (Summit) at Bletchley Park on 1-2 November 2023 brought together international stakeholders from governments, leading AI companies, civil society and academia.

This Summit, the first of its kind, was convened by the UK Government to identify next steps for the safe development of frontier AI.

Australia was one of 28 countries signing the **Bletchley Declaration** on AI safety, a landmark agreement recognising a shared consensus on the opportunities and risks of AI, and the need for collaborative action on frontier AI safety. It will help the international community safely harness the benefits of AI technology for everyone. The declaration complements the Australian Government's existing work on supporting responsible AI.

A number of countries, together with the companies developing frontier AI, further recognised the importance of bringing together governments and AI developers, and on 2 November agreed to state-led testing of the next generation of models before they are released, including through partnerships with AI Safety Institutes.

Participants raised a number of more ambitious policies around AI safety and agreed to return to discuss these issues in subsequent discussions in forthcoming AI Safety Summits by the Republic of Korea (May 2024) and France (November 2024).

Find out more: **Chair's Summary of the AI Safety Summit 2023, Bletchley Park**

What we're reading

The following articles related to internet governance and digital policy and regulation caught our eye, and may be of interest for further reading:

Title: **Why Internet Governance Must Inform AI Governance**

What's it about: Several regulatory developments across jurisdictions have created a complex AI governance map. Most of those initiatives are not coordinated amongst parties. Given that these regulatory efforts operate in silos, it becomes imperative to consider how best to facilitate discussions and initiatives on AI governance. This article argues that lessons from internet governance can help.

Why we are interested: Internet governance has taught us fundamental things about governing technology: amongst others, that there is a need for inclusion and diversity in discussions and decision-making processes to address complex issues such as the internet. AI is underpinned by complexity similar to – if not more comprehensive – than that of the internet. How to govern AI cannot be determined by one actor alone. Though imperfect, the value of the multi-stakeholder models lies in its flexibility, inclusive design and adaptability.

Title: **Internet to the UN: Hands-Off**

What's it about: The article argues that the UN should focus on practical programs to connect the unconnected to the internet so that everyone can benefit from the economic and social opportunities the internet offers. This is an appropriate task for the UN's Geneva-based International Telecommunication Union (ITU). The UN leadership in New York should keep its hands off — and avoid giving Russia, China, or authoritarians room to undermine the Internet. In this way, the UN can benefit the internet.

Why we are interested: We share the view that supporters of a free and open internet need to ensure that the UN's 2024 Digital Global Compact (GDC) gives all stakeholders a voice and to prevent the GDC from tilting digital debates to just government decision-making. A government-only structure might be good for authoritarian regimes but it would be harmful to the internet and our digital future.

CY Q1 2024 events

Open positions

Apply Now for ICANN Leadership Positions
ICANN's Nominating Committee (NomCom) is accepting applications for key leadership positions within ICANN's Supporting Organizations and Advisory Committees and the ICANN Board of Directors.

The deadline to submit applications is 15 March 2024 at 23:59 Coordinated Universal Time (UTC). The NomCom is inviting applications for the following positions:

- Three members of the ICANN Board of Directors
- Two regional representatives to the At-Large Advisory Committee – one from Europe and one from North America
- One member of the Country Code Names Supporting Organization Council
- One member of the Generic Names Supporting Organization Council

Upcoming events

19-22 February 2023
APTLD 85 (Goa, India)
The agenda can be accessed here.

2-7 March 2024
ICANN79 (San Juan, Puerto Rico)
More information including the meeting agenda will be released closer to the date.

Webinars

Over the next quarter, auDA is scheduled to host a series of webinars on public policy matters, debriefs on key internet governance forums and our research projects. Keep track of our webinar and events schedule and register [here](#).

Open consultations – have your say

Agency	Consultation	Submission due date
Department of Home Affairs	[2023–2030 Australian Cyber Security Strategy: Cyber Security Legislative Reforms Consultation Paper](#)	1 March 2024

Contact us via public.policy@auda.org.au for more information on our policy and advocacy initiatives and other related matters.