

## MINISTERIAL DECLARATION

### G7 Digital Ministers' meeting

11 May 2022

1. We, the Digital Ministers of the G7, met on 10 and 11 May 2022 under the chairmanship of Dr Volker Wissing, Federal Minister for Digital and Transport of the Federal Republic of Germany, to discuss current issues associated with digital transformation and related frameworks, aiming to be 'Stronger Together'.
2. We are appalled by and condemn in the strongest possible terms the Russian Federation's unprovoked and unjustified war of aggression against Ukraine. This war is raging not only on the ground, but also online. We, the G7 Digital Ministers, have therefore discussed the pressing issue of cyber resilience and issued a "Joint Declaration by the G7 Digital Ministers on cyber resilience of digital infrastructure in response to the Russian war against Ukraine" on 10 May 2022.
3. We are resolved to counter the use of the digital sphere as a battleground. We denounce Russia's malicious cyber activities, information manipulation, interference, and online disinformation campaigns, which we will continue to address. We affirm the right of people in Russia to access unbiased and factual information and we commit to defending freedom of expression online.
4. We therefore welcome the G7 Media Minister meeting on 19 June 2022, which will take a closer look at the current global media policy situation, including with regards to addressing disinformation and protecting freedom of expression for members of the press.
5. We strongly support the UN Human Rights Council Resolution (A/HRC/49/L.31/Rev.1) led by Ukraine on the 'Role of States in countering the negative impact of disinformation on the enjoyment and realization of human rights' adopted at the 49th Human Rights Council Session on 1 April.
6. We remain committed to the G7 Rapid Response Mechanism (RRM) in order to protect our democratic systems and open societies from foreign threats to democracy, and aim to strengthen our capacity for a coordinated response to information manipulation, disinformation, and other forms of foreign malign activity, in line with existing initiatives.
7. We are committed to strengthen collaboration with relevant international organisations, such as the OECD, as well as other initiatives, civil society, academia and

industry to address information manipulation, disinformation, and malicious activity online that can compromise security, undermine democracy, or limit the enjoyment of human rights.

8. How countries address digital transformation at the local, national and international level has a significant influence on innovation, economic progress, the environment, prosperity and equal opportunities for all.
9. Governments, the private sector, civil society, academia, and other stakeholders around the world increasingly rely on the Internet, digital technologies and data to help tackle the Covid-19 pandemic, climate change and environmental as well as other global challenges and to build more prosperous and resilient economies and societies.
10. We will continue to make concerted efforts to maintain a free, global, open, interoperable, reliable and secure Internet that supports innovation and strengthens respect for democratic values and universal human rights. We reaffirm our opposition to measures which may undermine these values and rights.
11. We reaffirm our commitment to upholding and advancing the vision set forward in the Declaration for the Future of the Internet.
12. In this regard, we also welcome the work of the G7 Foreign Affairs Sous-Sherpas to shape digital transformation in line with our liberal democracies.
13. We take note of the discussions at the G7 Multi-Stakeholder Conference on Data Governance and Flows and the Digital-Environment Nexus held online on 6 April 2022, where stakeholders from government, civil society, the academic and scientific communities and the private sector exchanged views on related key issues and policy approaches. We are committed to act on the call of stakeholders for closer cooperation in the G7 on these topics and consider their suggestions for the ongoing work in the G7 Digital and Tech Track.
14. We discussed how to better harness the potential of digitalisation for the environment and climate, while reducing the carbon footprint and resource consumption of digitalisation itself, support international cooperation on standardisation, foster Data Free Flow with Trust (DFFT), support competitive digital markets, enhance eSafety for a safer online environment, and promote the use of electronic transferable records (ETRs) and other digital information related to the transport of goods.

### **Digitalisation and the Environment**

15. We reaffirm our commitment in the 2021 G7 Leaders' Summit in Carbis Bay to the objective of protecting our planet and emphasise the contribution that digital solutions can make to enhancing environmental protection and reaching net zero greenhouse gas emissions. At the same time, we recognise the rising energy and resource demands of the increasing use of digital technologies and services, such as data centres and

- telecommunications networks, and the environmental impacts of production, use and disposal of digital equipment and devices.
16. In dialogue with stakeholders from the private sector, civil society and academia, we will seek ways to better harness digital technologies for a net zero, nature positive, and resource-efficient economy and digital ecosystem, recognising the importance of more holistic measurement of all impacts of digitalisation on the environment and climate.
  17. In order to tap into this potential, we will bring together our experts and stakeholders under the German G7 Presidency, including for an event in the second half of 2022 with an aim to:
    - develop a toolkit that identifies the potential of digitalisation and policy measures to help the private sector, MSMEs in particular, to better use digital technologies for reducing their environmental footprint, including via digitally enabled business models;
    - share approaches and suggestions for enhancing transparency and creating incentives to increase energy and resource efficiency in the use of digital technologies and services, such as in data centres and telecommunications networks;
    - share approaches and suggestions for promoting energy- and resource-efficient production, use, reuse, and disposal of hardware and software, including new digital technologies, for example, through technical standards, sustainability by design and empowering end-users, without duplicating existing work.

## **Standardisation**

18. We affirm our support for international cooperation within the G7 and with like-minded partners to support the development of open private sector-led, voluntary and consensus-based standards based on inclusive multi-stakeholder approaches in line with our open, democratic values and principles. We state again our opposition to any government-imposed approaches that fundamentally seek to reshape how technical standards are developed and further strengthen efficient and continued G7 coordination, without duplicating existing processes.
19. In this context, we reiterate the need for technical standards development to continue to be underpinned by transparency, openness of process and participation, relevance, and consensus-based decision-making in line with the WTO Agreement on Technical Barriers to Trade (TBT) Code of Good Practice and the TBT Committee Decision on Principles for the Development of International Standards.
20. We welcome the events under the German G7 Presidency, including the high-level multi-stakeholder event planned for September 2022, which will build on discussions started at the multi-stakeholder expert workshop held in April 2022. We also welcome the efforts of the German G7 Presidency to foster discussion on supporting

standardisation towards digital and green transformations, as well as on areas for improving the participation of MSMEs in and education on standardisation, to help remove barriers of entry to the standards development process.

## **Data**

21. We recognise that “Data Free Flow with Trust” (DFFT) underpins innovation, prosperity and democratic values. Building on the 2019 G20 Osaka Leader’s Declaration, the UK 2021 G7 Roadmap for Cooperation on Data Free Flow with Trust, and the UK 2021 G7 Digital Trade Principles, we adopt a “G7 Action Plan Promoting Data Free Flow with Trust” (Annex 1) to continue work on this topic.
22. We reaffirm our shared democratic values, our determination to realise the benefits of DFFT, and our opposition to digital protectionism. While recognising our varied approaches to data governance, we will continue to cooperate on leveraging opportunities and addressing challenges raised in particular in relation to security, privacy, data protection, and the protection of intellectual property rights.
23. Building upon the Leaders’ G20 Rome Declaration, we will strengthen our efforts to further our common understanding and to work towards identifying commonalities, complementarities and elements of convergence between existing regulatory approaches and instruments enabling data to flow with trust, in order to foster future interoperability.
24. With the adoption of the G7 Action Plan for Promoting Data Free Flow with Trust, we express our commitment to strengthening the evidence base for DFFT, building on commonalities in order to foster future interoperability, continuing regulatory co-operation, promoting DFFT in the context of digital trade, and sharing knowledge about the prospects for international data spaces.

## **Competition**

25. Competitive digital markets have demonstrated potential for innovation and strong, sustainable, inclusive growth of the global economy. We also recognise the need for effective competition policy instruments in view of dynamic developments in digital technologies and markets, and that new or updated regulatory and competition frameworks that address competition concerns raised by online platforms may be required to complement or adjust the existing competition policy instruments. This may be particularly important in connection with safeguarding contestability and fairness.
26. Building on the recent work of the French and the UK G7 Presidencies, we decided to further deepen cooperation, in particular through existing international and

multilateral fora, on digital competition issues including with regards to platforms regulation and its implementation.

27. We will compile a comprehensive overview of legislative approaches to competition, contestability and fairness on digital markets within the G7, in order to improve mutual understanding of relevant frameworks and rules in the G7, with a view to fostering greater coordination to support competitive digital markets.
28. We support further discussions in Autumn 2022 to facilitate an exchange on enforcement and policy approaches related to competition in digital markets and related topics among relevant G7 decision makers.
29. We welcome the continued exchange of information and experiences among G7 competition authorities. This should enable policymakers and competition authorities to benefit from lessons learned elsewhere and to share good practices, striving for common goals.

### **eSafety**

30. We reaffirm our commitment to improve online safety and reduce illegal and harmful content and activity on the Internet, and will continue the cooperation initiated under the UK G7 Presidency in 2021, incorporating relevant stakeholders.
31. We welcome the multi-stakeholder dialogue scheduled for Autumn 2022, which aims to assess how eSafety technologies work and are already in use, and what action is necessary to make the online environment safer. Improving eSafety is a shared responsibility of governments, companies, academia, civil society and other stakeholders. Besides technical solutions, safe and responsible Internet use requires informed decisions by everyone, empowered through improved digital skills and media literacy.
32. We should protect our citizens online, especially those most affected and vulnerable, in particular women and children. We call on platform providers and other relevant companies to comply with the existing rules and strengthen their voluntary measures to foster a safe online environment, in addition to their legal obligations. Their decisions and measures to combat illegal and harmful online content and activity should be transparent at global, national and regional levels, easily understood, applied consistently and in line with their Terms of Service, and respect human rights and fundamental freedoms online, such as freedom of expression.

### **Electronic Transferable Records and Other Digital Information Related to the Transport of Goods**

33. Building on the Framework for G7 Collaboration on Electronic Transferable Records decided under the UK G7 Presidency in 2021, our experts from both government and

industry continue to engage in dialogue on the design and implementation of appropriate legal frameworks consistent with the UNCITRAL Model Law on Electronic Transferable Records to facilitate the use and acceptance of electronic transferable records, as well as on best practices and solutions for the exchange of freight transport information and documents using electronic platforms.

34. We endorse the “Principles for domestic legal frameworks to promote the use of electronic transferable records” as contained in Annex 2.
35. In addition, we recognize the importance of promoting legal frameworks that enable the use of electronic transferable records across borders as well as the use of digital communication by businesses with authorities to facilitate freight transport, including by supporting technical interoperability. To this end, we promote and support legal reform internationally, as provided for in the Framework for G7 Collaboration on Electronic Transferable Records, including by promoting the Principles contained in Annex 2. Furthermore, we work towards the digitalisation of administrative procedures related to freight transport to ensure that paper does not remain the default option. We will continue to support ongoing work in relevant international fora on interoperability and the development of international standards for the use of new technologies in trade processes.

### **Way forward**

36. Through our work in the Digital and Tech Working Group and based on our shared fundamental values such as freedom, democracy, respect for human rights and the rule of law, we have deepened our common understanding of policy issues that require stronger cooperation among like-minded partners in order to be stronger together in a digitally connected world.
37. We recommend that the G7 leaders address these topics during the G7 summit in Schloss Elmau from 26 to 28 June.
38. We welcome the intention of the Japanese G7 Presidency in 2023 to continue work on the basis of this declaration on online safety and DFFT, including promoting regulatory cooperation for DFFT, in particular through round table discussions of data protection and privacy authorities. The Japanese G7 Presidency also intends to focus on other digital priorities, such as the promotion of emerging technologies that enhance trust, beyond 5G/6G and a human-centric approach to artificial intelligence, based on our shared democratic values.

## G7 Digital Ministers' Track - Annex 1

### **G7 Action Plan for Promoting Data Free Flow with Trust**

G7 countries share a commitment to promote data free flow with trust (DFFT). To this end, we, the G7 Digital Ministers, will keep cooperating to address issues on the four pillars set out by the UK 2021 G7 Roadmap for Cooperation on DFFT, namely (1) regulatory co-operation, (2) data localisation, (3) government access to personal data held by the private sector, (4) data sharing for priority sectors. Under the pillar on data sharing approaches, we note a new focus on knowledge sharing on international data spaces.

Together, we are committed to the following actions:

#### 1. Strengthening the evidence base for DFFT

Support work to better understand the opportunities and challenges created by cross-border data flows. This includes deepening our understanding of existing regulatory approaches and instruments enabling DFFT including related to privacy, data protection, security and the protection of intellectual property rights. It further includes work on better understanding data localisation measures and their potential implications, including the impact on MSMEs, and considering alternatives to localisation.

#### 2. Building on commonalities in order to foster future interoperability

Build upon commonalities, complementarities and elements of convergence between existing regulatory approaches and instruments enabling data to flow with trust, in order to foster future interoperability. This may include further analysis of increasingly common practices such as standard contractual clauses and potential of technologies that enhance trust. We also continue to support work at the OECD to identify common practices, including the work of the drafting group on trusted 'Government access to personal data held by the private sector', which aims at developing high-level principles on government access to personal data held by the private sector, to facilitate DFFT.

#### 3. Continuing regulatory co-operation

Support efforts to promote regulatory cooperation for DFFT including through the continuation of dialogue among G7 policy officials and Data Supervisory Authorities and/or other competent authorities for data, including through dedicated roundtables. This may involve discussions around regulatory approaches related to privacy-enhancing

technologies (PETs), data intermediaries, web tracking, emergent risks, cross-border sandboxes, the promotion of interoperability of data protection frameworks, the OECD work on trusted government access, and the Global Privacy Assembly October 2021 Resolution on Government access to personal data. We support constructive participation in programs such as the UN PET Lab. Additionally, we support other continued efforts to promote regulatory cooperation for DFFT, including between data protection and privacy authorities on enforcing data protection and related laws and regulations.

#### 4. Promoting DFFT in the context of digital trade

Build on the Digital Trade Principles developed by the G7 Trade Track in 2021 and coordinate on promoting DFFT. Continue supporting ongoing discussions at the WTO for an outcome at the Joint Statement Initiative on E-Commerce.

#### 5. Sharing knowledge about the prospects for international data spaces

Foster knowledge exchange on "international data spaces" and facilitating an enabling policy environment. Data spaces can be seen as an emerging approach to trusted and voluntary data sharing within and across organisations and sectors, whether domestically or internationally, to support innovation in academia, industry and the public sector.



## G7 Digital Ministers' Track - Annex 2

### **Principles for domestic legal frameworks to promote the use of electronic transferable records**

In the 2021 G7 Digital and Technology Ministerial Declaration, we recognized that paper-based transactions, which still dominate international trade, are a source of cost, delay, inefficiency, fraud, error, and environmental impact. We affirmed our shared view that, by enabling businesses to use electronic transferable records (ETRs), we will generate efficiencies and economic savings that will strengthen the resilience of our global economic system and facilitate trade recovery across the G7.

We value the work of the United Nations Commission on International Trade Law (UNCITRAL) on ETRs. We support the principles proposed by our experts, as laid out below, which complement and are consistent with this work. The principles should serve as guidance for the adoption or review of domestic legal frameworks to promote the use of ETRs. They aim to ensure that legal frameworks remain easily applicable as technology develops and do not require early adjustment. We support the adoption of domestic legal frameworks that are consistent with the UNCITRAL Model Law on Electronic Transferable Records (MLETR) and with these principles.

#### **Legal clarity**

Legal frameworks should be clear and unambiguous to ensure that all parties understand the requirements with which they need to comply and are able to design the technical systems needed to create, process and exchange ETRs accordingly, which requires substantial investments. Relevant provisions from the MLETR include, for example, reliability, singularity, and exclusive control over ETRs.

#### **Technological neutrality**

Legal frameworks should use technologically neutral terminology that provides flexibility to the parties, while remaining applicable to technologies developed in the future. Legal frameworks should avoid prescribing or favouring a specific technology, as this could undermine innovation and not reflect commercial needs and practices.

#### **Functional equivalence and non-discrimination**

Legal frameworks should allow ETRs that perform the same functions as their paper equivalents to enjoy the same level of legal recognition.

### **Interoperability**

Interoperability of the technical systems needed to create, process and exchange ETRs can facilitate their widespread and cost-effective use. Interoperability will prevent lock-in and enhance the range of services from which businesses may be able to choose, including services tailored to the needs of SMEs. It will also have a positive impact on competition among providers of such services. Ultimately, interoperability will further support the creation of a dynamic market for ETRs, because it would provide confidence in the reliability of platforms.

### **Global acceptance**

Legal frameworks should accept ETRs regardless of whether they have been created, processed or exchanged domestically or abroad – as long as the creation, processing or exchange meets the applicable substantive requirements. Legal frameworks that deny the legal validity of “foreign” ETRs on the sole ground that they were created, processed or exchanged abroad, would significantly impede international trade and severely limit the benefits of switching from paper to ETRs.

### **Transparency and stakeholder engagement**

Legal frameworks should be developed in consultation with relevant stakeholders. Drafts should be published for commenting.