

23 April 2024

Dear Co-Facilitators,

Thank you for drafting and holding open consultations on the zero draft of the Global Digital Compact. The Global Encryption Coalition is composed of over 400 civil society organizations, businesses, industry associations, and academic and technical experts in over 100 countries dedicated to promoting and defending encryption in key countries and multilateral fora where it is under threat. I am representing the Steering Committee of the Global Encryption Coalition and we appreciate this opportunity to speak to you about our vision for a future in which strong encryption is ubiquitous.

We welcome the sturdy human rights framework upon which you have built the GDC. Strong, ubiquitous encryption protects human rights, especially the right to privacy, as well as free expression, free association, and access to information. Under Cluster 3 on digital trust and safety in which Section 28 commits Member States by 2030 to clause (d), we suggest the following three editorial changes to better articulate the ways that encryption provides protection and enablement of human rights,

28.(d bis) Ensure laws and regulations on the use of technology uphold human rights in areas such as surveillance and encryption such that they are consistent with international standards and norms on privacy and freedom of expression (SDGs 10 & 16);

This edit better aligns the text with the human rights framework, of which privacy and free expression are the most relevant articles. We then suggest an additional paragraph reading,

28.(bis) Establish appropriate safeguards to prevent and restrain the weakening of security and privacy technologies and the resulting adverse human rights impacts (all SDGs);

This addition self-references prior mention of safeguards in 21.(b) for the specific Cluster on trust and safety. Furthermore we suggest another paragraph reading,

28.(ter) Promote technical solutions which secure and protect the confidentiality and security of digital communications, including measures for encryption, pseudonymization and anonymity (all SDGs);

This paragraph is essential to reflect agreed language in A/HRC/RES/54/21 on the human right to privacy in the digital age.

In conclusion, we thank you again for your efforts in preparing this draft. The Global Encryption Coalition Steering Committee appreciates the opportunity to offer constructive engagement in the upcoming negotiations. Please direct any response to this letter to Global Encryption Coalition Steering Committee member Mallory Knodel of the Center for Democracy & Technology at mknodel@cdt.org

Sincerely,

Steering Committee Global Encryption Coalition

*This is a statement of the members of the **Steering Committee of the [Global Encryption Coalition](#)**, which consists of the [Center for Democracy & Technology](#), [Global Partners Digital](#), the [Internet Freedom Foundation](#), the [Internet Society](#), and [Mozilla](#).*