



STOPAIDS

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Chapter III. Science, technology and innovation and digital cooperation

Introduction: STOPAIDS, working in partnership with the Digital Health and Rights Project (DHRP)¹, welcomes that the Pact for the Future will include a chapter on science, technology and innovation and digital cooperation.

Digital technologies are rapidly transforming our world and can help us to make huge strides towards the SDGs. While they pose opportunities, digital technologies can also pose significant risks to our fundamental human rights.

We are encouraged to see that human rights will underpin work on the Global Digital Compact, with the UN Secretary-General calling for human rights as ‘the foundation of an open, safe and secure digital future’. However, it is urgent that Member States adopt rights-based approaches to digital technologies to mitigate harm.

In light of this, we propose four key recommendations for Chapter III of the Pact.

The Pact must:

1. *Recognise that ‘numerous barriers exacerbate the digital divide*

4. *Commit Member States, UN and multilateral institutions and the private sector to implementing rights-based guidance on the regulation and governance of digital technologies.*

services. Women and girls, as well as those living in rural areas, on low incomes and with less education, are particularly affected. These digital divides impact health outcomes, thereby continuing the cycle of health inequality.⁶

| To further this issue, in many countries, governments make access to public services, including healthcare, conditional on the provision of a national digital identity.⁷ As the UN Special Rapporteur on the rights of persons in extreme poverty has shown, this has severe ramifications for those already subject to widespread and systemic discrimination who may face obstacles in registering for such an identity document, including some ethnic minorities and migrants or persons in displacement; as well as older people and those who cannot afford digital tools such as smartphones.

” *The right to privacy:*

| The UN Special Rapporteur on the Right to Health recently noted how “the use of digital technologies, including in the context of the right to health, can entail data collection and surveillance in ways that impinge on a range of rights, including the right to privacy”.⁸ Yet, during the COVID-19 pandemic, governments and the private sector ignored modern data protection laws that specifically outline the special status of health data and its higher requirements for protection.⁹ For example, reports of the repurposing of contact tracing apps for law enforcement goals have emerged in numerous countries.¹⁰

Recommendations

1. *Recognise* that ‘*numerous barriers exacerbate the digital divide*¹¹’ and therefore that Member States and other stakeholders should identify and address the intersecting inequalities that shape the digital divides for communities, especially women, young people in rural areas, young people with less education, those who speak diverse local languages, persons with disabilities, and older people, when planning digital interventions.
2. *Commit* Member States to increasing digital literacy through funding initiatives that empower communities, especially young people, with the knowledge, skills and competencies needed to understand and know their rights in the digital world, be able to use apps and digital tools safely and participate in governance of digital technologies and AI.

A key issue that this chapter of the Pact can tackle is the systemic barriers that cause digital divides. The 2021 Global Progress report highlights the urgent need to remove remaining barriers in order to enable access to healthcare for all, identifying a ‘*lack of access to digital health and innovative technologies*’ as a key barrier.¹² Additionally, in the political declaration of the HLM on PPR (2023), decision-makers

*and other human] rights can and should be avoided and minimised by adapting or adopting adequate regulation or other appropriate mechanisms, in accordance with applicable obligations under international human rights law’.*²⁰

As outlined by the UN Secretary General ‘*policy frameworks for the right to health need to protect the right to privacy and security in the use of digital health technologies such as biometric identification*’.²¹ Guidance should apply to governments, companies, and other third parties and include measures for recourse to justice, standards for transparency, and mechanisms for accountability. At the UN level, a Digital Human Rights Advisory Mechanism should be created to support Member States to ensure a rights-based approach to governance of digital technologies.

