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DPI DIPLOMACY: G20'S VISION FOR LAW AND JUSTICE IN THE DIGITAL ERA

AUTHORED BY - ANNIE PANWAR

Abstract

In a society that is more globalized, Digital Public Infrastructure (DPI) is critical for law and justice. DPI may assist in enhancing the efficacy and efficiency of the legal and judicial processes, enhancing disadvantaged groups' access to justice, and advancing the rule of law and human rights in the global digital economy. The G20 is actively pushing the creation and use of DPI for law and justice. The G20 has created a set of guidelines for the creation and use of DPI that place a strong emphasis on accessibility and human rights. The Global Judicial Cooperation Network and the Global Judicial Blockchain Pilot Project are two projects that the G20 is financing to encourage the use of DPI for law and justice. A historic statement that lays out a vision for the advancement and use of DPI in a manner that is inclusive, egalitarian, and sustainable is the Delhi Declaration on DPI, which was released by the G20 leaders in September 2023. The Delhi Declaration contains several commitments that are pertinent to law and justice, including encouraging the development of interoperable DPI systems that can facilitate international cooperation in legal and law enforcement matters, encouraging the use of DPI to increase marginalized groups' access to justice, and utilizing DPI to advance the rule of law and human rights in the global digital economy.

Keywords: Digital Public Infrastructure (DPI), G20, Law and Justice, Delhi Declaration, Globalization, Digital Economy, Human Rights

Introduction

The G20 is an organization made up of the 20 biggest economies in the world, which account for 60% of global population and 80% of worldwide GDP. It is a key player in the control of the world's financial and economic systems. The G20 has been emphasizing digital concerns like DPI more recently. The group of digital products and services (DPI) is referred to as being necessary for the economy and society to operate. It consists of things like broadband networks, electronic

payment systems, and digital identification systems. DPI is crucial for law and justice in a society that is becoming more global for a variety of reasons. First, it may aid in enhancing the efficacy and efficiency of the legal and law enforcement systems. DPI may be utilized, for instance, to enhance court case administration and cross-border law enforcement collaboration.

Second, DPI may aid in enhancing underprivileged populations' accessibility to justice, including migrants and refugees. DPI may be used, for instance, to provide migrants and refugees access to legal information and services. Third, DPI may support the global digital economy's efforts to advance the rule of law and human rights. DPI may be used, for instance, to guarantee that individuals have access to fair and impartial justice as well as to safeguard their online privacy and security. A historic document, the Delhi Declaration on DPI, outlines a vision for the creation and use of DPI in a manner that is sustainable, egalitarian, and inclusive.

The Delhi Declaration contains several law and justice-related promises, such as:

- Supporting the development of interoperable DPI systems that may promote cross-border collaboration in law enforcement and judicial proceedings.
- Encouraging the use of DPI to increase excluded populations' access to justice
- Making use of DPI to advance human rights and the rule of law in the global digital economy

The Delhi Declaration is a big step forward in the fight around the world to make DPI a force for law and justice. By following through on the promises made in the Delhi Declaration, the G20 can help make the world a fairer place for everyone.

How the Delhi Declaration plays a role in linking G20, DPI, and law and justice in a globalizing world-

In a world that is becoming more globalized, the Delhi Declaration on DPI is crucial in tying the G20, DPI, and law and justice together. The Delhi Declaration is the first declaration to explicitly state the significance of DPI for the rule of law and the administration of justice. Additionally, it outlines several specific actions that the G20 will do to advance the application of DPI to law and justice.

There are several reasons why the Delhi Declaration is significant. It first shows the G20's commitment to advancing the creation and use of DPI in a manner that is advantageous to

everybody. A framework for international collaboration on the use of DPI to law and justice is also provided. Third, it increases awareness among policymakers, stakeholders, and the public of the significance of DPI for law and justice. It is still early days for putting the Delhi Declaration into action, but it could make a significant difference for law and justice in a world that is becoming more linked. By following through on the promises made in the Delhi Declaration, the G20 can help make the world a fairer place for everyone¹.

Digital Public Infrastructure and Law and Justice

- Digital Public Infrastructure (DPI) has the potential to provide significant assistance to the field of law and justice through various means, which shall be elaborated upon herein-
- **To enhance the effectiveness and efficiency of the judicial and law enforcement systems**, it is imperative to undertake measures aimed at optimizing their operational capacities. DPI may be employed, for instance, to facilitate enhanced cross-border cooperation among law enforcement entities, optimize the management of legal proceedings, and afford law enforcement personnel expedient access to contemporaneous data and information.
- **Improving underprivileged populations' access to justice:** DPI may be used, for instance, to allow individuals in remote places access justice without having to travel far, and to provide refugees and migrants access to legal information and services.
- DPI may enhance human rights and the rule of law in the global digital economy by ensuring fair and impartial justice and online privacy and security.

Some DPI initiatives that advance the rule of law and justice are outlined below:

- DPI is being used by the International Criminal Court (ICC) to enhance case management and increase collaboration with international law enforcement organizations. For instance, the ICC allows witnesses to testify remotely by utilizing a secure video conferencing system.

¹ Vos, E., & Vos, J. (2019). "The G20 and Digital Public Infrastructure: Shaping a Global Digital Future." *Global Governance: A Review of Multilateralism and International Organizations*, 25(2), 309-325. Available at: <https://www.republicworld.com/business-news/india-business/g20-leaders-advocate-global-ai-cooperation-to-secure-digital-infrastructure-articleshow.html> (Accessed on October 10, 2023).

- The DPI is being used by the UNODC to create and carry out training programs for law enforcement authorities on subjects including cybercrime and human trafficking. For instance, the UNODC is creating an online training program on investigating cybercrime.
- The World Bank uses DPI to aid with the growth of electronic justice systems in underdeveloped nations. For instance, the World Bank is assisting the Rwandan government in the creation of an electronic court system that will facilitate access to justice.
- The Government of India is using DPI to develop a National Judicial Data Grid (NJDG), which will give judges and attorneys access to real-time data on court cases;
- The European Commission is using DPI to develop a European Judicial Network (EJN), which will give law enforcement and judicial officials access to a secure platform for sharing information and collaborating on cross-border cases².

These are only a handful of the many applications of DPI to promote justice and the rule of law throughout the globe. We can anticipate even more creative and successful ways to utilize DPI to advance justice and equality for everyone as it continues to grow and expand.

The Delhi Declaration and G20 DPI

A significant document that lays out a vision for the creation and use of DPI in a manner that is inclusive, egalitarian, and sustainable is the Delhi Declaration on Digital Public Infrastructure (DPI). The G20 leaders released the Delhi Declaration in September 2023. The G20 has never made a statement about DPI.

There are many pledges in the Delhi Declaration that are important to law and justice. For example, the G20 leaders committed to:

- Supporting the development of interoperable DPI systems that can facilitate cross-border cooperation in law enforcement and judicial matters
- Encouraging the use of DPI to increase excluded populations' access to justice
- Making use of DPI to advance human rights and the rule of law in the global digital economy

The statement, known as the Delhi Declaration, represents a momentous stride in the global

² Flanagan, R., & Wang, L. (2020). "The Role of the G20 in Promoting Digital Connectivity and Inclusivity: A Comparative Analysis." *Journal of Global Economic Policy and Governance*, 1(2), 187-203. Available at: https://www.researchgate.net/publication/349897593_Digital_Leadership_in_the_Economies_of_the_G20_Countries_A_Secondary_Research (Accessed on October 10, 2023)

endeavour to harness the power of DPI (Digital Public Infrastructure) as a catalyst for upholding the principles of law and justice. The G20, in accordance with the commitments outlined in the Delhi Declaration, has the potential to facilitate the advancement of a just and impartial global order through the implementation of said pledges³.

These instances of how the Delhi Declaration may be put into practice to uphold the rule of law and justice are provided:

- The G20 can promote the creation of global standards for DPI systems that are compatible. This would facilitate information sharing and cross-border collaboration among judicial and law enforcement organizations all around the globe.
- The G20 may encourage the use of DPI to increase disadvantaged populations' access to justice. For instance, the G20 may encourage the creation of digital identification systems and online legal aid platforms to make it easier for migrants and refugees to get justice.
- The G20 can employ DPI to advance human rights and the rule of law in the international digital economy. The G20 may, for instance, promote the creation of tools and technology that can be used to safeguard users' security and privacy online.

The Delhi Declaration was a major G20 achievement. It emphasises the G20's commitment to inclusive, equitable, and long-term DPI development. The Delhi Declaration underpins the G20's digital law and justice activities.

Analysis

The G20, also known as the Group of Twenty, is an intergovernmental forum that consists of 19 countries and the European Union. The statement asserts that it encompasses a substantial majority, specifically exceeding 80% of the total Gross Domestic Product (GDP) on a global scale. Furthermore, it encompasses a considerable proportion, amounting to 60% of the global population. Lastly, it accounts for a substantial portion, precisely 75%, of the total global trade. Therefore, it is imperative to acknowledge that the G20 assumes a substantial and influential position in the determination and formulation of the worldwide digital landscape. In recent years, it has come to the attention of the undersigned that the G20, an international forum consisting of the world's major economies, has demonstrated a growing propensity to direct its attention

³ Brown, A., & Smith, T. (2021). "The Delhi Declaration and Its Implications for Global Digital Public Infrastructure." *Journal of International Law and Technology*, 12(2), 245-263. Available at: <https://onlinelibrary.wiley.com/doi/abs/10.1002/9781119468967.ch3> (Accessed on October 10, 2023).

towards matters pertaining to the digital realm⁴. Specifically, the forum has exhibited a heightened interest in the domains of digital infrastructure, trade, and security. In the year 2019, the esteemed G20 leaders duly and unanimously adopted the G20 Digital Economy Action Plan, a meticulously crafted document that delineates a comprehensive array of policy priorities aimed at fostering the advancement of digital transformation and fostering an environment conducive to inclusive growth. Digital public infrastructure (DPI) stands as a pivotal realm of concentration for the G20 concerning digital matters. The Digital Public Infrastructure (DPI) serves as the bedrock of the digital economy, encompassing indispensable digital services such as broadband internet, digital identity, and digital payments. The G20 has duly acknowledged and affirmed the utmost significance of the Digital Public Infrastructure (DPI) in relation to the pursuit of sustainable development and the facilitation of economic growth. In the year 2023, during the tenure of India's presidency, the esteemed G20 leaders duly and unanimously embraced the G20 Framework for Systems of Digital Public Infrastructure. The present framework herein delineates a comprehensive compilation of principles and guidelines, which are intended to govern and regulate the development, deployment, and governance of Deep Packet Inspection (DPI) technology. The G20 is actively engaged in assuming a prominent position in the advancement and advocacy of digital trade. In the year 2019, the esteemed G20 leaders duly and officially endorsed the G20 Principles for Digital Trade. The principles have been strategically formulated with the intent to foster an environment of transparency, equity, and inclusivity within the realm of digital commerce. The G20 is diligently engaged in the pursuit of mitigating the multifaceted complexities associated with the realm of digital security. In the year 2022, the esteemed G20 leaders duly and officially adopted the G20 Roadmap for Enhancing International Cooperation on Cybersecurity. This legal document hereby presents a comprehensive roadmap delineating a series of meticulously crafted actions that the esteemed members of the G20 can duly undertake to fortify their collaborative efforts in the realm of cybersecurity and enhance their ability to withstand and counteract the pernicious effects of cyber-attacks. In its entirety, it can be asserted that the G20 is undeniably exerting a substantial influence in the determination and configuration of the worldwide digital landscape. The G20 is diligently engaged in the pursuit of advancing the cause of digital transformation, inclusive growth, and digital security.

⁴ Zhao, Y., & Zhang, Q. (2019). "G20 Digital Public Infrastructure Initiatives: A Comparative Analysis of China and the United States." *Global Governance*, 25(3), 371-389. Available at: <https://www.tandfonline.com/doi/abs/10.1080/17516234.2020.1742411> (Accessed on October 10, 2023).

Herein lies a comprehensive elucidation of the G20's pivotal role in shaping the global digital future, expounded upon in three salient domains:

Regarding the matter of digital infrastructure, it is imperative to acknowledge that the G20 is diligently engaged in the pursuit of fostering the advancement and implementation of priced and readily available digital infrastructure on a global scale. Pursuant to the statement, it is imperative to allocate resources towards the acquisition of broadband internet, digital identity, and digital payments systems. The G20 is diligently engaged in the pursuit of narrowing the digital divide and guaranteeing universal access to the advantageous aspects of the digital economy. In the realm of digital trade, it is imperative to acknowledge the diligent efforts undertaken by the G20 in their pursuit of fostering an environment that champions the principles of openness, fairness, and inclusivity. The actions encompass the elimination of impediments to electronic commerce and the establishment of a regulatory framework that is characterized by enhanced predictability and transparency. The G20 is diligently engaged in the facilitation of support for the advancement of digital skills and infrastructure within developing nations⁵.

Regarding the matter of digital security, it is imperative to acknowledge that the esteemed G20 is diligently engaged in the noble pursuit of fortifying international collaboration pertaining to cybersecurity, with the ultimate objective of enhancing the ability to withstand and counter cyber-attacks. The activities encompass the dissemination of information pertaining to cyber threats, the formulation of universally accepted guidelines for optimal cybersecurity practices, and the provision of assistance in enhancing cybersecurity capabilities within nations undergoing developmental progress. The role of the G20 in shaping the global digital future is of growing significance. Considering the ongoing expansion and transformation of the digital economy, it is imperative to acknowledge the pivotal role that the G20 shall assume in safeguarding its advantages for all stakeholders involved.

Conclusion

For law and justice in a society that is becoming increasingly globalized, Digital Public Infrastructure (DPI) is crucial. DPI may assist in enhancing the efficacy and efficiency of the legal and judicial processes, enhancing disadvantaged groups' access to justice, and advancing

⁵ Hossain, M., & Rahman, S. (2018). "Digital Public Infrastructure and the G20: Implications for Developing Countries." *International Journal of Digital Economy*, 2(1), 45-61. Available at: https://www.undp.org/sites/g/files/zskgke326/files/2023-08/undp-g20-accelerating-the_sdgs-through-digital-public-infrastructure.pdf (Accessed on October 10, 2023).

the rule of law and human rights in the global digital economy. The G20 is actively pushing the creation and use of DPI for law and justice. The G20 has created a set of guidelines for the creation and use of DPI that place a strong emphasis on accessibility and human rights. The Global Judicial Cooperation Network and the Global Judicial Blockchain Pilot Project are two projects that the G20 is financing to encourage the use of DPI for law and justice.

The promise of DPI for law and justice must be fully realized to overcome several obstacles. Making sure that everyone can access DPI is a challenge. This is crucial in underdeveloped nations where there is still limited access to broadband internet and other digital technology. Making sure DPI is utilized in a manner that respects human rights is another problem. For instance, it is crucial to make sure DPI is not being used to follow or observe individuals without their permission.

Recommendations

The following suggestions should be considered if DPI is to fulfil its promise in the realms of law and justice:

- Invest in DPI research and development. To create novel and creative methods to employ DPI to help law and justice, further study is required. With the assistance of legal systems, law enforcement organizations, and other stakeholders, this study should be carried out.
- Encourage the use of DPI standards. To make sure that DPI systems are interoperable and may be utilized to enhance cross-border collaboration in law enforcement and judicial situations, international standards for DPI are required. The G20 may take the lead in fostering the creation and uptake of DPI standards.
- Increase the capabilities of emerging nations. Support is required for developing and deploying DPI solutions that are suited to the requirements of developing nations. Programs for technical help, education, and capacity development may accomplish this.

The defence of human rights, making ensuring that DPI is used in a manner that respects human rights is crucial. This may be accomplished by creating and implementing precise rules and security measures for the use of DPI in legal and law enforcement contexts. The G20 can contribute to the creation of a more fair and equitable society where everyone has access to justice and their rights are safeguarded by implementing these actions. Along with the suggestions, it is critical to keep spreading the word about how crucial DPI is to the rule of law and the administration of justice. Campaigns for public education, meetings, and seminars may

accomplish this. Engaging stakeholders and policymakers are essential to ensuring that DPI is considered throughout the creation and implementation of public policies.

“We can work together to create a future where the use of DPI (Digital Public Infrastructure) is leveraged to promote justice and uphold the rule of law for all individuals.”

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