



A SEVEN-POINT AGENDA ON TECHNOLOGY AND HUMAN RIGHTS FOR MANIFESTOS OF POLITICAL PARTIES FOR THE 2024 GENERAL ELECTIONS

I.

DIGITAL RIGHTS ARE HUMAN RIGHTS

We support and advocate for protecting and expanding the fundamental human rights of Indians in their interaction with digital technologies, with a focus on principles of justice, liberty, equality, and fraternity enshrined in the Indian Constitution.

- With growing digitisation and more Indians coming online, the human rights impact of digital technologies has become a core governance issue, which we will strive to implement through executive and legislative action.
- We commit to applying systemic solutions to systemic problems such as cybersecurity threats and online harms, while preserving users' security through the adoption of privacy-protecting technologies.
- We will strive towards making the protection and advancement of digital rights of individuals and collectives a governance priority.

II.

TECHNOLOGY SHOULD LEAD TO INCLUSION AND EQUALITY

We will continue to support efforts for greater access to the internet and to digital technologies – access that is physical, educational, monetary, intersectional, and equitable.

- We will strive to increase internet penetration in remote corners of the country, to secure the right of every Indian to communicate, send, and receive information and to bridge the digital divide.
- We will ensure that no person is excluded from government services, benefits, or entitlements due to the adoption of e-governance services or digitisation, and that the delivery of welfare services are not impeded due to technical failures or inaccess.
- We will seek to empower those from backgrounds and identities who can use technology for a better, more productive life across boundaries of religion, caste and gender.

III.

FREE SPEECH MUST BE RESPECTED

The growing presence of Indians in online spaces reinforces the need to protect their freedom of speech and expression as well as their right to receive information online.



- Reinterpretation or replacement of antiquated laws must not be employed as a means to suppress dissenting and vulnerable voices and to solidify disproportionate power with the Executive.
- While an online attack on the freedoms and rights of others must be countered with effective measures, we will work to ensure that legitimate, constitutional rights are protected and promoted.
- We commit to ensuring that neither the government nor the platforms become sole arbiters of online free speech, in the absence of judicial safeguards.
- As an extension of our recognition of the right to meaningfully access the internet, we oppose the disproportionate, unreasoned, and non-transparent suspension of the internet.
- India's troublesome performance in globally renowned indexes measuring internet shutdowns and online speech censorship is a cause for alarm. We commit to safeguarding fundamental and human rights in online domains, preventing any authoritarian abuse of power.

IV.

UPHOLDING INFORMATIONAL PRIVACY

Protection of privacy, as articulated by a nine-judge bench of the Supreme Court in the two *Puttaswamy v. Union of India* judgments (2017 and 2019), is indispensable to a digital India.

- To ensure that the informational privacy of all Indians is protected, we commit to building a rights-affirming digital environment with adequate channels for grievance redress.
- We will amend the data protection legislation such that it meets the standards of privacy and principles of proportionality set out by the Supreme Court in the *Puttaswamy* judgments.
- We will implement robust data processing, storage and sharing mechanisms in line with internationally accepted principles.
- At the same time, we will be cognizant of the right to information and the RTI Act, which is a significant pillar of democratic governance.

V.

CHECKS ON SURVEILLANCE

In order to preserve privacy, dignity, and freedom of movement of Indian citizens, there is a critical need for establishing proper safeguards and oversight over digital surveillance by the Executive.

- We will work to ensure that legal safeguards and processes with adequate checks and balances are created for surveillance by police and intelligence agencies, to prevent misuse and targeted or mass surveillance of individuals.
- We will introduce long overdue reform in surveillance practices and powers of the Executive, with sufficient legislative and judicial oversight on any interception of digital devices, including computer access and phone tapping.
- We will carefully evaluate and reconsider the role of intrusive, emerging technological use-cases such as artificial intelligence and facial recognition in surveillance, and conduct privacy impact assessments before deploying such tools.
- We will acknowledge the positive role played by encryption technologies in securing the right to privacy for people. We will strive to protect and encourage the adoption of end-to-end encryption.
- We will strive to eliminate the use of spyware as a tool for surveillance.

VI.

MAKING CONSUMER FACING DIGITAL PLATFORMS ACCOUNTABLE

India is a valuable market for companies globally, with Indians forming a bulk of their user base. In exchange for establishing a presence on and using the services of these platforms, users are unknowingly relinquishing effective control over how they interact with technology.

- Legislative, regulatory, and policy measures are needed to effectively ensure an equitable balance of company interests and individual rights, in a way that the former respects the fundamental right to free speech and privacy.
- Technology companies as well as the government must strive to serve the public's best interests instead of protecting company profits. To that end, we will ensure that companies adopt measures for greater transparency and accountability through tools such as a Human Rights Impact Assessment.

VII.

ENSURING LEGITIMATE USE OF GENERATIVE AI

The legitimate use of generative AI for reasons such as translation or authorised dubbing of audio-video content to reach a broader audience can achieve positive outcomes. However, the unauthorised use of such technology for nefarious use to create manipulated media can have devastating consequences, including financial fraud, defamation, impersonation, etc.

- In light of the existing limitations of detection tools and redressal capabilities of platforms and companies, we promise to not create and/or use manipulated media for nefarious reasons



as government actors and otherwise. We will also strive to create solutions at the legal, policy, and societal level for such emerging technologies in a way that balances the right to online free legitimate and legal speech and the right to receive information.

- In addition to working towards building technical capacity within the government and its allied organisations to tackle these emerging threats, we will also undertake media literacy efforts, both in the digital and physical space, to raise awareness about the existence of and threats posed by these technologies.