



Atlassian
Public Policy

Atlassian Principles for Sound Tech Policy

Table of Contents

- 01. Preamble ————— 3

- 02. Atlassian Principles for Sound Tech Policy – 4
 - I. Define the playing field
 - II. Engage with the issue, don't dumb it down
 - III. Treat the ailments, don't kill the patient
 - IV. Consult early, consult openly
 - V. Let the light in ————— 5
 - VI. Address behaviour, don't punish success
 - VII. Tech (and trust) is global
 - VIII. Build the foundation for shared success

Atlassian Principles for Sound Tech Policy

Preamble

We at Atlassian are strong believers that the future of human endeavour and economic prosperity will increasingly flow from innovation and technology. And as 2020 has shown us, ever-greater digitisation is not only tomorrow's trend, but also today's urgent requirement.

But the pace of technology development means that all of us – individuals, private industry and government – must together develop policy frameworks that unleash the positive potential of technology for society while reducing any negative effects.

We know that developing a sound policy framework requires carefully considering the interests and rights of all vested stakeholders, as well as the potential impacts on them. This complex undertaking requires dedicated planning and process—as well as guardrails for the ultimate result. It is not surprising then that sometimes such policy efforts come up short of their intended aims.

This is why we think it is time for a reset on the conversation around tech regulation—one that fully encompasses the positive contributions of the tech sector to society, the legitimate regulatory requirements of government and protection of individual rights, as well as the need for a consistent and reliable environment for shared economic prosperity.

To contribute to this renewed conversation, Atlassian offers the following set of guiding principles to help government, industry, and the public converge on the essential qualities of sound regulation in the technology sector. If implemented, we believe that these guiding principles will result in targeted and proportionate policies, informed by a collaborative process, that ultimately unleash the positive potential of technology while fully addressing individual and societal interests – a true “win win” outcome for all of our communities.

Lastly, as these Principles make clear, we believe that collaboration is key to sound tech policy. As part of our drafting process, we engaged with numerous members of the tech sector, industry associations, and civic organizations who share our common vision. But to ensure that collaboration and improvement can continue even after publication, we are licensing these Principles under a [Creative Commons](#) license, so that others can adopt, modify and build upon these ideas as the dialogue continues.

Atlassian Principles for Sound Tech Policy

I. Define the playing field

Sound tech policy should have clear objectives. This means that everyone should be able to understand the specific problems that regulation seeks to solve, or the interests it seeks to support. More importantly, the regulatory solution should be clearly targeted at that identified problem. Unclear intent breeds distrust and concern.

II. Engage with the issue, don't dumb it down

Sound tech policy should be developed with a clear understanding of the relevant technology. Lawmakers and regulators may not all be technical experts, but if they engage with these experts and other stakeholders to understand the relevant technology and business models, they will be better positioned to respond to them through regulatory means. This can assist in identifying which regulatory means can be used effectively, and which ones are impractical or overly burdensome.

III. Treat the ailment, don't kill the patient

Sound tech policy should be proportionate, and should always seek to minimise unintended consequences. If regulatory responses are not properly considered and tested, they can overreach or lead to unintended and undesirable consequences. These consequences can be just as devastating to companies and their users as failing to act at all. Regulations should be surgical; government should not use a regulatory hammer where a scalpel is appropriate for its goals.

IV. Consult early, consult openly

Sound tech policy should be developed through open, consultative processes. When all relevant stakeholders are engaged early in regulatory processes, potential risks and unintended consequences can be identified and addressed before decisions are made. Open engagement also fosters greater trust in regulatory processes and creates space for both sides to clearly state their objectives or concerns. Early and extensive consultation is an obvious way to try to mitigate against a lack of understanding of the relevant technology or the business model of companies, and the consumer use cases. It also helps governments to ensure that regulations are as effective as possible.

v. Let the light in

Nothing is more uncertain than “black box” exercise of government discretion outside of the public eye. Sound tech policy should provide for transparency in government decision-making and set forth fair procedures that allow meaningful challenge of and detailed inquiry into those decisions.

vi. Address behaviour, don't punish success

Sound tech policy should seek to mold and target behaviours across a sector or drive outcomes on a systemic basis. It should not target specific individuals or companies. An approach that singles out individual organisations does not take into account the diversity and dynamism of the tech sector. More importantly, such an approach is not a sound long term approach addressing future challenges. This does not stop laws from ultimately being enforced in relation to identified individuals or entities, but regulations should not be made out against them specifically in the first place.

vii. Tech (and trust) is global

Sound tech policy should be coherent and consistent, mindful of global standards and able to enhance global interoperability. Local conditions must of course be considered, ensuring that any regulation forms part of a coherent local landscape. However, if competing regulatory frameworks are not also considered, there is a high risk that technology regulation will develop in a piecemeal manner that increases the burden on innovation, business, and consumers alike.

viii. Build the foundation for shared success

Sound tech policy should provide a consistent and reliable framework for business and investment. We fully appreciate and support governments' legitimate interest in meeting regulatory goals and protecting consumers and the public, and the responsibility that all businesses share to ensure that this is achieved. It is equally important that the legislative process and outcome should be measured, fair, and reliable, in a manner that provides business stakeholders with the confidence to grow and invest in jobs, infrastructure, and improved products and services for their customers.