

## Data Governance

### About the Theme

At IGF 2019, discussions on this theme considered:

- The role of data governance in fostering economic growth (including for SMEs), innovation, social progress and sustainable development
- Issues on which there is perceived a need for, but as yet no global consensus, such as the lack of a common framework for data protection and related issues around managing cross-border data flows and questions of jurisdiction
- How to best ensure the development of people-centric frameworks at national, regional and international levels, as well as in related cross border issues, that respects human rights, empowers individuals and promotes sustainable development
- The conditions and ethical frameworks needed to facilitate data-driven innovation while also ensuring fair competition, and fostering trust in the Internet and digital technologies

### Berlin IGF Messages on Data Governance

To provide a high-level overview for decision-makers of the most current thinking on key Internet governance issues, discussions from IGF 2019 sessions on the theme of data governance have been distilled into the following Berlin IGF Messages.

#### Cross-border data flows and development

- Flows of data and information link up communities, cities, countries and continents, bringing people together beyond traditional barriers established through politics, through religion or social status.
- As data crosses borders, multiple legal and regulatory frameworks, such as personal data protection regulations, data disclosure requirements and judicial redress processes often apply, with the potential to produce uncertainty in global data-driven supply chains, with the potential to adversely affect economic and social development, innovation, and as well as place constraints on freedom of expression and freedom of assembly, and introduce security risks.
- Working collaboratively in a global context on developing commonly agreed values and principles for data frameworks could assist in building confidence in cross-border data flows, with resultant economic and social benefits. Small to Medium Enterprises (SMEs) lacking the resources to map differing national legal regimes would particularly benefit from increased confidence in their ability to reach out to customers in other national market.

#### Data: the key resource of our economy and society

- Evidence shows that Artificial Intelligence (AI) and open data can assist in achieving the 2030 Sustainable Development Goals by contributing to the establishment of inclusive and empowered knowledge societies. Already, today, our everyday lives are being

supported and influenced by digital applications that rely on big data and algorithms.

- The global trend towards urbanization has brought about challenges in urban mobility, public health, and equitable access to public services and equal opportunities. Increasing uptake of Internet of Things (IoT) in urban infrastructure also inevitably results in more data being produced, collected and shared. It is essential to ensure public services are people-centric and data-driven, with participation and transparency in the design of services. Sustainable development and the protection of fundamental rights of all people, including marginalized groups, should be the overarching goals for policymaking, that also allows for integrated services and innovation to drive efficiency and equality.
- A lack of adequate global and national human-centric data governance limits data's potential as a key resource for sustainable development. Current data governance models support the concentration of access to data to only a few very large technology

companies. Meanwhile, the human sources of data, as well as smaller businesses and developing countries, are excluded from sharing and benefitting from the value of their own data, while simultaneously being vulnerable to data breaches and attacks on their privacy rights.

- Data governance challenges are also increasingly seen through the lens of human rights risks and not just as ethical dilemmas. This lens has widened to bring into context issues related to corporate environmental and social responsibility, and the sufficiency and accountability of the current global governance and public policies related to the Internet.
- Effective data governance is essential in building smart cities that foster the creation and delivery of effective, innovative and sustainable public services. Data-driven public services, including mobility services, should be governed in a manner that is consistent with the Sustainable Development Goals through a holistic and integrated approach.

## Data governance, ethics and fundamental rights

- Data governance challenges are increasingly seen through the lens of human rights risks.
- Artificial Intelligence and algorithms, if not governed effectively, can be used to monitor and manipulate behaviour, to besiege us with ever more targeted and intrusive advertising, to manipulate voters and stifle freedom of expression. Algorithmic discrimination affects labour market, the criminal justice system and access to public services.
- There needs to be a balance between the need to protect children's data and children's ability to participate online in meaningful ways. In particular, parental control - both too much and too little - can limit children's ability to benefit from digitalization with both the data protection rights and active permission of children to use their data often

overlooked. Integrated digital literacy programmes at school are essential to improving children's digital literacy at both the national and local levels.

- Use of AI on anonymized big data sets can de-anonymize and identify specific individuals within the data sets.
- When developing algorithms there should be a policy balance between being able to extract knowledge that can be used for good and knowledge that can be used to infringe on the fundamental rights of people whose data has been collected.
- Appropriate protocols for data interoperability need to be part of data governance models.