My data are still mine?

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Session 9: The Data Revolution

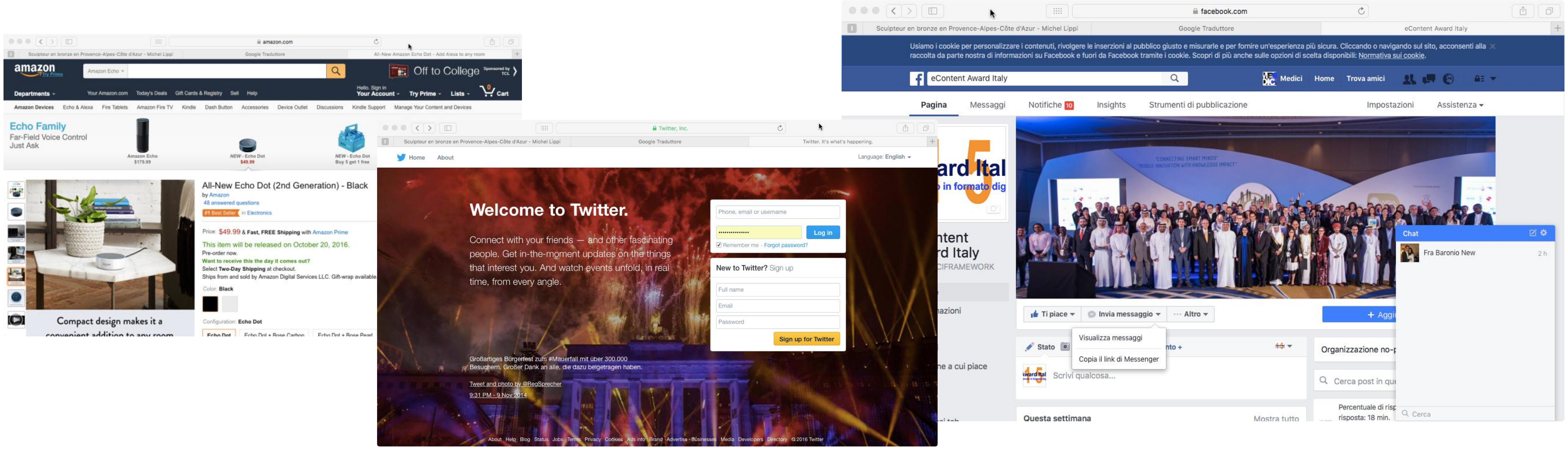
Data, Information

- 20 Years ago: Bill Gates: 1st "Information at Your Fingertips" Keynote - Comdex/Fall 1990
- In a glimpse this vision become reality and twenty-six years later “information” is still a powerful “transversal” asset: business, trade, policy, security, tourism, health, … rely on information, reliable information.
- Historically speaking, the idea of even owning information is relatively new. The earliest copyright laws—which granted the creator of a work exclusive rights to duplication and distribution of said work—first appeared in the early 18th century. It would still be hundreds of years, however, before the concept of "data" as we understand it even began to develop.
- The question of who owns your data is not an easy one to solve. It becomes particularly problematic because you create data (whether or not it gets recorded) every time you leave (or not) your (private) house. The number of steps you take, whether you look ahead or at the ground, what types of clothes you wear, and any number of decisions you make in view of other people are all potential data points. Arguably, we haven't even discovered every type of data that can be recorded.

The Internet Effect

- The so called Internet Revolution gave a boost to data creation and dissemination, MAC Addresses, web logs, voluntary or unintentional applications to web sites and services ignited the sedimentation of personal and many times sensitive information apparently lost in the cyberspace.

- However, Google, Facebook, Apple, Microsoft, Amazon, and any of the other hundreds of companies that can and do collect data about you can use "your" data for all kinds of amazing things.



All-New Echo Dot (2nd Generation) - Black
by Amazon
48 answered questions
#1 Best Seller in Electronics
Price: $49.99 & Fast, FREE Shipping with Amazon Prime
This item will be released on October 20, 2016.
Pre-order now.
Want to receive this the day it comes out?
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Ships from and sold by Amazon Digital Services LLC. Gift-wrap available.
Color: Black
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Connect with your friends — and other fascinating people. Get in-the-moment updates on the things that interest you. And watch events unfold, in real time, from every angle.

Großartiges Bürgerfest zum #Mauerfall mit über 300.000 Besuchern. Großer Dank an alle, die dazu beigetragen haben.
Tweet and photo by @RegSprecher
9:31 PM - 9 Nov 2014

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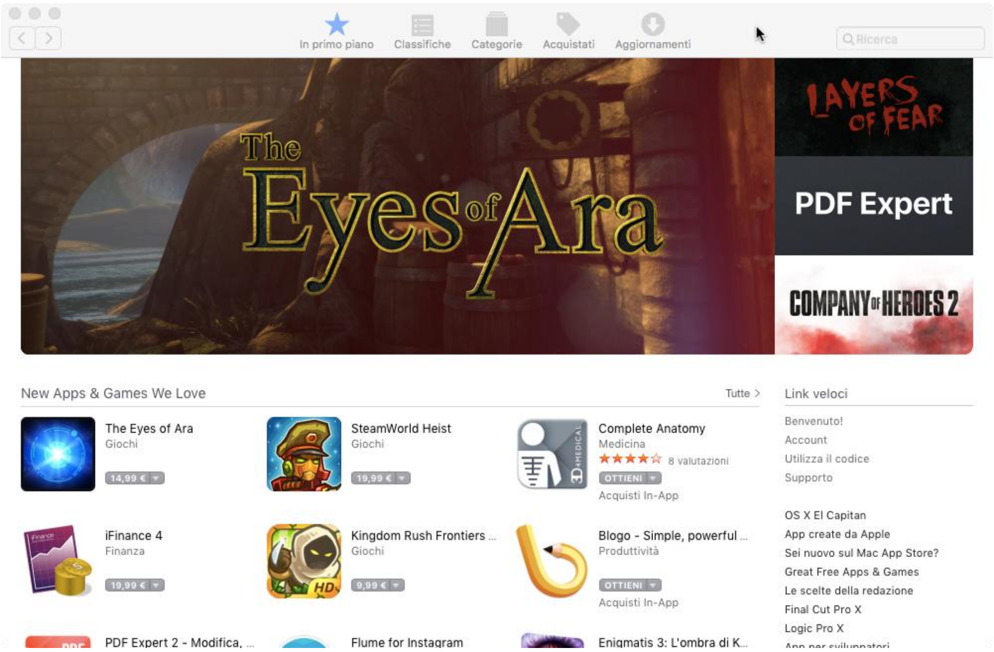
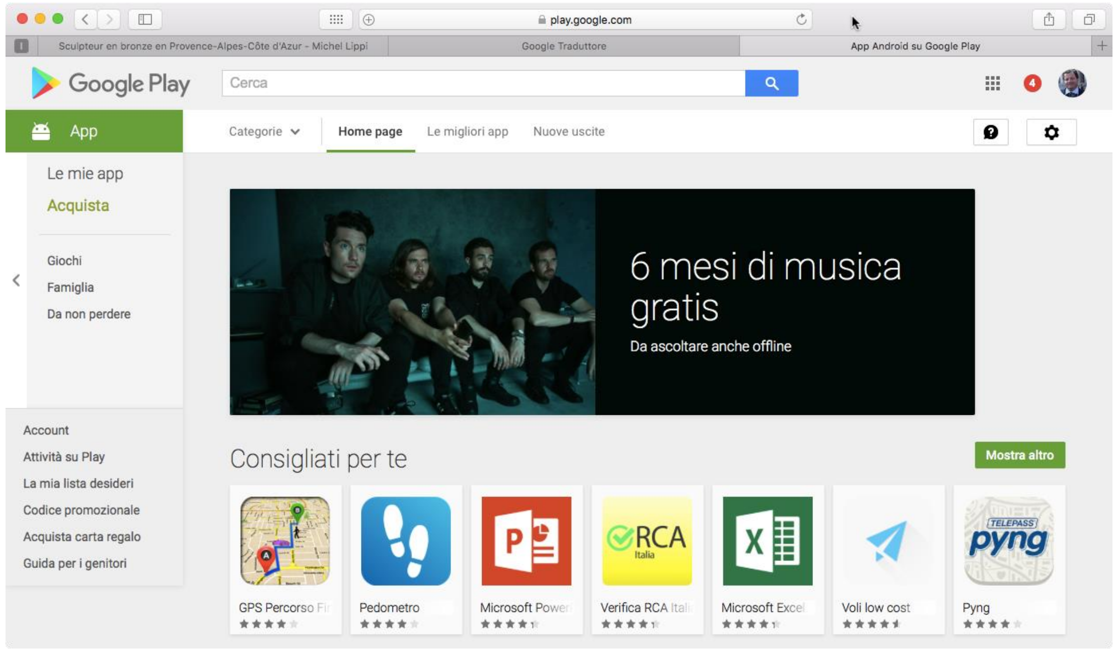
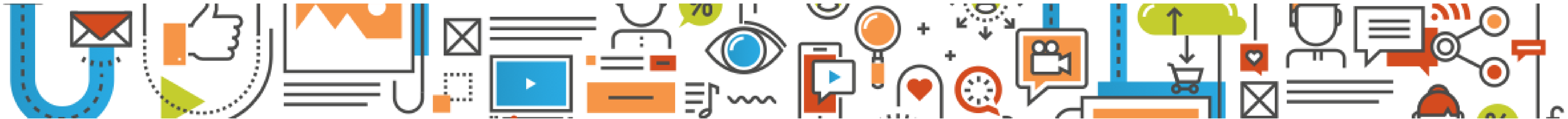
"Appification" Time

- In the "Appification" era there are almost no limits to data collection and reuse, "someone" knows exactly where you are now and where you have been, APPs may collect your medical data, your expenses or collect and analyse your contacts, your photos or video clips. Social and communication media complete the panorama adding a "private depth" to the general fresco. In recent times crowd data collection, open data and big data more or less anonymised provided the big framework.







The Cyberspace Black Hole

Information is built on top of single or aggregation of data, for quite a long time people use to think that cyberspace is a black hole without “memory” where you pour data without any side effect.

Digital Era

- Nowadays we must accept a simple truth: we are incapable of preventing all possible data tracking.

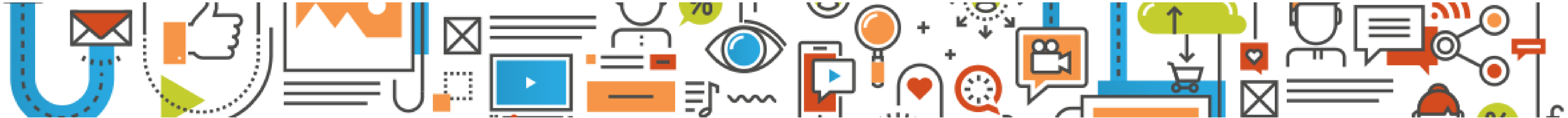
Mobile position aware devices, Cameras, satellites, and software virtually everywhere ensure that, no matter how much technology you eschew, someone can get some data off of you.

The concept of "data" as it relates to everyday people is still evolving. Your local store tracks your purchases. Your cell carrier tracks your calls. Your area's law enforcement tracks the roads and intersections you drive down every day.

There is no legal concept that states you are the sole proprietor and owner of the information regarding your life and that the mere collection of this information is a violation of your rights. The closest legal offense for this behaviour would be stalking, however not only does this tend to involve an element of harassment (something our hypothetical unseen observer would be incapable of doing), but it's also irrelevant because your phone can't be convicted of stalking you.

Side Effects, Drawbacks, Risks

- Ethics - ethical data re-use is around the concept of privacy, legal requirements, risks and mitigations associated.
- Privacy - Privacy has many dimensions, from concerns about intrusive information collection, through to risks of exposure, increased insecurity or interference in their decisions that individuals or communities are subjected to when their 'private' information is widely known.
- Security - Digital information security; Physical and operational security; Psychosocial well being required for good security implementation. Nowadays the key concept is "holistic security", a "global" approach to security integrating all the different aspects and problems.
- …..
- Open Source Intelligence (OSINT) - refers to intelligence collected from publicly available sources.
- Social Engineering - is very effective, because users are the most vulnerable part of an organization.
- ……



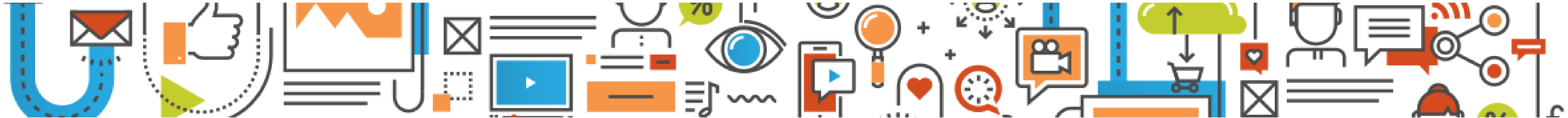
Laws and Regulations

- Ownership of data is only slightly less enigmatic. Your rights can be infringed if your privacy is invaded or if your intellectual property is illegally duplicated. However, legally, you have no more of a claim to "ownership" over your data than Google does. Legally speaking, you'll have exactly the same difficulty proving you own the rights to your heart rate data.

- This might not always be the case. Individual nations and international organizations are attempting to establishing rules governing who can collect what data and what they're allowed to do with it. Germany, in fact, has a legal concept known as "informationelle Selbstbestimmung" or informational self-determination. That means that an individual has the right to decide for themselves what information can be used by whom and for what.

- Universal Declaration of Human rights
- European Convention on Human Rights (Article 8)
- Recommendations of the Council Concerning guidelines Governing the Protection of Privacy and Trans-Border Flows of Personal Data – (OCSE 1980)

- Interaction among stakeholders - requires related competencies such as reliable information access and retrieval; information assessment and utilization; information and knowledge creation and preservation; and information sharing and exchange using various channels, formats and platforms. To be effective and fruitful, such interaction should be based on trustworthiness of governmental information; mutual respect and compliance with standards of ethics; and privacy and security.



EU Data Protection Directive and personal data re-use (Directive 95/46/EC)

- The new regulation will apply if the data controller or processor (organization) or the data subject (person) is based in the EU. Furthermore (and unlike the current Directive) the Regulation will also apply to organizations based outside the European Union if they process personal data of EU residents.
- According to the European Commission "personal data is any information relating to an individual, whether it relates to his or her private, professional or public life. It can be anything from a name, a photo, an email address, bank details, "posts" on social networking websites, medical information, or a computer's IP address.

What laws and legal implications may occur to organization re-using open data?

- This question pertains the problem we can summarise as "Transparency & Openness v/s Privacy, Security & Ownership".
- Taking into account a governmental organisation we can refer to ethics and Integrity within the organization. High ethical standards, respect to dignity and organizational integrity are few of key employee motivators.
- Data re-users' main concern is rights and dignity of others. Majority of open data re-users are NGOs who often declare missions that are directly linked to rights of certain social groups. Having responsible data policies send a clear signal to all stakeholders that organization does in fact care about its affected groups, especially those vulnerable.
- Taking into account both governmental bodies and data re-users an additional aspect concerns reputation in front of donors, partners, customers. Having data re-use policies in place does send a clear signal to donors, partners, customers and other stakeholders that the organization treats its activities with care and high ethical standards.

Responsibilities in data re-use

- Re-using data organisations have the duty to ensure people's rights to: consent, privacy, security and ownership during the processes of: collection, analysis, storage, presentation and re-use. Consent is a relevant "keyword", it means to explicitly provide the **consent** to use and manage private information provided in order to access a specific service. The request for "consent" must incorporate a clear and complete description of the use and aim of such data collection. Such a request may incorporate the description of future re-use of such dataset. If the potential use and re-use of data is articulated in different aims and steps the consent must be requested in the so called "granular" way that means that the platform will request a sequence of different consent that should be provided or not care of the citizen, in the field of APPs this is usually known as Warsaw Declaration on "appification of society" (September, 2013).

- At the same time they must respect the values of transparency and openness.

- The contraposition of such duties, transparency & openness versus privacy, security & ownership, finds its solution in the ethical and responsible re-use approach.

Principles
□ • Transparency & Openness
□ • Do no harm!
Concepts
□ • Consent
□ • Privacy, Security & Ownership
Data Stages
□ • Collection and Storage
□ • Analysis & Presentation

Risk assessment: mapping

We all know that security and privacy are subject to risk as already stated thus it is important to identify and mitigate risks associated with privacy and security concerns:

1. Identify the Persons at Risk in the event of exposure (not restricted to the data owner or collector);

2. Identify Knowledge Assets that can be extracted from the data collected (Discrete data points, meta analysis of data points, mash up of the collected data and external data sources);

3. Evaluate the importance of each knowledge asset to the campaign (little or no relevance, significant relevance, crucial);

4. For each Type of Harm: Probability of Harm -49% or less, 50% or more Severity of Harm: little to no harm, moderate to severe harm, No Go catastrophic harm.

WSIS: My data belongs to me

In 2014 the World Summit Award (WSA) launched "My data belongs to me" an initiative through its global multi-stakeholder network to push forward personal data ownership and big data issues at UN discussions.

On the occasion of open discussions, such as the one held on he occasion of WSIS Forum in Geneva, the WSA invited participants to share views on issues with the current system of data use, the need for permission-based access, and steps for further action.

This initiative underlines the consciousness about the ownership of personal information too many times shared among social platforms and business services.

UNESCO IFAP

International conference Media and Information Literacy for Building Culture of Open Government
(Khanty-Mansiysk, Russia, 7-10 June 2016)

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Media and Information
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6–10 June 2016
Khanty-Mansiysk

Government
of the Khanty-Mansiysk
Autonomous Okrug – Ugra

Info Ethics
Privacy
Security
Ownership

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