



Messages from IGF 2019

Data Governance

- Data fairness
- Big data
- Human rights
- Digital identity
- Digital sovereignty
- Internet ethics
- Algorithms
- Data privacy
- Cross-border data
- Surveillance capitalism



Table of Contents

Introduction: Data Governance	1
About the Theme	1
Related Sustainable Development Goals (SDGs)	1
Issues Associated with Data Governance	1
How the Berlin Messages on Data Governance were Developed	2
A New Framework for Organizing Discussions Introduced at IGF 2019	2
Berlin IGF Messages on Data Governance	3
Cross-Border Data Flows and Development	3
Data: The Key Resource of our Economy and Society	3
Data Governance, Ethics and Fundamental Rights	4
Best Practice Forum on Internet of Things (IoT), Big Data and Artificial Intelligence (AI)	4
Previous Data Governance Discussions at IGF	5
IGF 2016, Jalisco, Mexico	5
IGF 2017, Geneva, Switzerland	5
IGF 2018, Paris, France	5
Annex A: IGF 2019 Sessions on the Theme of Data Governance	7
How the Discussions in the Data Governance Track Were Coordinated at IGF 2019	7
List of Sessions	7
Annex B: Illustrative Policy Questions Developed by the IGF MAG to Assist Participants Develop Session Proposals	10

Introduction: 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

Related Sustainable Development Goals (SDGs)



Issues Associated with Data Governance

- Accountability
- Algorithms/Artificial Intelligence/Machine Learning
- Big Data
- Cross-border Data
- Data-driven Economy
- Data Fairness
- Data Privacy & Protection
- Data Services
- Data Sovereignty
- Digital Identity
- Digital Sovereignty
- Economic Development
- Human Rights
- Internet Ethics
- Internet Ethics & Regulations
- Innovation
- Surveillance Capitalism

How the Berlin Messages on Data Governance were Developed

The Berlin messages provide policy makers with a quick, high-level overview of policy trends in the Internet space for 2019. The first set of high-level IGF messages were compiled during IGF 2017. They were well-received by forum participants, so have been continued at subsequent IGFs.

The Berlin messages were compiled and updated throughout the week of IGF 2019. On the mornings of IGF 2019 Days 3 and 4 of, three living documents, containing cumulative thematic messages drawn from the forum's discussions, were published on the IGF website for the consideration and input of participants.

<https://www.intgovforum.org/multilingual/content/berlin-igf-messages>

The final set of messages on data governance are contained in the following pages.

Did You Know?

A New Framework for Organizing Discussions Introduced at IGF 2019

In a new approach to shaping the programme in 2019, the MAG used the submissions received in response to the annual public call for issues to develop a more thematic, focused and non-duplicative design of the schedule. The three main themes that emerged out of this process helped shape many of the preparatory and intersessional work processes for IGF 2019:

- Data governance
- Digital inclusion
- Security, safety, stability and resilience

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.
- The integrity of electoral processes links the issue of misinformation to data governance. There remain divergent views between stakeholders on whether restricting content is an appropriate strategy for tackling misinformation or whether misinformation should be left online as part of wider democratic debate.

Best Practice Forum on Internet of Things (IoT), Big Data and Artificial Intelligence (AI)

In addition to community-proposed sessions that were explicitly included under the work track of Data Governance, IGF 2019's intersessional activities included the Best Practice Forum (BPF) on Internet of Things (IoT), Big Data and Artificial Intelligence (AI), which was also of relevance to the theme of Data Governance:

<https://www.intgovforum.org/multilingual/content/bpf-internet-of-things-iot-big-data-and-artificial-intelligence-ai>

Outcome document, *Internet of Things, Big Data, Artificial Intelligence*:

https://www.intgovforum.org/multilingual/filedepot_download/8398/1915

Previous Data Governance Discussions at IGF

Data governance-related issues have been raised in less structured form since the first IGF, in Athens, Greece, in 2016, where they were most prevalent under the “Openness” main theme. Below is a summary of more recent discussions, since IGF’s mandate was renewed by the United Nations General Assembly at the end of 2015.

IGF 2016, Jalisco, Mexico

Data governance was discussed in a main session within the framework of Trade Policy and the Internet. The session discussed access to domain name registrant data as well as cross-border information flows, noting that many governments, in 2016, considered cross-border information flows to be purely trade-related, rather than Internet governance, issues.

IGF 2017, Geneva, Switzerland

Main sessions:

- Local Interventions, Local Impacts: How can International, Multistakeholder cooperation address Internet Shutdowns, Encryption and Data Flows?
- Digital Transformation: How do we Shape its Socio-economic and Labor impacts for Good?

Special session:

- Data for Sustainable Development Roadmaps

Workshops:

- “Privacy” was the fourth most popular thematic tag used by workshop organizer
- “AI”, “big data”, and “data protection” thematic tags were selected by a modest number of workshop organizers, but were yet to emerge on the wider IGF workshop scene as priority issues

Messages related to data governance are contained in the Chair’s Summary of IGF 2017:

- https://www.intgovforum.org/multilingual/index.php?q=filedepot_download/4223/919

IGF 2018, Paris, France

Main sessions:

- Emerging technologies – data governance was discussed in the context of AI and algorithms

Intersessional work programs:

- BPF on IoT, Big Data, AI

Overarching themes/categories for workshops that contained elements of data governance:

- Development, innovation and economic Issues
- Emerging technologies

IGF 2018 produced the message documents that contain elements related to data governance:

- Development, innovation and economic Issues
https://www.intgovforum.org/multilingual/index.php?q=filedepot_download/6037/1409
- Emerging technologies
https://www.intgovforum.org/multilingual/index.php?q=filedepot_download/6037/1412

Annex A: IGF 2019 Sessions on the Theme of Data Governance

In the March 2019 calls for workshop proposals, open forums, Dynamic Coalition and National, Regional and Youth IGF collaborative sessions, organizers were invited to identify under which main theme their sessions would fall. Members of the Multistakeholder Advisory Group (MAG) put together the following information to assist IGF participants frame their sessions according to the main themes:

<https://www.intgovforum.org/multilingual/content/igf-2019-themes>

Workshop proposers were also given the option of selecting from a range of more specific associated issues/tags. In the leadup to the meeting in Berlin, each of the sessions associated with the main themes was coordinated by a small set of volunteers from the Multistakeholder Advisory Group (MAG).

How the Discussions in the Data Governance Track Were Coordinated at IGF 2019

There was an introductory session to set the scene for the discussions throughout the week:

<https://www.intgovforum.org/multilingual/content/introductory-breakout-session-data-governance>

On Day 4, there was a concluding breakout session to reflect on the discussions that had been held throughout the week:

<https://www.intgovforum.org/multilingual/content/concluding-breakout-session-data-governance>

A brief summary of the reports presented during the concluding breakout session was included in the “Bringing It All Together” session on the afternoon of Day 4:

<https://igf2019.sched.com/event/SU6X/bringing-it-all-together>

In addition, on the mornings of Days 3 and 4 of the IGF 2019, living documents, containing cumulative thematic messages drawn from the discussions of the previous days were published on the IGF website for the consideration and input of participants.

<https://www.intgovforum.org/multilingual/content/berlin-igf-messages>

List of Sessions

In total, there were 31 sessions on the theme of data governance.

Dynamic Coalition (DC) sessions	
Accountable development, purchase and use of IoT (DC on The Internet of Things towards the future, building on inherent Core Internet Values)	https://www.intgovforum.org/multilingual/content/igf-2019-accountable-development-purchase-and-use-of-iot
Conflicting Rights, AI and Tax Avoidance (DC on Platform Responsibility: Platform Values)	https://www.intgovforum.org/multilingual/content/igf-2019-platform-values-conflicting-rights-ai-and-tax-avoidance
ICT accessibility for people with disability (DC on Accessibility and Disability)	https://www.intgovforum.org/multilingual/content/igf-2019-ict-accessibility-for-people-with-disability

National and Regional and Youth IGF (NRI) sessions

Collaborative Session on Human Rights <https://www.intgovforum.org/multilingual/content/nris-collaborative-session-on-human-rights-0>

Collaborative Session on Data Protection <https://www.intgovforum.org/multilingual/content/nris-collaborative-session-on-data-protection-0>

Open Forums

Business and Human Rights in Technology Project: Applying the UN Guiding Principles on Business and Human Rights to digital technologies (OHCHR) <https://www.intgovforum.org/multilingual/content/igf-2019-of-24-business-and-human-rights-in-technology-project-applying-the-un-guiding>

Data Governance and Competition (Federal Ministry of Economics and Energy (Germany) <https://www.intgovforum.org/multilingual/content/igf-2019-of-11-data-governance-and-competition>

Developing policy guidelines for AI and child rights (UNICEF & Berkman Klein Center for Internet & Society, Harvard University) <https://www.intgovforum.org/multilingual/content/igf-2019-of-33-developing-policy-guidelines-for-ai-and-child-rights>

Formulating Policy Options for Big Data and AI Development (UNESCO) <https://www.intgovforum.org/multilingual/content/igf-2019-of-17-formulating-policy-options-for-big-data-and-ai-development>

Future Internet Governance Strategy for the European Union (European Commission) <https://www.intgovforum.org/multilingual/content/igf-2019-of-37-future-internet-governance-strategy-for-the-european-union>

Human Rights & AI Wrongs: Who Is Responsible? (Council of Europe & EU Agency for Fundamental Rights) <https://www.intgovforum.org/multilingual/content/igf-2019-of-13-human-rights-ai-wrongs-who-is-responsible>

Personal Information Protection (Bureau of Policy and Regulations, Cyberspace Administration of China) <https://www.intgovforum.org/multilingual/content/igf-2019-of-18-personal-information-protection>

Technological Innovation and Challenges to Data Governance (Cyberspace Administration of China & Chinese Academy of Cyberspace Studies) <https://www.intgovforum.org/multilingual/content/igf-2019-of-25-technological-innovation-and-challenges-to-data-governance>

The Future of Artificial Intelligence and Sustainable Development (Deutsche Gesellschaft für Internationale Zusammenarbeit and German Federal Ministry for Economic Cooperation and Development) <https://www.intgovforum.org/multilingual/content/igf-2019-of-27-the-future-of-artificial-intelligence-and-sustainable-development>

Workshops

A universal personal data protection framework? How to make it work? <https://www.intgovforum.org/multilingual/content/igf-2019-ws-236-a-universal-personal-data-protection-framework-how-to-make-it-work>

Assessing the role of algorithms in electoral processes <https://www.intgovforum.org/multilingual/content/igf-2019-ws-112-assessing-the-role-of-algorithms-in-electoral-processes>

Beyond Ethics Councils: How to really do AI governance	https://www.intgovforum.org/multilingual/content/igf-2019-ws-175-beyond-ethics-councils-how-to-really-do-ai-governance
Children's Privacy and data protection in digital contexts	https://www.intgovforum.org/multilingual/content/igf-2019-ws-170-childrens-privacy-and-data-protection-in-digital-contexts
Crossborder data: connecting SMEs in the global supply chain	https://www.intgovforum.org/multilingual/content/igf-2019-ws-184-crossborder-data-connecting-smes-in-the-global-supply-chain
Data-Driven Democracy: Ensuring Values in the Internet Age	https://www.intgovforum.org/multilingual/content/igf-2019-ws-36-data-driven-democracy-ensuring-values-in-the-internet-age
Data Governance by AI: Putting Human Rights at Risk?	https://www.intgovforum.org/multilingual/content/igf-2019-ws-282-data-governance-by-ai-putting-human-rights-at-risk
Data Governance for Smarter City Mobility	https://www.intgovforum.org/multilingual/content/igf-2019-ws-182-data-governance-for-smarter-city-mobility
Different Parties' Role in PI Protection: AP's Practices	https://www.intgovforum.org/multilingual/content/igf-2019-ws-83-different-parties-role-in-pi-protection-aps-practices
Enhancing Partnership on Big data for SDGs	https://www.intgovforum.org/multilingual/content/igf-2019-ws-277-enhancing-partnership-on-big-data-for-sdgs
Human-centric Digital Identities	https://www.intgovforum.org/multilingual/content/igf-2019-ws-178-human-centric-digital-identities
Making global data governance work for developing countries	https://www.intgovforum.org/multilingual/content/igf-2019-ws-271-making-global-data-governance-work-for-developing-countries
Public Interest Data: Where Are We? To Do What?	https://www.intgovforum.org/multilingual/content/igf-2019-ws-191-public-interest-data-where-are-we-to-do-what
Solutions for law enforcement to access data across borders	https://www.intgovforum.org/multilingual/content/igf-2019-ws-288-solutions-for-law-enforcement-to-access-data-across-borders
Splinternet: What Happens if "Network Sovereignty" Prevails	https://www.intgovforum.org/multilingual/content/igf-2019-ws-180-splinternet-what-happens-if-network-sovereignty-prevails
Unpacking Digital Trade Impacts: Calling all Stakeholders	https://www.intgovforum.org/multilingual/content/igf-2019-ws-381-unpacking-digital-trade-impacts-calling-all-stakeholders
Value and Regulation of Personal Data in the BRICS	https://www.intgovforum.org/multilingual/content/igf-2019-ws-211-value-and-regulation-of-personal-data-in-the-brics

Annex B: Illustrative Policy Questions Developed by the IGF MAG to Assist Participants Develop Session Proposals

Users rights and responsibilities:

- What are/should be the rights and responsibilities for individuals in determining the use of their personal data, and what right do individuals have to determine their own digital identity?

Ethical, legal and regulatory dimensions for new technologies:

- What is the relationship between ethical considerations and legal and regulatory frameworks in data driven technologies?
- And which is the better approach for approaching and resolving issues related to the use of data in emerging technologies?
- What societal and economic benefits are enabled by the trustworthy use of data to develop new technologies, e.g. through machine learning and the development of AI?
- How should these benefits be weighed against the need to protect fundamental rights?
- To what extent can the development of international norms and principles facilitate common approaches and interoperability of data protection frameworks, and also facilitate international trade and cooperation?

Algorithms and accountability:

- To what extent, and how, should accountability, fairness, explainability, suitability and representativity apply to the use of data and algorithms, and how can governance frameworks address these issues in a way that enhances increases inclusion?

Transborder data flows:

- What policy considerations and legal frameworks should be developed for data transfers across national borders for various purposes, including but not limited to the legitimate need to access digital evidence, use cloud services and other technologies, and to carry out digital commerce, always ensuring the protection of fundamental rights?
- How the proposed regulatory framework hold accountable the different stakeholders (e.g. governments, users, private sector both large and small businesses) in the transnational use of data

Consequences of Data Concentration:

- What are the competitive, developmental, ethical, legal and technical issues raised by increasing concentration of data and how can we ensure equitable access to data?