## DATA, DATA GOVERNANCE AND THE DATASPHERE

**Lorrayne Porciuncula** 6 September 2022 CLDP Central Asia WG



## **DATASPHERE**





### WE NEED TO TALK ABOUT DATA

FRAMING THE DEBATE AROUND FREE FLOW OF DATA AND DATA SOVEREIGNTY



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### www.thedatasphere.org/aboutdata





### Launched in April 2021







theddatappere.org





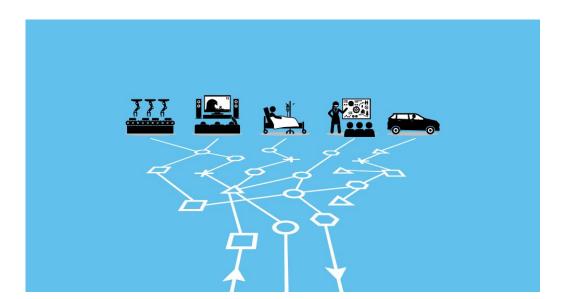


#### BEWARE OF **ANALOGIES**

# INFRASTRUCTURE CURRENCY



#### DATA HAS **UNUSUAL PROPERTIES**

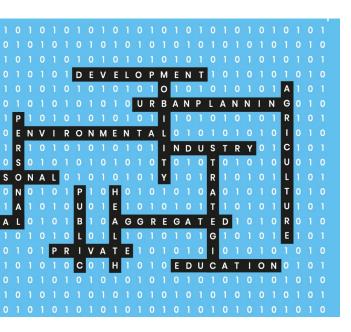








#### LOCATION OF STORAGE AND PROCESSING **IS NOT ALL THAT MATTERS**







#### DATASPHERE $|\mathsf{N}|\top|\mathsf{A}\top|\lor\mathsf{E}$

# FREE FLOW OF DATA

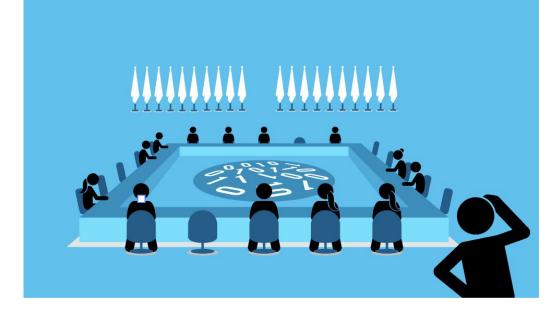






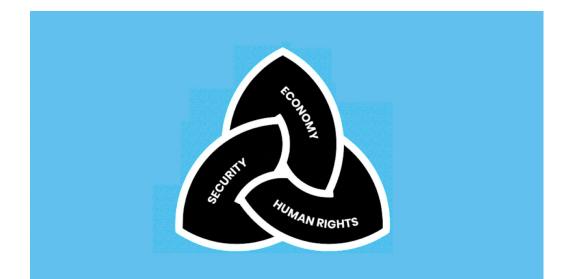
#### THE SHADOW OF **THE FREE TRADE** DEBATE

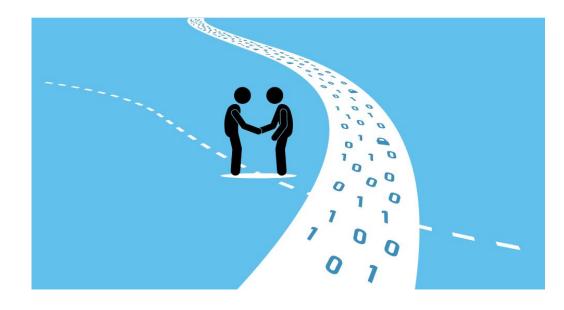




#### CONCERNS EXIST REGARDING DIGITAL **INTERDEPENDENCE DYNAMICS**

#### ENHANCING TRUST FOR CROSS-BORDER **DATA FLOWS IS CRITICAL**









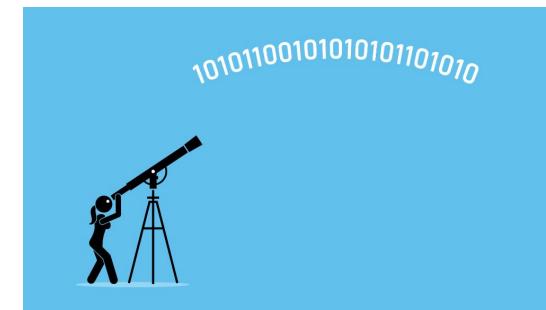


# DATA SOVEREIGNTY





#### DIGITAL CHALLENGES TO TERRITORY-BASED SOVEREIGNTY



### DATA SOVEREIGNTY IS PADDLED AS A PANACEA TO MANY CONCERNS



#### IMPLEMENTATION **PITFALLS**

#### DEALING WITH MULTIPLE JURISDICTIONS







# BEYOND THE DICHOTOMY





#### Threats to democracy

Hate speech

Artificial Intelligence

**Terrorism** 

Trade imbalance

Cyber Security

**Privacy** 

Intellectual **Property** 

#### Competition

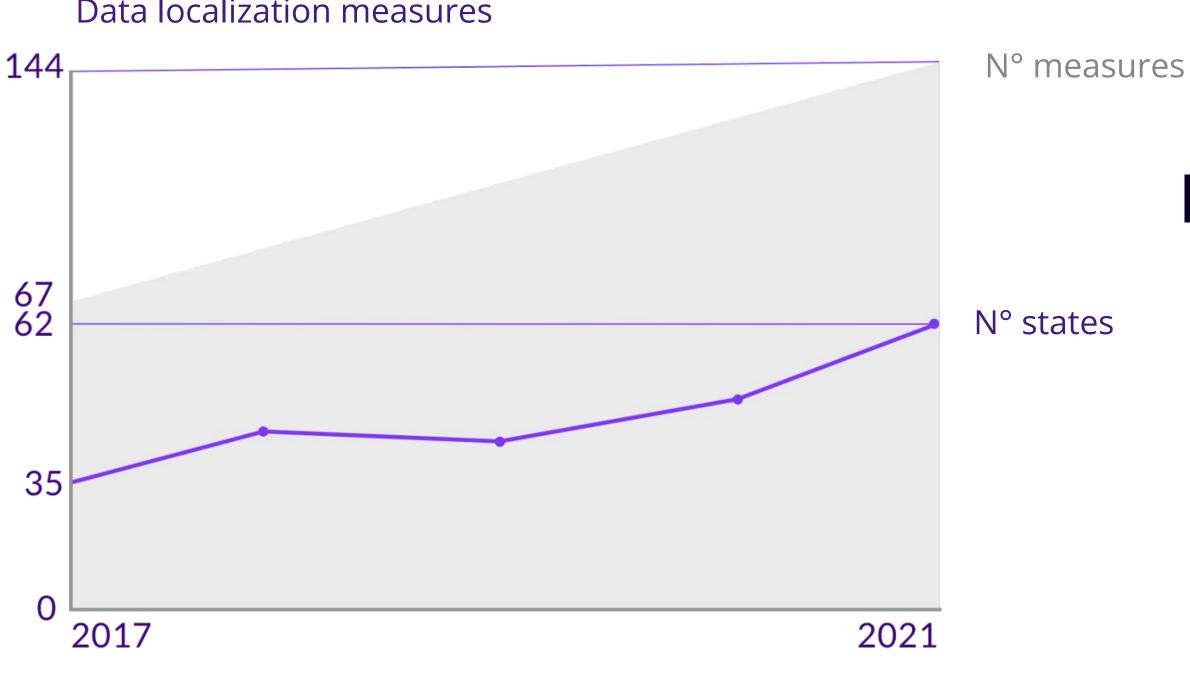
Socio-economic inequalities

**Surveillance** 

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### There is a widespread fear of losing control of the trajectory of our societies.



Data localization measures

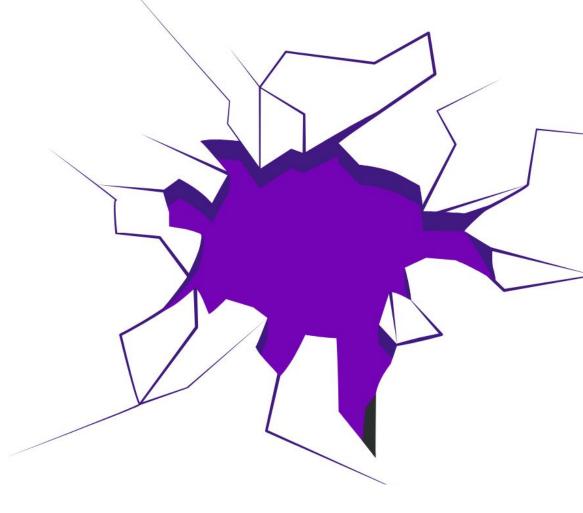
(Cory and Dascoli, 2021)





## Increasing incentives for actors to act alone

The various issues are addressed in separate silos and the patchwork of uncoordinated actions creates more problems than it solves.







"Existing institutional frameworks at the international level are **not fit for purpose** to address the specific characteristics and needs of global data governance"





(UNCTAD, 2021)

## A GLOBAL MULTI-STAKEHOLDER **DEBATE ACROSS SECTORS**

- Discussing the future of cross-border data flows cannot be limited to just a few countries
- The characteristics of data, its collection, processing and use, need to be socialized
- Designing, developing and implementing any approach must involve all stakeholders, not only states
- The discussion about data, conducted today in policy silos, should be more cross-sectoral







## **A NUANCED DISCUSSION AND COMMON OBJECTIVES**

### A novel and complex issue

- Unusual characteristics of data
- Diversity of uses across all sectors
- Numerous norm-setters involved

### **Caution is needed**

- Use analogies carefully
- Be mindful of legitimate concerns
- Look out for implementation pitfalls

### **Common objectives to guide efforts**

- Maximizing the wellbeing of everyone Addressing concrete issues Defining the distribution of responsibilities

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## EXPLORING AND FOSTERING INNOVATIVE APPROACHES

### New tools

- Technical solutions
- Normative frameworks
- Concepts

### **Governance innovation**

- Enable experimentation
- Ensure that frameworks are future-proof
- Enable interactions and bridge silos





# WE NEED A CHANGE OF PERSPECTIVE







Leveraging the concept of the Datasphere





## There is a need for a more systemic, innovative, and positive approach

# The complex system encompassing all types of data and their dynamic interactions with human groups and norms.

#### DATASETS





HUMAN GROUPS

## We are missing the vocabulary, frameworks and instruments to deal data through a holistic perspective.







# DATASPHERE INTIATIVE







### VISION

### A collaboratively governed Datasphere



### **MISSION**

### Build agile frameworks to responsibly unlock the value of data for all



Flexible and iterative

More than just regulation

Risk management and balances

### **Agile Frameworks to Responsibly Unlock** the Value of Data for All

Economic but also social value

Personal and non-personal data





Sharing and opening up

#### Addressing digital inequalities

## NEW, HOLISTIC & POSITIVE APPROACH

Fostering coordination to bridge silos

### Complementing existing structures through innovation

### Implementing a multistakeholder approach









### **ACTIVITIES**



Intelligence Hub

To foster global, regional, cross-sectoral, and multistakeholder dialogue around data and the governance of the Datasphere. To gather evidence on concrete challenges, identify innovative data governance practices and translate technical data issues into actionable outcomes.

### www.thedatasphere.org/programs







To provide a collective space to showcase and experiment with innovations in governance frameworks and technical solutions.

### PLATFORM FOR DIALOGUE

Tackling imbalances through capacity building and inclusive debate with the global south to properly frame the debate on data governance.

#### INFORM

Increase awareness of data opportunities and challenges across regions.

### ADVISE

Develop capacity-building programs with regional partners.





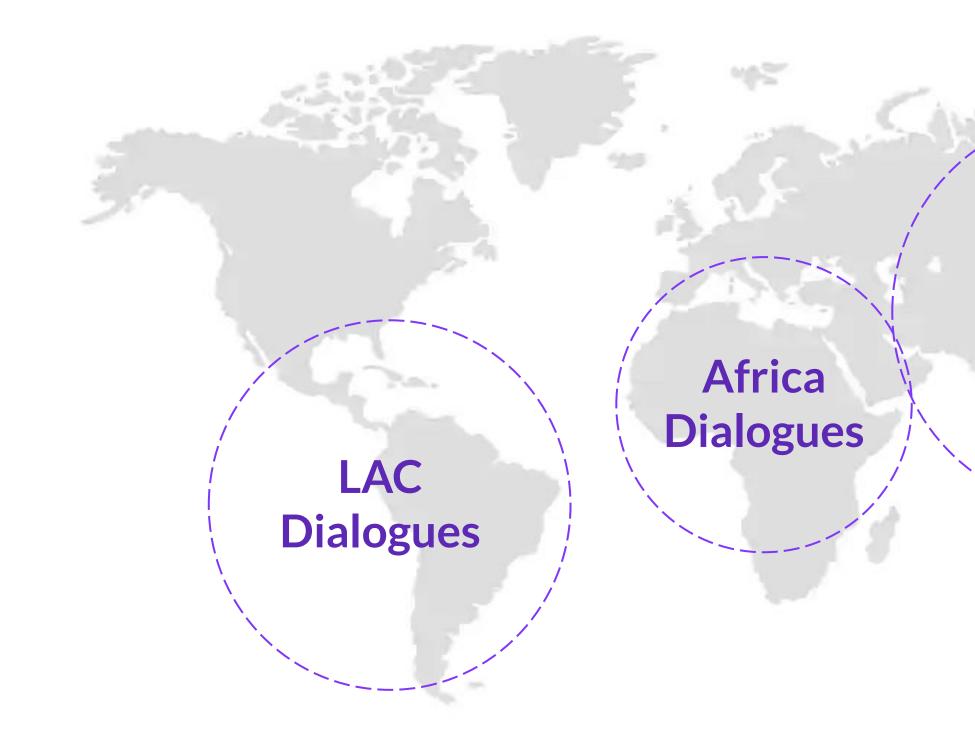
### Africa Dialogue

### Europe Dialogue

### INNOVATE

Identify real-world challenges that can be addressed by data and innovative data governance frameworks.

### **REGIONAL ACTIVITIES**







### Asia Dialogues

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### **INTELLIGENCE HUB**

Addressing knowledge gaps and sectoral silos by providing actionable evidence on data governance across sectors.

#### MAP

Map the relevant actors, policy processes, innovative approaches, concepts, and trends on data governance.

### DEVELOP

Develop holistic analytical and measurement frameworks for the Datasphere.





### Datasphere Governance Atlas

### Fellowship Program

Mapping the Datasphere

### **DATASPHERE GOVERNANCE ATLAS**

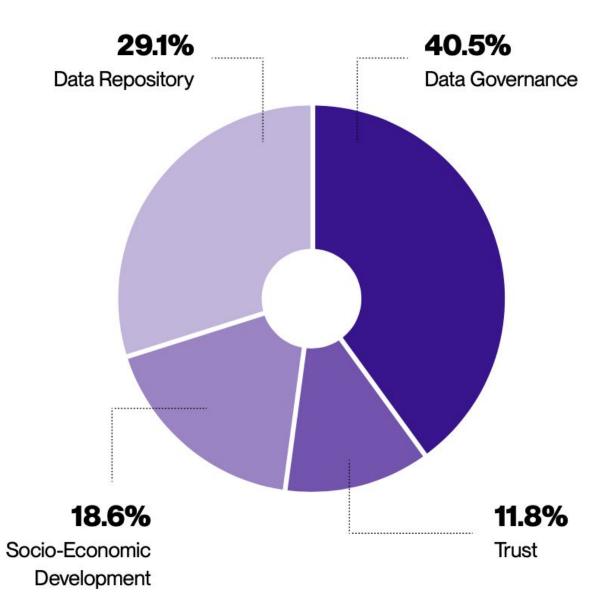








#### **Objectives of organizations**



Source: Datasphere Governance Atlas Database (March 2022)

## LAB FOR INNOVATION

Designing and testing innovative governance frameworks and technical solutions.

### CONNECT

Provide a platform allowing actors with diverse points of view and experiences to explore and build interoperable solutions bridging normative efforts with the related technological layers.

### EXPLORE

Organize showcasing events, brainstorming and hackathon sessions, and dedicated working groups, to explore innovative concepts, technical tools and policy frameworks.





### Data Sandboxes

### IMPLEMENT

Build upon the outcomes of the Dialogue and Intelligence Programs, iteratively feeding back into them the results of its investigations.

### **SANDBOXES FOR DATA**

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But that integration will often come into contact with multiple levels of law, from local confidentiality requirements at the state/aver, to national laws about research ethics, to international regimes about data protection. Integration also faces divergent interests and concerns about competition, compliance or unfair exploitation. This can Pis MARC (2004), Marcia Health Assembly, Antena do Jacob, accords to develop holistic cabilat accord on paralemic conversion miles and response. Work: Health Organization rising term and managing to one case of the Allence (null, Statemace Network, Second at March 2022). 80. The General Perchange Case Allence (null, Statemace Network, Second at March 2022).

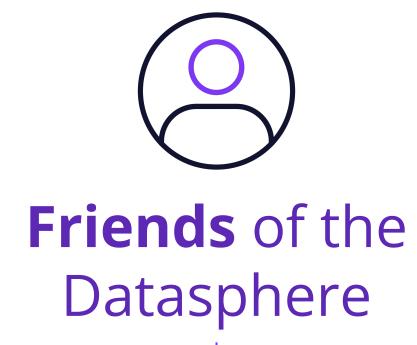
different to personal medical records or data about the social determinants of health such as income, race, gender, or locally. Thus, successful data-sharing regimes most easily form within scientific disciplines, with each kind of information requiring different systems, metadate and analytics, and othern carrying different legal obligations. There is a significant opportunity for integration across these data-aharing regimes, especially, for example, in constructing long-term, observational studies connecting regular clinical care data to detailed research data.<sup>46</sup> Ability to track real world evidence of the performance of

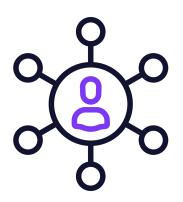
more systematic sharing of health data, through processes aunched by the WHO'r and the G/re to respond to the pandemic, as well as initiatives such as European Health Data Space", broadly speaking, health data sharing is stat made more complex by a patchwork of international agreements - mutilaterat<sup>er</sup> and institutional - and national laws, both related to general privacy, confidentiality, specific health privacy laws, ethics and consent. There is also an even greater diversity of legal instruments and norms, Including contracts and consent processes that implement Health data is also not uniform. Viral genome data is

Health data is also not uniform. Viral genome data is different to personal medical records or data about the social determinants of health such as income, race, gender, or locality. Thus, successful data-sharing regimes most easily form within scientific disciplines, with each kind of information requiring different systems, metadata and analytics, and often carrying different legal obligations.



## JOIN US





# Datasphere

#### **For Individuals**

You believe in the vision, mission, and values of the Datasphere Initiative and would like to share your knowledge.

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Public, private, non-profit, multilateral organizations

You would like to provide a specific financial relevant in-kind contribution to a Datasphere Initiative project or output.





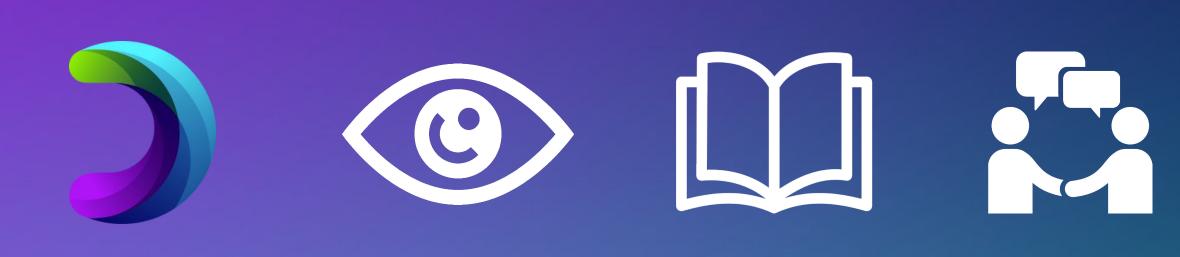
### Datasphere **Project Partners** Institutional Partners

#### **For organizations**

You are interested in contributing strategically with organization-wide funding or in-kind support to core activities.

### **FOLLOW US & SHARE YOUR NEWS**

# DATASPHERE



New in the Datasphere Initiative

**Initiatives to** watch

What we are reading

**Opportunities** to engage

www.thedatasphere.org/newsletter







#### DATASPHERE INITIATIVE







**Dates for** the diary

Job opportunities



### **THANK YOU!**

**Lorrayne Porciuncula** e: porciuncula@thedatasphere.org t: @lorraynebp www.thedatasphere.org

Siga-nos nas rede sociais! @thedatasphere



