

Introduction to the dimensions of digitalisation

Module 3.2.2:
Deep Dive: Regulation of Data

Data Regulation

Data regulation is not a national task



Data security and economical development based on data
is global

Data for Development

Discussion: Misuse or missed use?



"We need a public discourse around where to draw the line in very concrete cases between misuse and missed use."

Robert Kirkpatrick, UN Global Pulse Director

What are your experiences with data for development?

- How well is data used? How well is the matter addressed?
- Where do you specifically see potentials and risks?
- What are your measures to prevent potential harms of sensitive data misuse?



Battleground data

Short warm up discussion

What is more important:
Privacy or economic growth?

Discussion:

Inclusion or violation of privacy?

Is a specific use case valuable or dangerous? A decision often difficult to make

Access to credit: A project proposed to a national European development actor in 2017 looked to increase access to credits for people in African countries.

The innovation of the solution was the way the credit worthiness of potential customers was evaluated. The app-based solution looked to measure it by e.g.:

- a) Reading SMS messages and checking spelling: Better spelling => better educated
- b) Tracking the users location: How wealthy are the areas in which he/she spends time?
- c) Analysis of the people that are called: Where do they live?
- d) Analysis of the amount spend on calls and SMS: Can he/she afford much phone use?

The project was not supported due to privacy concerns.

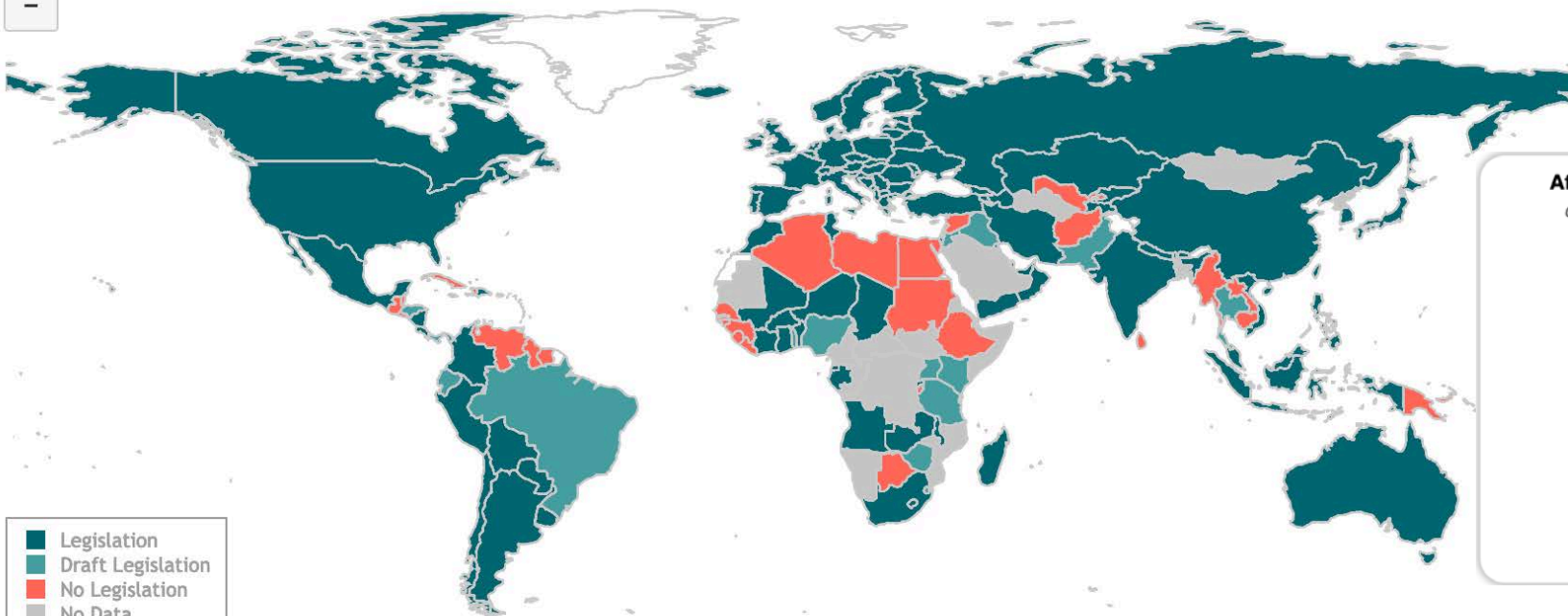
- Privacy is respected and people are protected from potential negative consequences. But, potentially fewer people get access to credits.

What would your decision have been? What similar examples come to your mind?

Status Quo Privacy

Many countries have not yet established formal legal protection, especially developing economies

Data Protection and Privacy Legislation Worldwide



Africa (54 countries)

Countries with legislation

Legislation:

23 (43%)

Draft Legislation:

7 (13%)

No Legislation:

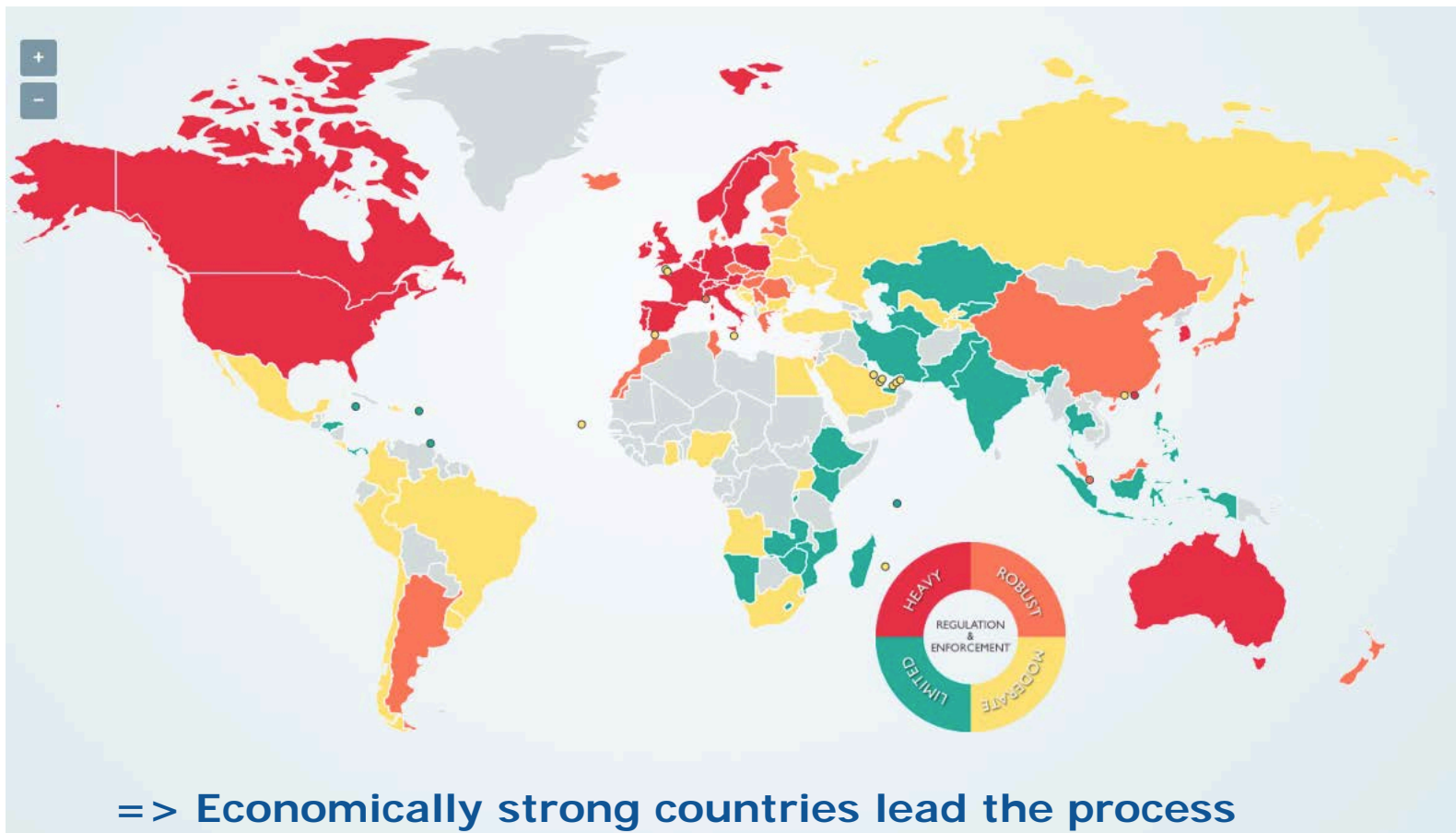
12 (22%)

No Data:

12 (22%)

Data Regulation

Where do we stand?



Data Regulation

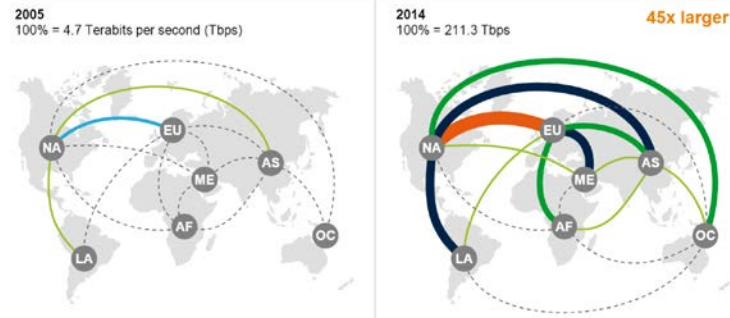
General Data Protection Regulation (GDPR)



Data Protection and Privacy Act

6 Principals of GDPR

- Lawfulness
- Fairness
- Transparency
- Accuracy
- Data minimisation
- Purpose limitation



- Flow of data is borderless
- Regulation is fragmented
- Policies overseen by different ministries

Data Regulation

Keep the whole picture in mind!

Regulation needs to ensure the protection of the population and fair markets!

How and when will self-driving cars be on the roads? How can and must private data be protected?

Intangible property needs to be protected as well as fair taxations ensured in a more and more digitally borderless world

Protection

Development

Flexibility

Restrictive and lack of regulation hinders development! (as restrictions in use of private data, or lack of agreements ensuring cross border data / service exchange or universal access)

Especially the digital world is evolving at a pace traditional regulation cannot keep up with.

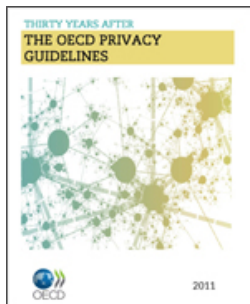
Regulation needs to be made more flexible

Frameworks Privacy

There are widely cited frameworks to define the rules around the privacy of personal data



**GIZ Responsible data
guidelines**



**OECD Privacy
Guidelines (2013)**



**APEC Privacy
Framework (2015)**



**European General
Data Protection
Regulation (2018)**

