

FORUM: Economic and Social Council 2 (Virtual)

QUESTION OF: Measures to Strengthen Data Governance in Mitigating the Economic and Social Divide

MAIN SUBMITTERS: Chad, United Kingdom

CO-SUBMITTER: Germany, Italy, France, Tanzania, Japan, Russia

THE ECONOMIC SOCIAL COUNCIL,

Welcoming the growth of data-driven business caused by the increase of Information and Communication Technologies (ICTs),

Affirming the ideals of data protection, a safe digital environment, and widespread access to the social and economic benefits that the ICTs confer,

Noting that in this fast-moving landscape, governance challenges need to be addressed in a timely manner if the overall system of governance for data management and data use is to maintain public trust,

Applauding the efforts of international bodies to protect privacy and encourage the free exchange of data and economic commerce, embodied in such documents as the African Union's Declaration of Internet Governance and Development of Africa's Digital Economy, the European Union's Data Governance Act, and the Osaka Track,

Highlighting the increasing need for data governance to safeguard the rights to privacy, reputation, personal correspondence, and legal redress of attacks interfering with such rights, as expressed in the United Nations Declaration of Human Rights,

Noting it is essential that data governance frameworks reflect the opportunities and challenges of data management and use today,

Understanding that data governance engenders trust in ICTs, e-commerce, and other data-driven sectors, and that data governance also encourages the production and usage of high-quality data, potentially increasing the value extracted from data,

Rejecting a one-size-fits-all approach to data governance across countries, contexts, and categories of data, but believing nevertheless that similar data governance guidelines should be established,

Noting with concern that Less Economically Developed Countries (LEDCs) may be excluded from the benefits of data-driven business, especially as prices of mobile data in Least Developed Countries are more than six times the affordability rate set by the UN Broadband Commission for Sustainable Development,

Recommending that nations take steps to broaden access to ICTs, and thus data, which is essential to equitable business, while continuing to take steps towards increasing trust in approaches to business-related data management,

Noting with alarm that only 25% of the urban population and 10% of the rural population in Least Developed Countries (LDCs) have internet access, that 17% of Least Developed Countries' populations have computer access, and that the lack of stable data systems in Least Developed Countries exacerbate this inequality,

Supporting the free exchange of data between nations, provided they meet sufficient criteria to protect privacy, and support creating safer and more developed data networks across the world,

1. Urges nations to adopt legislation protecting personal data such as:

- a) Regulations ensuring that individuals have the right to refuse to provide their data to others,
- b) Laws requiring companies and other entities to, in seeking others' data, fully disclose to the consumer:
 - i. Who they are,
 - ii. How they will use their data,
 - iii. How long they will store such data,
 - iv. Why they want such data,
- c) Regulations protecting the consumer's rights:
 - i. To access,
 - ii. To delete,
 - iii. Or to otherwise modify his/her data;
- d) Legislation differentiating between personal data and anonymized data, which takes into account the following:
 - i. The traceability of such data,
 - ii. The sensitivity of such data, namely personal details (national ID, race, ethnicity, ancestry, gender, health information, sexual activity, political sympathies, religious affiliation, employment status),
- E) Requirements to the effect that personal data is not collected unless explicit, written permission is given by the data subject;

2. Believes that stringent cybersecurity measures are necessary for the protection of data, including:

- a) Measures to protect personal data from illicit usage, including:
 - i) Requiring network providers to safeguard websites' data,
 - ii) Requiring network providers to use tracking and other means of online, protection to protect data storehouses from hackers, viruses, and other online threats to important data,
 - iii) Requiring network providers to immediately report data breaches to the data subject, website that suffered the breach, and relevant government branch,

- iv) Penalizing networks that failed to protect data warehouses;

3. Encourages nations to take the following measures to broaden access to ICTs, which would in turn improve the usage, production, and exchange of data:

- a) Building and maintaining ICT infrastructure, including:
 - i. Fiber-optical networks,
 - ii. Broadband internet access,
 - iii. Radio and TV broadcasting,
- b) Requiring network providers to ensure their prices are reasonable and affordable to all, including the poor,
 - i. By determining what prices are reasonable,
 - ii. By penalizing providers who charge exorbitant prices,
 - iii. By subsidizing providers, if necessary, to ensure that the poor can afford to subscribe;

4. Desires to include underrepresented groups (the poor and minority groups) in datasets in order to better inform policy-makers and the general public about the needs of the disadvantaged and minorities, using the following measures:

- a) Requiring subsidized ICT network providers to submit regular summaries of anonymized data,
- b) Publishing regular reports of anonymized information necessary for the creation and maintenance of businesses;

5. Encourages international adoption of the Data Free Flow with Trust (DFFT) principles to:

- a) Minimize concerns about uneven data access at home:
 - i. In particular unifying data protection regulations to smoothen transfers between nations,

- ii. Ensuring that such guidelines are consistent with the African Union Convention on Cybersecurity and Personal Data Protection,
 - iii. Guaranteeing that regulatory authorities of the relevant countries are notified, and give their approval, before exchanges and transfers of data take place,
- b) Build functioning digitalization of economies and societies,
- c) Reduce national restrictions that fragment data, so that:
- i. The online privacy of citizens is protected,
 - ii. Data security is guaranteed,
 - iii. Access to data is expanded,
- d) Revise and adjust national regulations if needed,
- e) Make sure all parties involved in such an exchange of data have already taken measures to protect consumer privacy:
- i. Are consistent with those set out in the African Union Convention on Cybersecurity and Personal Data Protection,
 - ii. Do not go against any national or ethical regulations that would put the user in potential danger;

6. Suggests that LEDCs could fund these projects if the following measures are taken:

- a) More Economically Developed Countries (MEDCs) create the following benefits:
- i. Lowering taxes on companies' expenditures on and investments in the data systems and ICTs of LEDCs,
 - ii. Encouraging and supporting loans taken between companies and LEDCs while creating frameworks to guide loan repayments,
 - iii. Subsidizing companies that invest in LEDCs' economic and social data growth,
- b) MEDCs reduce tariffs,
- c) LEDCs encourage companies and MEDCs to invest in their ICT infrastructure in the following ways:
- i. Granting the employees of such companies residency permits and/or work visas,
 - ii. Lowering taxes on companies working in ICT infrastructure,
 - iii. Safeguarding the human and legal rights of employees of such companies,

- d) LEDCs and MEDCs guarantee that companies may proceed as mentioned above by signing treaties with the following provisions:
 - i. Such companies should agree that ICTs should be designed so that hacking and security breaches are highly unlikely,
 - ii. Users of the ICTs control the data disclosed on such networks,
- e) The UN could arbitrate potential disputes between LEDCs and MEDCs in the following contexts:
 - i. Financial disagreements,
 - ii. Unethical, illegal, or/and other problematic actions taken.