

Institute for Technology & Society of Rio de Janeiro

Big Data in the Global South International Workshop

Host:

Institute for Technology & Society of Rio de Janeiro (ITS)

Research Partner:

Center of Internet & Society (CIS)

Sponsors:

Open Society Foundations (OSF)

British Embassy Brasilia

Venue:

Hotel Windsor Florida,

Rua Ferreira Viana, 81

Flamengo, Rio de Janeiro, Brazil

Dates:

16 and 17 November 2015

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What: Big Data in the Global South International Workshop

When: 16 and 17 November 2015

Where: Hotel Windsor Florida, Rio de Janeiro, Brazil

Host:

Institute for Technology & Society of Rio de Janeiro (ITS)



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British Embassy Brasilia



Welcome note

We would like to welcome you to the *Big Data in the Global South International Workshop*, held in Rio de Janeiro, Brazil, on 16-17 November 2015. This meeting is hosted by the [Institute for Technology & Society of Rio de Janeiro \(ITS\)](#), with the support from the [Open Society Foundations](#) (OSF) and the [British Embassy Brasilia](#).

The meeting will bring together key representatives from government, civil society, the business sector and academia from Brazil, India, United Kingdom and several other countries.

This is a closed multistakeholder roundtable to discuss and map international examples of Big Data uses and regulation, both by private and public sectors, in order to develop practical strategies to promote adoption of harmonized rules by different actors.

We look forward to fruitful discussions and hope our event will help to kickstart a number of initiatives.

On behalf of the host and collaborators,

Ronaldo Lemos / Carlos Affonso de Souza / Sérgio Branco / Juliana Nolasco / Fabro Steibel / Mario Viola and the ITS team

Please note

Thank you very much for your participation. Your attendance for the entire day's program is highly appreciated.

The sessions take place under Chatham House rule. The sessions will be recorded, transcribed, but there will be no attribution. We will publish the results of the conference discussions.

We will offer a reception *with drinks* at Miam Miam restaurant (Address: Rua General Góes Monteiro, 34 - Botafogo). **The reception will be at 7pm on November, 15th.** Places are limited, so please RSVP by November 10th to manuela.curcio@itsrio.org c/c mario.viola@itsrio.org and ofabro@itsrio.org. **This event will be attended by event participants, friends and guests of ITS.** It will be an opportunity to informally meet people working on subjects related to Big Data in Brazil and abroad.

Please remember that there is NO transfer service to the event. Taxis are abundant and safe in Rio, and inexpensive. Uber is also available in the city. Upon arrival at the restaurant, please sign the attendance list.

In urgent cases, please contact the following members of the ITS team:

Diogo Rigaud: +5521 99696 0766 (for logistic matters)

Fabro Streibel: +55 21 97907 6061 (for all matters)

Mario Viola: +55 21 98096 5757 (for all matters)

Introduction

The event brings together a select group of experts in law, technology and participation. It is organized by the Institute for Technology & Society of Rio de Janeiro (ITS), with the support of the Open Society Foundations (OSF), and the British Embassy Brasilia. The goal is to discuss the challenges and opportunities arising from the use of Big Data in different sectors, and to map major initiatives and opportunities in this field.

We are bringing together high-level government officials from Brazil and other Global South countries, representatives of major technology companies, academics, and NGOs. The discussion of the multistakeholder group will take place together with a select list of funding organizations with initiatives related to the use of Big Data.

The event aims to facilitate opportunities for cooperation and build networks in the field. The event will also map existing initiatives involving the use of Big Data and present the results of a joint research initiative conducted by ITS and the Center for Internet & Society (CIS) in this field. To this end we kindly ask you to answer the following four questions, either before or during the event:

a) What distinguishes Big Data initiatives from other 'data' and 'personal data' initiatives? What about Metadata? Do you see any important difference?

b) What are the relevant and applicable legal regulations and policies presently governing the various processes and stages of the practice that you know? Are these adequate?

c) Do mechanisms of self-governance (say, developed by the industry) play any role? Is there any relevant agreement or documentation regarding the best practices for governing big data practices that you would like to mention?

d) What are the key technologies (websites, apps, platforms, languages, methods, etc) that you think can have the most impact on participation and democracy?

e) Are there instances of harm or violation of individual right ? Is the harm different because it has been caused by 'big data'?

f) What are the opportunities created by the use of big data in your sector?

g) In your opinion, what are the main challenges/opportunities in the use of Big Data?

Please send us your answers to the above questions by Friday, November 10th. We will use available answers to inspire new ideas during the debates. Our goal is to inspire action that will be followed up later, and also equipping people with the right set of existing discussions on the use of Big Data.

About the host, research partner and sponsors

Host

Institute for Technology & Society of Rio de Janeiro (ITS)

The mission of the Institute for Technology & Society (ITS), as an independent non-profit organization, is to ensure that Brazil responds creatively and appropriately to the opportunities provided by technology in the digital age, and that the potential benefits are broadly shared across society. Through its own research and in partnership with other institutions, such as the Rio de Janeiro State University (UERJ), ITS analyzes the legal, social, economic and cultural dimensions of technology and advocates for public policies and private practices which protect privacy, freedom of expression and access to knowledge. The Institute also offers innovative education, training and capacity development to individuals and institutions to enable them to understand the promises and challenges of new technology. Last, but not least, ITS aims to strengthen the voice of Brazil, Latin America and the Global South in international debates on technology and its regulation. - <http://www.itsrio.org/>

Research Partner

Center of Internet & Society (CIS)

The Centre for Internet and Society is a non-profit research organization that works on policy issues relating to freedom of expression, privacy, accessibility for persons with disabilities, access to knowledge and IPR reform, and openness (including open government data, free/open source software, open standards, open access to scholarly literature, open educational resources, and open video), and engages in academic research on digital natives and digital humanities. Vision and Mission The Centre for Internet and Society will critically engage with concerns of digital pluralism, public accountability and pedagogical practices, in the field of Internet and Society, with particular emphasis on South-South dialogues and exchange. Through multidisciplinary research, intervention, and collaboration, we seek to explore, understand, and affect the shape and form of the internet, and its relationship with the political, cultural, and social milieu of our times.

Sponsors

Open Society Foundations (OSF)

The Open Society Foundations work to build vibrant and tolerant societies whose governments are accountable and open to the participation of all people. We seek to strengthen the rule of law; respect for human rights, minorities, and a diversity of opinions; democratically elected governments; and a civil society that helps keep government power in check. We help to shape public policies that assure greater fairness in political, legal, and economic systems and safeguard fundamental rights. We implement initiatives to advance justice, education, public health, and independent media. We build alliances across borders and continents on issues such as corruption and freedom of information. Working in every part of the world, the Open Society Foundations place a high priority on protecting and improving the lives of people in marginalized communities - <http://www.opensocietyfoundations.org/>

British Embassy Brasilia

The British Embassy in Brazil is responsible for strengthening diplomatic bonds between the two countries, as well as fostering cooperation between the UK and Brazil. The Mission works primarily with the Brazilian government, as well as the private sector and civil society to achieve common goals in the areas of technology, business environment, education, human rights, energy and climate change. UK in Brazil has diplomatic representation through the British Embassy in Brasília and consulates in São Paulo, Rio de Janeiro, Recife and Porto Alegre.

Agenda | Monday, November 16 *(By invitation only)*

The event will be held in a roundtable format. Each session will have a presenter, a moderator and some appointed initial “discussants”. The presenter will have 10 minutes to deliver a brief presentation on the topic of the session and the discussants will have 5 minutes each for their introductory remarks. The floor will then be open for general participation. We expect all participants to engage in the discussions.

08:30 – 09:00 Arrival & Registration

09:00 - 09:30 Welcome Address

- *Ronaldo Lemos, Director, Instituto de Tecnologia & Sociedade do Rio de Janeiro, Professor, Rio de Janeiro State University (UERJ), Brazil*
- *tbc, Open Society Foundations (OSF)*
- *Sunil Abraham. Executive Director, Center of Internet & Society (CIS), India*
- *Adam Dady, Diplomat, British Embassy Brasilia*

09:30 – 10:00 Keynote Speaker

Prof. Joe Cannataci, UN Special Rapporteur on the right to privacy

10:00 - 11:30 Public Private Partnerships for Law enforcement: the exchange of personal information between Corporations and Governments in the Global South and beyond.

In this session the focus will be the increasing exchange of data between Governments and Corporations for both law enforcement and marketing purposes - on one hand companies share traffic data and location data of their customers with law enforcement authorities and, on the other hand access a wide variety of personal data of citizens stored in Governmental databases. Brazil is taking a leading role in this field, both through its positions in the international arena and by the adoption of Marco Civil da Internet (Brazilian Civil Rights Framework for the Internet). What are the experiences in that area? Is the data protection regulation enough to regulate the matter? Can an international convention harmonize the approaches, since in many situations the exchange of personal data between Corporations and Governments has an international character?

Presenter:

Alexandrine Pirlot (Privacy International)

Moderator:

ITS or CIS member (tbc)

Discussants:

Liudmyla Romanoff (UN Global Pulse)

Juan Carlos Lara (Derechos Digitales)

Sean Martin McDonald (Frontline)

Tiago (Safernet, tbc)

Open Discussion

11:30 – 11:45 Coffee break

11:45 - 13:15 The commercial use of Big Data and the Protection of Privacy

This panel will focus on the commercial uses of Big Data and its potential privacy and data protection concerns. Startup and well-established companies are looking for new data to promote new apps, or to manipulate information to sponsor profitable products; even citizens are generating big data by increasingly using more apps, websites, and software to keep their records in the cloud. Big data represents certainly several opportunities, but this trend is not free of concerns. Big data promises benefits to a more open society, but also poses risks, both already familiar (such as protection of privacy) and new. What are the best practices? Are current data protection and privacy rules enough to regulate this matter? Are there instances of good and bad practices in the collection and processing of the data? Can these be developed into 'best practices'?

Presenter:

Marcel Leonardi (Google Brasil)

Moderator:

ITS or CIS member (tbc)

Discussants:

Marianne Franklin (Goldsmiths, University of London)

Carly Nyst (Independent Consultant)

Tbc

Tbc

Open Discussion

13:15 - 14:15 Lunch to be served on site

14:15 - 15:45 Anonymized data, encrypted data and metadata in the era of Big Data

This session discusses the issues surrounding the processing of anonymized data, encrypted data and metadata considering the expansion in the use of Big Data. Several academic studies have shown that re-identification of a data subject from anonymous or anonymised data have become a task each day easier, cheaper and faster. Such situation become even more worrying when we talk about Big Data and the use of metadata. Will anonymized data remain anonymous for long, or will de-anonymization skills improve and threat data privacy of published data? And what about Metadata, does it differ from other types of data? Are there clear safeguards that are missing from applicable legislation and policy?

Presenter:

Amar Ashar (Berkman Center)

Moderator:

ITS or CIS member (tbc)

Discussants:

Stefanie Felsberger (American University in Cairo)

Rohan Ainsley Samarajiva (LIRNEasia)

Carolina Botero Cabrera (Karisma Foundation)
Gemma Galdon Clavell (Eticas Research & Consulting)
Open Discussion

15:45 - 16:00 Coffee break

16:00 - 17:30 Big Data in an Open Data World: Governmental initiatives for transparency and public participation

Much has been said about the possibilities of big data in an open data world. Governments push forward to release data to promote transparency and public participation, but little has been said about uses of such data to promote crime, privacy invasion, market exploitation, and private mass surveillance. Are there experiences where big data help us create better public goods or usher invasive marketing? What are the potentials for data manipulation provide better online communities for collaborative governance, or be used to track protesters and suppress speech?

Presenter:

Primavera De Filippi (CNRS)

Moderator:

ITS or CIS member (tbc)

Discussants:

Bernard Sabiti (DRT)

Elsa Estevez (United Nations University)

Lillian Nalwoga (ISOC & CIPESA)

Xianhong Hu (UNESCO)

Open Discussion

17:30 - 18:00 Wrap-up and Closing

- *Ronaldo Lemos, director, Instituto de Tecnologia & Sociedade do Rio de Janeiro, Rio de Janeiro State University (UERJ), Brazil*

Agenda | Tuesday, November 17 *(By invitation only)*

09:00 – 09:30 Keynote Speaker

Prof. David P. Stewart, Rapporteur of the OAS Principles on privacy and personal data protection.

09:30 - 11:00 Data Retention Initiatives around the world: the ECJ ruling and the Debates on the Regulatory Decree of Marco Civil da Internet

This session discusses the current debate on data retention in Global South and abroad. The Court of Justice of the European Union declared in April 2014 the Directive 2006/24/EC (Data Retention Directive) invalid for violating fundamental rights. Immediately after (on July 2014), the UK Parliament passed a new Data Retention Act (Data Retention and Investigatory Powers Act 2014) that will rule on this matter. In Brazil, by its turn, one of the most controversial aspects of the Marco Civil is its data retention provision. There are a number of civil society and academic organizations, among other actors in the Brazilian society, which believe the data retention provision in Brazil is too broad, and produce more harm than good. The adoption of a regulatory framework for the internet that ensures legitimate governments' need to defend state and citizen security online without violating individual rights would be the best choice or should it be left for Courts to decide on a case-by-case basis?

Presenter:

Sophie Stalla-Bourdillon (University of Southampton)

Moderator:

ITS or CIS member (tbc)

Discussants:

Lina Dencik (Cardiff University)

Niels ten Oever (Article 19)

Argyro P Karanasiou (Bournemouth University)

Javier Paller (Access)

Open Discussion

11:00 - 11:15 Coffee break

11:15 - 12:45 Brazilian and Indian Experiences: Presentation of Case Studies

This session will present the results of the comparative analysis carried out by ITS and CIS and discuss the recommendations and practices proposed in the document. One of the deliverables of the Global South Big Data Project is a comparative case study analysis, comparing the experience of Brazil and India in the use of Big Data. The analysis is intended to demonstrate the potential harm of big data in both countries, and take into account the shortcomings of the Brazilian and Indian legal systems to deal with Big Data & Analytics issues from a rights and public interest perspective. The study will also take into account the current data protection rules

and jurisprudence in both countries. The goal is to build a framework of policy alternatives to deal with potential misuses, a list of best practices, and make sure that the issue is taken seriously by policy makers. Does the use of big data and big data analytics need a separate regulatory framework? If so, what could this look like? What aspects of big data and big data analytics need to be regulated? How does Big Data change traditional privacy principles? What are regulatory solutions to these changes? Would the use of Big Data in the global south be the same as in the Global North? Would the challenges be similar? Would the solutions be similar?

Presenters:

Danilo Doneda (Independent Consultant)

Mario Viola (ITS)

Vipul Kharbanda (CIS, tbc)

Open Discussion

12:45 - 14:00 Lunch to be served on site

14:00 - 15:30 Proposal for a network of experts on Big Data issues

The focus of this panel is to discuss with potential partners the idea of creating a Global South Network of Big Data Experts, presenting the network model idealized by ITS and CIS. One of the main challenge of the Big Data in the Global South Project is to Identify and contact academics, private companies, policy experts, investigative journalists and activists, locally and globally – and particularly in the Global South – to debate and inform the issue. Cast the net widely to include experts on mass surveillance, privacy protection, intellectual property, and other areas affected by big data & analytics. This will require building partnerships - the first one with CIS in India, our main partner for this project - and then with expert research institutions, especially those located in the South.

Presenters:

Mario Viola (ITS)

Sunil Abraham (CIS, tbc)

Open Discussion

15:30 - 17:00 Final discussion between ITS, CIS and sponsors on the future of this project (closed session)