

# Digital Democracy and Data

## Commons:

## Proposal workshop notes

[Tecnopolítica](#) [IN3/UOC](#) & [Dimmons](#)

[IN3/UOC](#)

14/11/18

Sharing Cities Summit

Barcelona

## **Data**

Place & Date: Sharing Cities Summit Barcelona, Smart City Expo World Congress, November 13th, 2018

Time: 10:30 to 12:30

Participants (attended): 30

Facilitators: [Tecnopolítica IN3/UOC](#) & [Dimmons IN3/UOC](#)

Table experts: Tecnopolítica IN3/UOC (Governance track); [Nexa/POLITO](#) (Legal track); [CNRS](#)/Dimmons IN3/UOC (Economic track).



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# Introduction

We live in a new digital economy, various defined as surveillance or data capitalism, where individual and collective data has become a key resource in the production of wealth. However, the economic value and social power resulting from its extraction, processing and use to influence social processes are controlled by a few companies, whose actions are having a growing array of consequences in the social, political, economic, labor and cultural fields.

As citizens, have we no alternative but to accept this regime of wealth accumulation, growing social control and increasing inequalities? Digital Democracy and Data Commons (DDDC) to deliberate and construct alternative and more democratic forms of data governance, which will allow citizens to take back control over their personal data in the digital society and economy. It seeks to deliberate and construct alternative and more democratic forms of data governance, which will allow citizens to take back control over their personal data in the digital society and economy.

As part of an open participatory process that will end in April 2019, [Tecnopolítica IN3/UOC](#) & [Dimmons IN3/UOC](#) dynamised a workshop held on Wednesday 14 November from 10:30 to 12:30 at the [Sharing Cities Summit](#). The workshop was based on a series of diagnoses that were carried out in a [first kick off pilot presentation workshop](#) in the fields of data economy, governance and regulation, with the aim of imagining possible proposals to move towards a society where citizens can control what, how and who manages and generates value from the exploitation of their data.

This collaborative research will continue in other spaces with the aim of co-define a vision, a discourse and a common tool to influence the digital society in which we would like to live tomorrow.

## Workshop aims

- (1) Obtain action **proposals** based on
- (2) Each of the scenarios and **paradigms presented** and **problems** diagnosed in the previous workshop,
- (3) That allow us to move **towards a digital society where citizens have greater control over their data** and a digital economy in which data commons are the dominant paradigm

## Workshop dynamics

1. [Presentation](#) - Antonio Calleja (Tecnopolítica IN3/UOC), Oleguer Sagarra, Enric Senabre (Dimmons IN3/UOC)
2. Register party + [survey](#)
3. Splittin in 4 groups (Governance, economy, legal, experimental)
4. Short presentation of each diagnostic track
5. Work session for action proposals
6. Pooling and closing

# RESULTS

In the dynamics of the workshop, each of the challenges and opportunities identified in the previous diagnostic phase have been put in relation with the actors of the quadruple helix (civil society, research, business and public administration). Each of the proposals has been made thinking about which actor(s) could be involved in its design or implementation.

## LEGAL TRACK

Data regulation is very important when talking about people's rights vs corporate interests. Regulations are one of the key aspects guaranteeing personal data protection. So far, and specially in Europe, initiatives such as GDPR (after scandals like Cambridge Analytica - Facebook) have raised new attention on how data is managed or exploited.

However, data regulation faces and brings about various challenges and opportunities today. One challenge, for example, is how to regulate personal data to foster the building of digital commons: Free Licenses such as those used in Wikipedia, do not cover privacy aspects. On the other side, blockchains bring about the opportunity to diversify the types of contracts and the granularity of control over data (thereby enabling some forms of privacy). Ultimately, the field opened by GDPR brings about, at the same time, challenges and opportunities, it sets a new ground for data regulation.

Departing from this diagnostic of opportunities and risks, which resulted from the previous DDDC face to face meeting, the Sharing Cities Summit session was devoted to explore proposals that address such challenges.

### Proposals

The proposals were gathered following the structure used for articulating the diagnostic on data regulations. They are listed below.

## 3 personal data law models

Table 3:  
Data regulations

### **3 data law models**

*Legal systems tend to set laws on personal data along 3 axes: personal data protection as a fundamental right, personal data as an economic asset, personal data as a mean of control.*

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### **Civil society**

- Strong protection of personal data. Citizenship, as a collective, can make pressure (for example, with voluntary aggregation of data) to foster further regulation related to data ownership and privacy.

### **Research & academy**

- As data value extraction is usually opaque, researchers and scholars could use their knowledge and methods to unveil and visualize the economic impact of different kinds of data exploitation.

### **Business**

- In a data commons model, data could be monetized otherwise by business

## GDPR and subject empowerment

Table 3:  
Data regulations

### **GDPR and subject empowerment**

*GDPR is shaking the digital world providing for new rights for data subjects and new obligations for personal data controllers and processors that empower the data subject more than in the past.*

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### **Civil society**

- Citizen pressure could lead towards generation of tools and practises that effectively enable the portability right and other rights

### **Public sector**

- Public administration could implement tools and practises that effectively enable the portability right and other rights

### **Business**

- A good regulation could enhance trust in business

## Free licenses and privacy

Table 3:  
Data regulations

### **Free licenses and privacy**

*Free licenses applicable to data do not deal with obligations provided by privacy laws protecting personal data.*

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## Civil society

- Civil Society could organise to create agreements and other legal tools that eases being aware and track personal preferences related to data in real time
- Aggregate all citizenship data under fair collective agreements (or other legal tools) to ensure anonymization

## Research & academy

- Researchers and scholars could create more friendly and understandable privacy agreements.

## Free licenses for digital commons



## Business

- Business should be able to work in respect of what we could call “commonright” related to data privacy and ownership as it happens (as way of example) with free licenses for software

## Free licenses and distributed ledger technologies

 Table 3:  
Data regulations

**Free licenses and Distributed Ledger Technologies**

*Free licenses consist in unilateral legal acts (acts made by the creator of the artifact addressed to the users); Distributed Ledger Technologies (so called blockchains) allow to set more complex interactions (acts of the users, contracts consisting in multiple acts, etc).*



**Civil society**

- Civil Society could take place in the design of smart rules to protect their data rights

**Public sector**

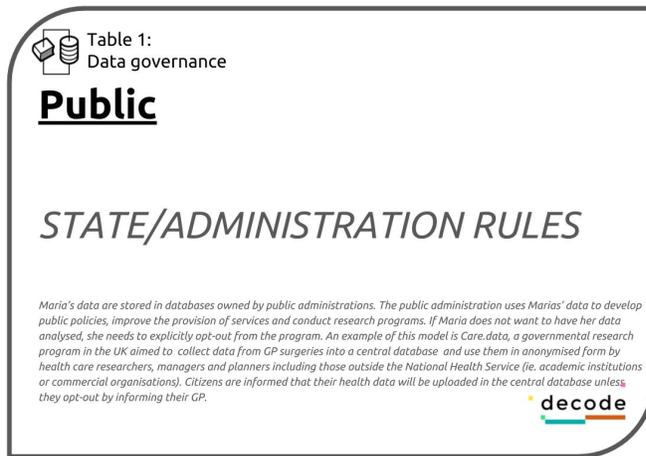
- Public Sector should recognise the value of protection of data subjects and the primacy of consent to data exploitations & rights of the data subjects

## **GOVERNANCE TRACK**

The question of governance primarily concerns the issue of power and decision making, concretely, of who and how controls (f.i.: sets the rules of) the production, management and use of data. Specially, what are the social institutions and practices, formal or informal, that shape such control. Following the structure deployed for the diagnosis session, in this Sharing Cities proposal session we begun by recalling the various models of data governance, as well as the opportunities and risks that they pose. Rather than touching upon all of them, the discussion was focused on two concrete paradigms of data governance: the public and the community commons. The typical public model (either of “open data” or of “data as infrastructure”) is one in which public experts (or private experts contracted ex profeso) take decisions about data (f.i.: data in healthcare systems). Differently, the Community Commons model is one in which the community members individually and collectively decide upon the production, management and use of data in a democratic manner. The rest of the paradigms will be elaborated by both

A series of proposals resulted from the conversations, proposals for action by different actors of the quadruple helix.

## Public model



## Civil society

- Reclaim and organize workshops on how to use data and how to understand it
- Run an alternative public-commons data analysis by grassroots organizations
- Reclaim course education on what is personal data and data produced in a territory
- To decide about which kind of research is done with public data

## Public sector

- Generate a data use registry
- Course on data awareness
- Interoperability of public & community data + public common governance
- Moving to a public-common data ecosystem
- Data processing/control transparency and justice for all actors
- Observatory of quality of use of data in the territory
  - Public administration could create a platform to visualize in a single dashboard or map all the data about the city

## Research & academy

- Ethical code for research data & result diffusion (open, publicly oriente, etc.)

## Business

-Studies of public performance for increase transparency and action standards  
-Their data should be interoperable with public databases y should be shared (with care for privacy, tec.)

## Community Commons model



Table 1:  
Data governance

**Community commons**

*COMMUNITY & DELEGATES RULE*

Maria's data are stored in her mobile or in a shared database. Maria is a member of an citizen collective. She decides which data to share with the collective and establishes the conditions under which her data can be shared with third parties. The organization exploits those data for pushing forward their collective agenda or shares aggregated member's data to third parties according to the conditions established by each individual. Maria takes part in the governance of the organization, including taking decisions regarding its model of governance, collective agreements with concrete third parties, licenses and smart contracts defining the sharing, its ethical code, and how to invest the income generated, if any. An example of this model is Making Sense, a citizen initiative to record sensor data that aims to push citizen matters of concern to achieve changes in public policy.

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## Civil society

-Form data activism associations and collectives: 1-awareness, 2-public policy lobbying, 3-experimentation, 4-assistance to other organizations  
-Contribute resources (time, money, etc.) to data associations & collectives  
-Constitute data management associations that manage data from several sources, such the civil entities of a city.  
-Educate ourselves and others on data management and protection issues and ethical concerns regarding the sharing of data  
-Common approach from the public sector with a focus on transparency and protection  
-Organize themselves (social entities) to collect data in a collective way, in terms of what they want/need to know

-Design a set of rules and steps to take collective & individual decisions on data management

### **Public sector**

- Designate technicians for dynamizing/ensuring quality in public-common data ecosystems (city/district data commons)
- Provide resources for data activists/mediator associations
- Set up standards for quality of community data management & use (for all actors)
- Provide infrastructures to collect data
- To provide resources to promote community commons data processes/projects (tech, education, awareness, etc.)
- To move the open data concept and practice towards a broader data commons concept, including data contributions from other stakeholders
- Contribute to community data with already existing datasets

### **Research & academy**

- Care for communities: 1-feeding back research results; 2-attending/addressing to community issues with data (either with its use or with results from it)
- Research on standards of data commons compatible with privacy concerns
- Supporting communities in addressing their research questions through data analysis. With resources such as tools, calls, knowledge, time, etc.
- Define and develop toolkits to build community commons (how to)
- Defining data commons model of governance (concept)
- To promote using licenses that could be compatible with community commons. Data projects must contribute.

## **Business**

Ethical code for community data extraction, processing and use: 1-resource contribution to community; 2-opt out options, 3-ethical (beyond law) use of data, 4-data open to communities

## DATA ECONOMICS TRACK

As described in the diagnosis document, data has become the essential raw material that, working in complementarity with an equally essential asset (i.e. algorithms), lies at the basis of at least three major models, namely profit-driven, public value-driven, and common-driven models.

Each of these models presents both peculiar characteristics (with respect to its core aim, governance policies, licenses applied to technologies and data, and economic sustainability/profitability strategies) and specific risks and opportunities. These latter have been outlined with participants during the past pilot's kick-off workshop and briefly recalled at the beginning of this workshop, boosting this way the pilot's second phase, namely the 'proposals gathering' one.

Using a 'one at a time' approach, we put forward several proposals for each model, arguing which actor was the most suited for their implementation and why. A fifth actor (the media) has been proposed as having a strong impact on awareness raising campaigns about alternative data models. Some of the proposals provide for the strengthening and spread outside of their 'birthplaces' of some existing successful initiatives (i.e. La Comunicadora). Others recommend new measures aimed, for instance, at enhancing terms and conditions agreements' transparency (in a way that clearly excludes data exploitation and modelling harming for data subjects or third parties, especially with regard to open models) or at stimulating the research around innovative methods for the development of economically self-sustainable common-driven data models. The thorny issue of taxation as a way to establish a certain level playing field for digital businesses is transversal to all the models and can be tackled only by the competent public institutions, admitting the possibility of pressure by the other actors.

Here below the complete resulting outcomes of the session.

## Taxation Rules



Table 2:  
Data economics

**Taxation rules**

*Current corporate taxation rules fail to catch up with the digital transformation of the economy.*

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- **Civil Society**
  - What if we build a platform/campaign to coordinate citizens across the world in lobbying governments to have better tax laws
- **Public Sector**
  - What if a part of the taxation goes to projects for the common good
- **Research & Academy**
  - Research (especially focusing on action research) should facilitate the configuration of taxation rules based on common good
- **Business**
  - What if business sector could focus in the future on the possibilities of data commons taxed on common good (new type of business?)

Value for the economic profit



Table 2:  
Data economics

## **Value for economic profit**

*The value of user-generated data is appropriated by private digital companies and used for commercial purposes to get economic profits.*



- **Civil Society**

- Engage/Organise/unions workers in tech/data monopolies who are concerned at all skill levels
- Needs to be aware of the commercial uses their data is having
- Promote clear terms and conditions
- Data concerned civil society could organize itself in order to create awareness on data exploitation

- **Public Sector**

- Regulate to get data from platforms to monitor impact
- Enforce real data portability - interoperable, timely
- Regulate these kind of activities and ensure the values of these data is returned to society in a fair way
- We need students to be informed (through schools programs) and made aware of the different existing data models in order to make them able to choose.
- Research centers in cooperation with public administration should educate the public about these questions and contribute to promote alternative options

- **Research and academy**

- We need research take advantage of user-generated data to analyse the impact (economic, social, environmental) of this data
- What if academic use research results to promote public policies that favour digital platforms that respect data commons.
- What if a share of private companies profits is destined to research project aimed at building alternative data-driven platforms
- Further develop our understanding of how tech monopolies form based on a data monopoly
- Understand how funding/financial environment leads to data hoarding, monopolies and bad outcomes
- Better define types of private digital companies and their behaviour to measure/monitor

- **Business**

- Local business should take consciens about data generated by users for their own promotion (not only used by giants)
- What if we make profit driven platforms to give the option to users to choose completely how, what and when they want to share their data
- Transparency and use//revenue
- Create standard to ensure data portability amongst platforms

## Open for all



Table 2:  
Data economics

### **Open for all**

*Collectively created open public datasets are freely available and usable by any entity, also those that make profits out of them.*



- **Civil Society**
  - Civil society organizations involved in free tech development need to amplify the possibilities of open data beyond the current communities (involving more citizens)
- **Public Sector**
  - We could keep track of who access (aim: rebalance who uses the data)
- **Research and Academy**
  - Understand if open data benefits mainly large companies that squeeze out others
- **Business**
  - Review the statements of open-data. It has to be used for common driven purposes.

## Commons models needed

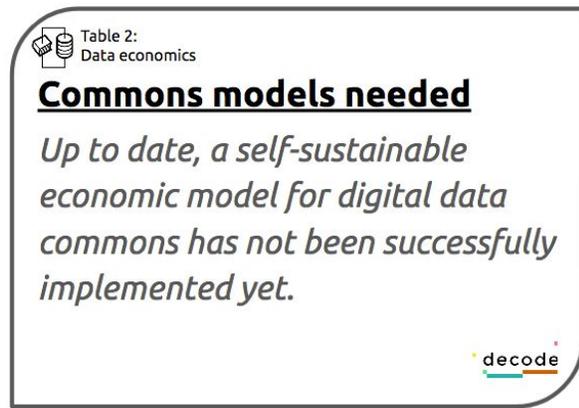


Table 2:  
Data economics

**Commons models needed**

*Up to date, a self-sustainable economic model for digital data commons has not been successfully implemented yet.*

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### **Civil Society**

- What if the urban commons had more perspective and sensitive of data commons in an economic dimension as well as.

### **Public Sector**

- What if public sector only promotes/buy commons models.
- Promote public actions like La Comunicadora + matchfunding campaign as an example of how to cocreate value (training + funding)
- Open-access education to be able to build new commons model

### **Research and Academy**

- Researcher must/need demonstrate the economic viability of commons models linking this with open knowledge/tech
- It's urgent to find other cases beyond wikipedia, open streets maps... "really" successful in the whole economic areas

### **Business**

- We need to develop tech that gives answer to technical uses (like designs architecture...) as private companies do

- Attracting top human capital
- Grow more coops of coops - think about democratic medium structures that can share founding.
- (Media) Measure flows of income and wealth associated with adata
- (Media) Generate economic value throughout media research The guardian Panamá papers (as an example)