Data: Governance and GeoPolitics

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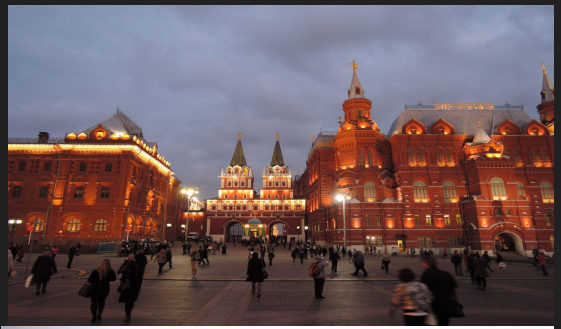
Global TechnoPolitics Forum

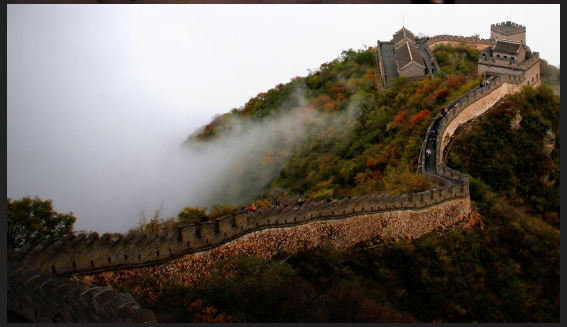
Why is data difficult to govern?

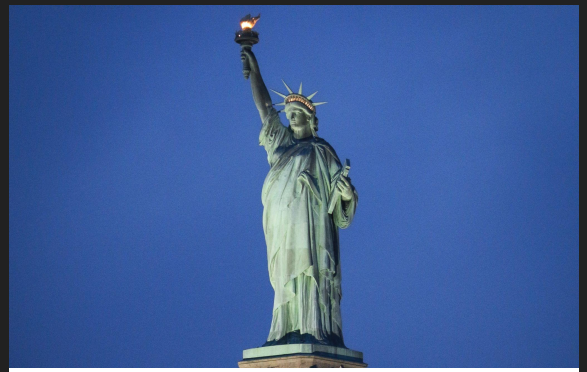
- It is complex and dynamic
- Issues overlap
- Cultures matter
- Ideology matters

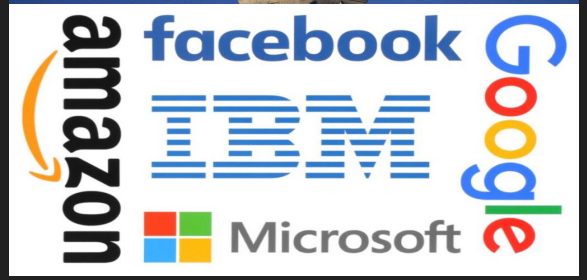
GeoPolitics

National interests and power relations









Dimensions of Data Governance

- Privacy,
- Content Regulation
- Trade
- Intellectual Property
- Security
- Antitrust
- Diplomacy

Privacy

Business model
hugely profitable but
hugely invasive of privacy

- GDPR and CCPA
- “Opt in” vs “opt out”
- GDPR the model
- How to cope with volume

Content Regulations

India

Information Technology Act - 2000
2008, 2011, 2018

EU

e-Commerce Directive -2002
Digital Services Act - 2020
France, Germanly, & UK

US

Section 230 - 1996
Proposals - 2019, 2020

China

The Internet in China - 2010
Provisions on the Governance of the Online Information Content Ecosystem - Dec. 2019

Proactive

Freedom of expression

Censorship & propaganda

Security

Cyber legacy was accessibility, not security

- Solar Winds and Colonial Pipeline
- Defense vs. offense
- SIGINT service?
- Supply chains/reporting
- Rules of the road

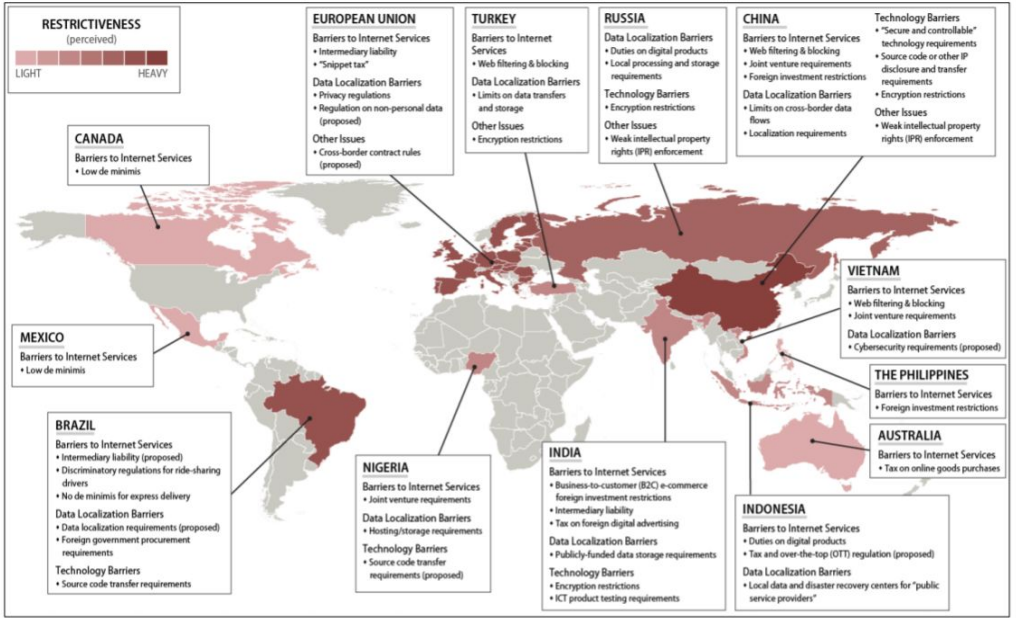
Trade

Non-Tariff Barriers

- Barriers to Internet services
- Localization barriers
- Technology Barriers
- Other Barriers

Figure A-1. Levels of Perceived Digital Trade Barriers in Selected Countries

(according to the U.S. Trade Representative)



Source: CRS based on U.S. Trade Representative, *2018 National Trade Estimate Report on Foreign Trade Barriers*.

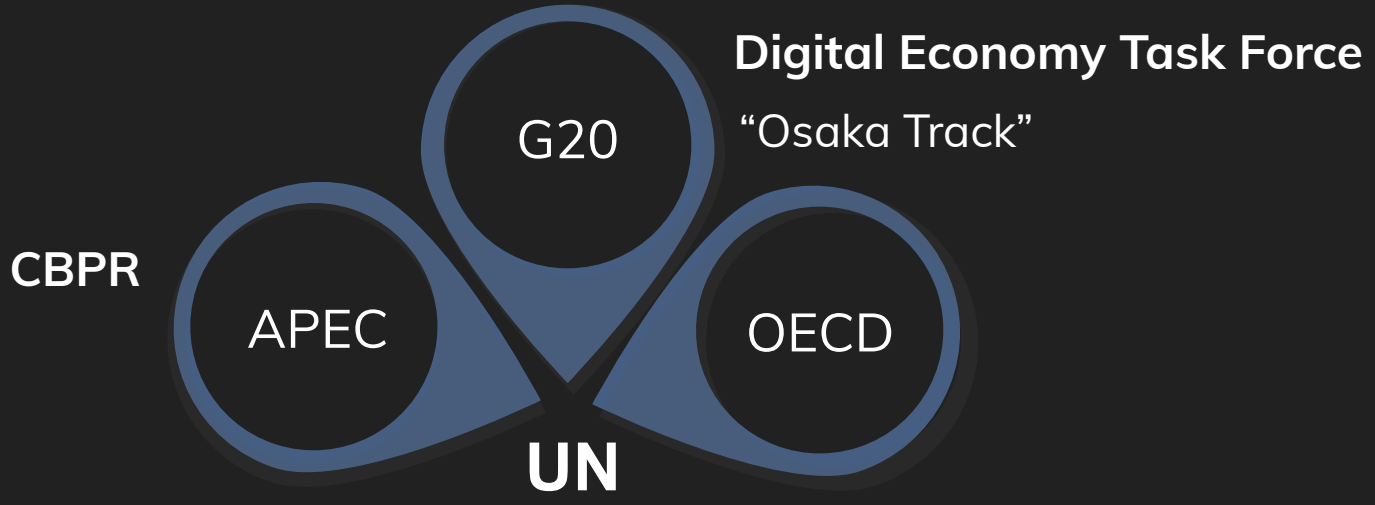
Note: This map is illustrative of digital trade barriers and not meant to be an exhaustive list.

Statement of the Problem

> Today's patchwork of privacy laws and industry self-regulation lacks transparency and coherence, with adverse impact on innovation and competition and do not protect global citizen's privacy while driving an escalation in geopolitical tension.

- Are geopolitical tensions inevitable?

Moving Forward



What obstacles do these groupings face?

How to find adequate mechanisms capable of achieving the right balance?

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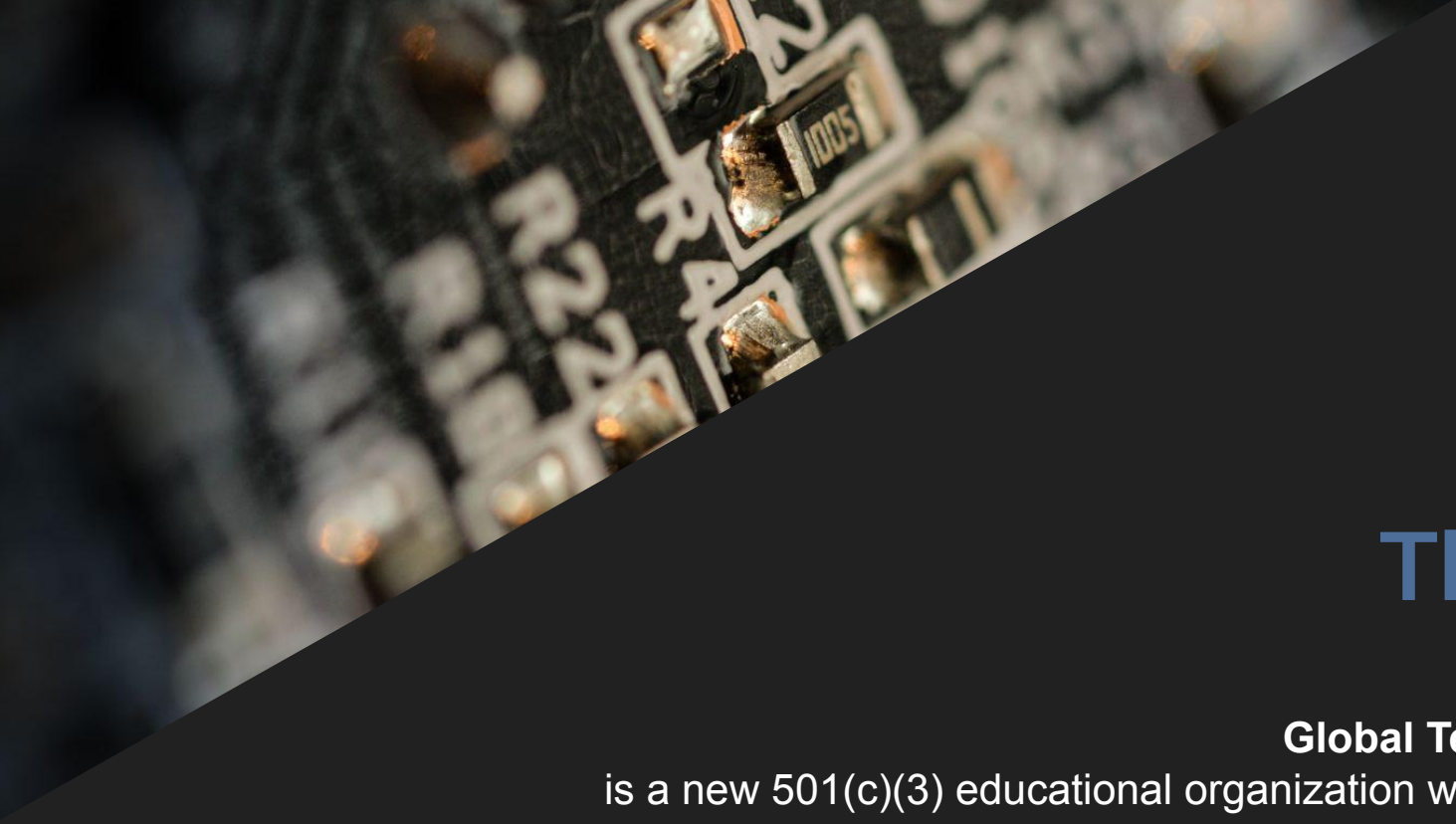
The existing global architecture → The new geopolitical context.

- Internet Founding Organizations
- Bretton Woods Institutions
- Think Tanks



Thank You

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