The Great MyData GDPR Debate

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Helsinki August 31 2017
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INVENTED BY
VOLVO IN 1959.
IN FASHION
EVER SINCE.

THE THREE-POINT SAFETY BELT. WORN IN THE '60s WITH THE MINI SKIRT.
GDPR: Data crash test seatbelt?

Drawing parallels

• Seatbelt first invented beginning of XIXth century
• 1955: option in some Ford models
• 1958: standard by Saab
• 1959: standard fitted 3-point safety belt by Volvo (still used today)
• 1976: compulsory in Netherlands (EU: 1993)
• US? Depends per state, NY 1984
• Today: my car beeps!!!!
Opposition?

Most common grounds:

• The view that laws requiring the wearing of belts are an infringement on individual liberty

• Claims that official estimates of the number of lives saved by seatbelts are over stated or fail to take into account additional risk for other road users

Sure the GDPR is not perfect!

- Group Privacy?
- Competition? “Anti-Trust?”
- Freedom of Expression / ”Fake News”?
- Data Property / Copyright?

  - Rising inequalities
  - GDP measurements => decisions
  - Ethics
  - Democracy
The GDPR is a baseline, re-introducing the Data Subject into the equation.
I am a Data Subject

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I AM A DATA SUBJECT
YOU ARE A DATA SUBJECT
HE/SHE IS A DATA SUBJECT
WE ARE DATA SUBJECTS
YOU ARE DATA SUBJECTS
THEY ARE DATA SUBJECTS
We are Data Subjects as

- Parents, Caretakers,
- Consumers, Customers,
- Citizens,
- **Business Partners, Employees**, 
- Men and women,
- Young and old,
- ....
CHARTER OF FUNDAMENTAL RIGHTS OF THE EUROPEAN UNION
2012/C 326/02

PREAMBLE

TITLE I
DIGNITY

TITLE II
FREEDOMS

TITLE III
EQUALITY

TITLE IV
SOLIDARITY

TITLE V
CITIZENS' RIGHTS

TITLE VI
JUSTICE

TITLE VII
GENERAL PROVISIONS GOVERNING THE INTERPRETATION AND APPLICATION OF THE CHARTER

CHARTER OF FUNDAMENTAL RIGHTS OF THE EUROPEAN UNION

The European Parliament, the Council and the Commission solemnly proclaim the following text as the Charter of Fundamental Rights of the European Union.

CHARTER OF FUNDAMENTAL RIGHTS OF THE EUROPEAN UNION

The peoples of Europe, in creating an ever closer union among them, are resolved to share a peaceful future based on common values.

Conscious of its spiritual and moral heritage, the Union is founded on the indivisible, universal values of human dignity, freedom, equality and solidarity; it is based on the principles of democracy and the rule of law. It places the individual at the heart of its activities, by establishing the citizenship of the Union and by creating an area of freedom, security and justice.

The Union contributes to the preservation and to the development of these common values while respecting the diversity of the cultures and traditions of the peoples of Europe as well as the national identities of the Member States and the organisation of their public authorities at national, regional and local levels; it seeks to promote balanced and sustainable development and ensures free movement of persons, services, goods and capital, and the freedom of establishment.

To this end, it is necessary to strengthen the protection of fundamental rights in the light of changes in society, social progress and scientific and technological developments by making those rights more visible in a Charter.
Highlighted examples

• Art 1. Human dignity: “Human dignity is inviolable. It must be respected and protected”
• Art. 7 Respect for private life and family life
• Art. 8 Protection of personal data
• Art. 11 Freedom of expression and information
• Art. 21 Non-discrimination
• Art. 23 Equality between women and men
• Art 48 Presumption of innocence and right to defense

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Threat or Opportunity?
Beyond data plumbing?

There is more to life than increasing its speed.
~~Mahatma Gandhi
Autonomy

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Improving the Base Line

Festina Lente

Making haste slowly

or

Fail fast & break “things”?

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The Internet is growing up

The New Yorker - July 5, 1993

“On the Internet, nobody knows you’re a dog.”

10 years later...

“Remember when, on the Internet, nobody knew who you were?”
Data commodification is already “en marche”

Some of you might remember
Interlocking liabilities & obligations

- Aligning contract obligations
  - (+ enforcement?)
- Providing
  - Security
  - Privacy features
  - Privacy engineering

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Constantly bumping up against

Personal data threshold

Data ownership?

My Data

Their Data

Your Data

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Rights, roles & responsibilities!

Questions to ask:
• Who has the authority to control access and use of particular information?
• What rights does a party have in using and distributing a piece of information?
• What responsibilities does an information user have to others with respect to that information?

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Source: http://blog.joeandrieu.com/2010/01/21/beyond-data-ownership-to-information-sharing/comment-page-1/
Incentives and business models

Data Ethics?

Compliance mitigates Risk

It doesn’t build Trust

(with commoditization, Trust will be the differentiator)
Judge blocks coal mine expansion, citing lack of adequate climate analysis

Expansion would make Bull Mountain the nation's largest underground coal mine.

MARK HARD  AUG 15, 2017, 5:02 PM

A MINE EMPLOYEE STANDS IN THE ENTRY OF SIGNAL PEAK ENERGYS EXISTING BULL MOUNTAIN MINE IN MONTANA. CREDIT AP PHOTO/JAMIE OSBORNE

Data is the new Electricity

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Data is the New Electricity
Privacy is the New Green
Trust is the New Currency

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Rights within the GDPR
Define tools & uses to

1. Build
   - Access
   - Portability
   - Objection
   - Rectification
   - Erasure
   - Information
   - Restriction

2. For

3. Because our Values are

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   26.10.2012

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And actors are!

Data Portability and Right to be Forgotten

My Details

Personal details
Name: Colm Moynihan

Contact details
Address: 35 Parkmore Drive
          Terenure
          Dublin 6w
          D6W VK33

Email address: colm_moynihan@hotmail.com
Mobile number:

Parental Consent: Yes Granted 05-June-2017

August 2017
Period: 8th Jul - 7th Aug 2017

€82.56

Data Portability
- Data stored on Cloudera
- CSV, PDF, ZIP download

Right to be Forgotten
- Use lineage from Navigator
- Trigger overnight batch
- Use data integration vendor
Even them!
Portability rights

The age of transparency wars?

http://tinyurl.com/PDIO-20170519
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Obligations as Data Subjects?

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Fostering data literacy

6. ONLINE TARGETING

Being connected is not only about actively posting and sharing information that we chose: whenever we use electronic devices, we could be producing and sending away data about us and about what we are doing. These data are particularly valuable for companies that sell advertisement space, that often collect our data while offering ‘free’ services.

IDEAS FOR DISCUSSION

1. Could little bears spy on children? Some companies, including toy companies, are developing ‘smart toys’ that would interact with their owners and send the company information about the children. The information is, in principle, supposed to make the reactions of the toys more realistic and interesting, but it could also be used by the companies to gather extra data about children. Pupils should discuss whether it seems to them a good idea that children have bears or dolls with cameras and microphones that can record sounds and images and send them to a company. Would they like to have one? If so, do they think they should be able to turn them off? What if they forget to turn them off, and the toy registers things they would not like a company to know?


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“LET ME BE MYSELF AND THEN I AM SATISFIED. I KNOW THAT I’M A WOMAN, A WOMAN WITH INWARD STRENGTH AND PLENTY OF COURAGE.”

Anne Frank
Thank you for your attention

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