United Nations Special Rapporteur on the right to privacy

Big Data-Open Data interim report

Consultation

17 January 2018

The 21st century is widely referred to as the 'information age'. Governments and non governmental players around the world have realised the value of data and are collecting and using data on an unprecedented scale and for many purposes.[1] Much of that information relates to individuals – their personal details and that of their family, friends and contacts. It includes information of their transactions, service usage, health and intimate information and financial status, and 'data mining' of it poses significant challenges to the right to privacy.

In October 2017, I presented to the General Assembly the interim report of the work of the Taskforce on Big Data Open Data - the first of the thematic reports to be presented to the General Assembly. The Interim Report considers the advent of modern data technologies in the context of the human right to privacy. The report and my address to the General Assembly can be accessed at http://www.ohchr.org/Documents/Issues/Privacy/A-72-43103_EN.docx .

The preliminary directions of the report include the development of 'Big Data Principles' for international guidance, and data governance recommendations for data protection, international standards and regulation. The next step is consultation on the report's contents and recommendations. This consultation is intended to further develop the report and foster collaboration in shaping its final form. It has two components – requests for written submissions and a consultation event planned for Sydney, Australia during 2018.

Finalisation of the report and the recommendations will be based on the international consultation as well as the incorporation of outcomes arising from letters of allegation to some countries. It is currently planned(subject to revision) that the final report will be presented to the General Assembly in October 2018.

Feedback is sought on:

- areas for amendment such as identification of any differential impacts upon more vulnerable groups in the community
- interrelationships with areas such as cybersecurity and algorithmically driven innovations including artificial intelligence, machine learning and robotic clouds
- the need for further principles to guide modern data analytics
- the rigour of de-identification methodologies for facilitating data analytics of personal information
- any other relevant considerations.

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[1] *White Paper of the Committee of Experts on a Data Protection Framework for India,* November 2017, p3. https://www.mygov.in/hi/task/**white-paper-committee-experts-data**...

The consultation seeks feedback from both the public and private sectors A vital part is the input from individuals, non-government organisations and civil society.

Those interested in providing feedback are requested to provide their comments and name of contact person and their details, by 28th April 2018.

Contact can be made with Sean McLaughlan smcla01@sec.research.um.edu.mt who is acting as Secretary to the UN SRP's Task Force on Big Data and Open Data in relation to the consultation on the Big Data – Open Data Interim Report by the UN Special Rapporteur on the Right to Privacy.