Digital Rights

What is the issue?

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With the digital phenomenon restructuring most social sectors, it is little surprise that **global trade negotiations are now eyeing the digital area** in an attempt to pre-emptively colonise it.

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What is Big Data and who owns it?

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- Big data is an extremely large data sets that may be analysed computationally to **reveal patterns, trends, and associations,** especially relating to human behaviour and interactions.
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- It is freely collected or mined from developing countries, and converted, or manufactured, into digital intelligence in developed countries, mostly the U.S.
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- This digital intelligence forms a kind of **"social brain"** that begins to **control different sectors and extract monopoly rents.**
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- To judge how the digital society is shaping, just extrapolate this situation to every sector; not only the regular commercial ones but also key social areas of education, health, agriculture, and, indeed, governance.
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- Most key data required for policymaking is increasingly **with global data companies.**
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What are the demands of developed countries?

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Fronting for the global big business, developed countries make **three key**

demands at digital trade talks.

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- **Access:** Free and unhindered access to the “network” running throughout our society to mine social and personal data.
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- This includes full access to local networks, right to set up networks, no custom duties on digital goods, no requirement of local presence, no local technology use or technology standards commitments, and no source code transparency for digital applications that run through our social and personal spaces.
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- Simply put, we are being asked to give up our technology or digital sovereignty even before we have been able to identify and institute our digital rights, policies, laws and regulation.
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- **Flow of data:** Ensuring completely free flow of data across borders, with no requirement of local storing, even for sensitive sectors like governance, banking, health, etc.,
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- Free global flow of data is an expression of **self-declared ownership by global digital corporations** over the social and personal data that they collect from everywhere, including India.
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- **Regulation:** Exclusion from future regulation of all services other than those already committed to a negative list, which will of course include e-versions of every sector.
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India and global digital trade negotiations:

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- India has been resisting global digital trade negotiations.
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- India has much native technical and entrepreneurial capabilities in the digital area, and to match them, a huge domestic market.
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- Conditions are extremely good for developing strong domestic digital industry.
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- For this, **India must stave off pressure for entering into binding global commitments** that would forever kill any such prospects, apart from disabling Indian policymakers from appropriately regulating the digitisation of various sectors.
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What is the way forward?

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- The **WTO ministerial in Argentina in December 2017** will be a key battleground for whether WTO should start negotiating digital trade issues.
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- India must resist any digital trade negotiations at this time. It has little to gain from them, and much to lose.
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- It must first build its digital sovereignty and digital rights before it can begin negotiating a part of it in global trade talks.
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Source: The Hindu

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