



# Introduction to the CONSENT Project: An Overview...and some reflections on Platforms for Collective Awareness and Action

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# Introduction to the CONSENT Project



- What is CONSENT all about?
- How does CONSENT achieve these aims?
- What are the wider policy implications?



# Background Information

- There are **282.7 million** European frequent-internet users aged 15 and over (2009)
- Gartner, the IT research and advisory firm, predicts that by 2014, social networking sites will replace email as the primary form of internet communication

# The Importance of this Trend

- The Web 2.0 economy is reliant on users not being passive consumers of media/content but to act as generators
- There exists a trade-off for social networking and generating user content → one “must” give up varying degrees of privacy as a ‘price’ for participation



# What are UGC services?

- User-generated Content Services (UGC)s are those services in which the consumer rather than the provider creates the content for which other consumers use the service, such as social networking sites (SNS).
- Examples include: Facebook, Twitter, and YouTube



# Do UGC services threaten the current European approach?

- EU Data Protection Law lays down that personal data can only be collected/ processed if provided for by law or with the informed and explicit consent of the data subject
- Many UGC services are making a mockery or travesty of this fundamental principle of consent by getting users to contract out of their rights. The consent obtained is explicit but is it informed? Users signing away their rights?

# *“Privacy is dead. Get over it!”??*

- Privacy and Data Protection post-Lisbon have become hot policy issues:
  - EU-USA PNR Agreement
  - EU-USA October 2010 HLCG Agreement
  - EU-USA Swift Data November Agreement February 2010 (Disagreement) – July 2010 temp agreement
  - In March 2010 DG JLS launched Impact Assessment on Policy Options for data protection in Europe
  - EU Data Protection Regime being overhauled
  - Council of Europe Data Protection regime reviewed

# Objectives of CONSENT



- To examine how consumer behavior and commercial practices are changing the role of consent in the processing of personal data
- Observe the extent contractual, commercial and technical practices and other factors affect consumer choice and attitudes toward personal privacy in the digital economy.
- Establish criteria for fairness when obtaining personal data on the basis of users' consent and develop a best practice approach for the use of consent by UGC service providers.
- Develop a toolkit for policy-makers and corporate counsel to implement and promote the best practice approach.

# Deliverables of CONSENT



- A report on the state of UGC services in the European Union
- In-depth analysis into the legal aspects of UGC services, particularly regarding issues of privacy, competition, and contract law
- Data on consumer attitudes towards UGC services and practices from across the European Union
- Toolkit for policy-makers and legislators based on best practice

# Platforms for Collective Awareness and Action - 1

- How to make the impact of ICT evolve from fancy gadgets to tangible lifestyle changes towards sustainability? **IMPACT IS THERE, MAY BE SUSTAINABLE. BUT IS IT THE DESIRED/RIGHT IMPACT?**
- How strong, clear and broad is the evidence base for the use of online communities to drive individual situation awareness and individual behaviour change? What are the best practice do`s and don`ts? What are the issues for further research **NOT YET CLEAR. MUCH MORE RESEARCH REQUIRED GLOBALLY YET SOME STRONG POINTERS...POLICY BY WHOM?**

# Platforms for Collective Awareness and Action - 2

- How to identify and involve the most relevant stakeholders who can act as credible "agents of change" and allow reaching the required massive scale of citizen trust and participation?
- Do we need a top-down framing of the different initiatives, or can a thousand flowers bloom? And in this case, which open coordination mechanisms can ensure an effective synergy between genuine bottom-up initiatives, without hindering flexibility and independency? **Different standing mechanisms**

# Platforms for Collective Awareness and Action - 3

- How to cope with trust, privacy, identity, security and the ethical aspects which are associated with social networks, IoT and collaborative production tools within this context? **Transparent Policy & Gov**
- Do we need to set minimum quality guarantees for the content of the social media which can be developed in this context, or will users, and society in general, autonomously weed out the inadequate or possibly manipulative actions? **YES/NO**
- Which areas should be involved in a multidisciplinary research agenda, and how? **All**

# Lex Converge

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Thank you for your attention

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