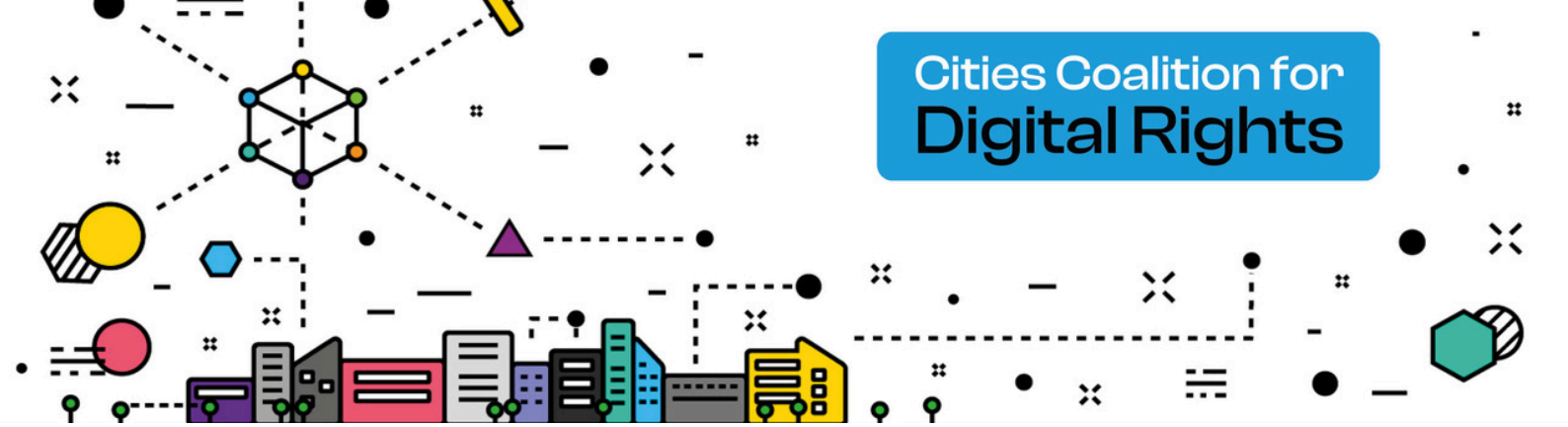

For a consent-based and transparent data management in cities

Recommendations from the Cities Coalition for Digital Rights

Key messages:

The Cities Coalition for Digital Rights (CC4DR) aims to ensure the fundamental rights of individuals to privacy and control over their personal data. The paper aims to delve into the pivotal role of cities in addressing privacy concerns and reshaping data management practices to build trust within communities. To provide transparent and accountable approaches to data management, CC4DR is calling for:

1.**Implementing data-driven technologies based on privacy and data protection,** by conducting human rights assessments and prioritising the implementation of data protection regulations.

2.**Mainstreaming the use of consent-based data sharing solutions** that give individuals' control over their own data and respect freedom of choice.

3.**Developing coherent international transparency standards** that establish clear guidelines regarding the use, share and access of data collected by urban technologies.

4.**Investing in Digital and data literacy programs** to ensure an effective autonomy for residents, that enable them to make informed decisions regarding the use of their data.

5.**Continuing to support Open Data strategies and solutions,** thus reducing the power that big entities and companies have on individuals and organisations.

Introduction

As the digital landscape continues to expand, individuals are becoming increasingly aware of the ways in which their personal data is collected, stored, and used. This heightened consciousness has sparked a growing movement for stronger data protection rights. Individuals are now advocating for greater control and transparency over their online personal information.

At the heart of these changes lies the Cities Coalition for Digital Rights, which aims at ensuring the fundamental right of individuals to privacy and control over their personal data. The coalition emphasises the need, in both physical and virtual spaces, to ensure confidentiality, security, dignity, anonymity, and sovereignty over their data.

The paper aims to delve into the pivotal role of cities in addressing privacy concerns and reshaping data management practices to build trust within communities. With a focus on proactive digital services and consent-based data sharing, this paper seeks to **highlight the transformative potential of empowering cities to provide transparent and accountable approaches to data management.**

The values of consent-based data sharing

Cities collect data of individuals in multiple ways. Personal data is processed in city services, but it is also gathered in the urban environment. However, technologies embedded in urban infrastructure that collect data from the city and its environment, which includes residents and individuals moving through public spaces, often go unnoticed. People should be made aware of the existence of these technologies, the type of data they collect, how that data is processed, and how it is used to improve city services that benefit the citizen.

Likewise, city services that already collect personal data when individuals use those services, can benefit greatly from personal data being also shared between organisations or in data ecosystems, **with the person's consent**. Although it is important to note that public authorities do not need such consent to provide statutory services, as they are already permitted by a legal basis to process the data that is needed, developing the consent-based "MyData" approach in other types of data sharing can benefit all parties involved. It concretely means putting the individual in control to decide how their data is collected, stored and shared. This human-centric approach builds trust and fosters stronger relationships between organisations and individuals. However, it also demands a digitally literate society in which residents are equipped with the knowledge and tools needed to engage in the digital society, in particular with urban technologies and data processes.

For residents, consent-based services provide greater control over their personal data. It requires organisations to transparently explain what data type of data is collected and how it will be used. On a wider perspective, consent-based data sharing allows individuals to share data between organisations, optimally leading to better services from the individual's perspective.

Furthermore, it allows cities to gather more accurate personal data, leading to more efficient resource use and the possibility to personalise and target public services, even proactively. Private businesses also benefit from consent-based systems. With secure access to shared data, companies can develop personalised services and products that meet real customer needs, creating opportunities for data economy while adhering to privacy regulations.

Current challenges to develop a consent-based data sharing approach

The prevalence of high-profile data breaches, privacy scandals, and the digitalisation of services have made people more cautious about how their personal information is handled. The development of complex interoperable systems, as well as surveillance technologies, raise the need for all levels of governance to adopt human rights safeguards regarding the procession of individuals' personal information, including in city administrations.

Among the most promising safeguards that municipalities can put in place, is the consent-based data-sharing approach. Such an approach could help 1) answer the growing demand of residents for data privacy and control over their data and 2) (re)build trust between citizens and public administration.

However, cities face challenges in implementing these systems, partly due to the fragmented practices and difficult interpretations of legal requirements. The new legislative landscape is evolving, especially at EU level, with new regulation framework that aim at building data-driven innovation while ensuring a responsible use and compliance with privacy standards. However, the ambiguity between the priorities given to data-sharing and data protection is increasing. This situation, combined with the lack of guidance, leads to confusion in cities on how to balance the various regulatory requirements.

Furthermore, building data-sharing systems that ensure data protection standards requires resilient data infrastructures in a multi-organisational coordination across multiple municipal departments, and increasingly across different administrations from all around the world. A configuration that can be hindered by bureaucratic barriers, varying levels of digital expertise among staff and the lack of unified international standards.

Added to these legislative and organisational challenges, come the fact that many residents, including also city staff working on the development of data-driven technologies, remain unfamiliar with their digital and data rights, including the concept of consent. The persistence of the digital divide is still a prevalent challenge, as still too many individuals lack the digital literacy skills to safely use technologies and voice potential data misuses or abuses. From the administration's perspective, cities need to make sure that their staff working on digital technologies developments are aware of the impacts of such development on human rights and social inclusion, in order to build responsible technologies.

Strategies and solutions at local level

For cities, consent-based services mean respecting privacy and individuals' autonomy – within legislative boundaries – to decide how their data is used across various municipal offices. The adoption of consent-based frameworks also marks a shift toward more ethical and secure data handling in the public sector, transforming how services are delivered. This approach also aligns with cities' broader strategic goals of creating smart, efficient, and resident-friendly urban environments.

Forerunner cities are starting to get involved in human-centric data management. A few early-adopter cities have launched pilot projects to explore how to create value with consent-based data sharing services. However, most of these pilots remain in the experimental phase, as cities encounter significant challenges in scaling the projects into fully functioning systems.

Currently, efforts to develop consent-based data-sharing are often led by cities, with other organisations acting as data providers. By facilitating trusted and right-based data sharing in every data ecosystem, cities can move beyond isolated solutions and create services that truly benefit residents while respecting their rights to personal data management. For example, In Stavanger, a Norwegian city, a crowd-sensing project to improve urban planning and public health has been implemented along with a consent management tool, which allows participants to choose the types of data they share, such as heart rate or GPS location.

For such a strategy to work, municipalities and the public sector in general need to develop transparency and accountability measures regarding the use of technology and residents' data in the urban environment. That is why the City of Porto has developed the Digital Transparency pilot project, built in order to promote transparency regarding the Porto Urban Platform, a framework that integrates urban systems and data sources to enhance interoperability and improve service delivery. The City is now providing public access to data about city technologies and enhancing collaboration and interaction within the citizens. It combines physical signage with a digital platform, offering easy access to information, including a QR code that links to the "Porto City Digital Systems Information Platform" for detailed insights on data collection and processing.

More potential lies in new ways and methods of data sharing that could support the address of societal challenges, whether in health, transportation, or environmental issues, by supporting personalisation, optimisation and automation of services. But unlimited data-sharing can also have negative impacts on human rights and people's life, a fact that should lead cities to put data protection at the heart of their work. That is why the City of Amsterdam, before implementing policies that will require data processes, is conducting Data Protection Impact Assessments. The purpose is to identify risks, such as data breaches or disproportionate data-sharing, and measures needed to ensure privacy requirements. As shown by the DPIA related to the implementation of the Dutch Immigration Act in 2022, such measures can consist in providing guidelines, alerts or putting on hold a process that does not yet conform with Amsterdam's privacy statement.

Cities Coalition for Digital Rights

Policy recommendations

The Cities Coalition for Digital Rights is calling authorities from local, regional, national and internal levels for:

1. **Implementing data-driven technologies based on privacy and data protection.** When developing digital services and other data-driven technologies, governments should always conduct prior human rights' assessments and prioritise the implementation of data protection regulations, such as the General Data Protection Regulation (GDPR). This requires National States, the European Union and other relevant international organisations to clarify the interrelations between different legal requirements, in particular related to interoperability.
2. **Mainstreaming the use of consent-based data sharing solutions** that give individuals' control over their own data and respect freedom of choice. Such initiatives, as detailed in the sections above, are essential to build trust between residents and public authorities and to foster innovations that are truly human-centred.
3. **Developing coherent international transparency standards** that establish clear guidelines regarding the use, share and access of data collected by urban technologies. A harmonised legislative framework between the different levels of governments will 1) ensure that residents have the available information to understand how their data is being used and 2) streamline collaboration between cross-national services and systems.
4. **Investing in Digital and data literacy programs**: Implement comprehensive digital and data literacy initiatives aimed at equipping individuals, including civil servants, with the skills needed to navigate available digital services and use their data rights effectively. Having digitally literate residents is essential to make sure that the autonomy given to residents is effective and that they can make informed decisions regarding the use of their data.
5. **Continuing to support Open Data strategies and solutions**. One of the ways to empower cities and their citizens is to support Open Data initiatives. Data is one of the most important digital resources available and allowing it to be shared by everyone is also a way to reduce the power that big entities and companies can have over individuals. Furthermore, it fosters innovation and allows entrepreneurs to generate new ideas and solutions.

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