

A Proposal for

Rights and Responsibilities for Citizens in the Digital World



A joint development between Global Trust Center and Metanoya (UK) Ltd.

Table of Contents

INTRODUCTION	3
THE RIGHTS	4
THE RESPONSIBILITIES	6
GLOSSARY	7

Introduction

Whilst the physical world and the rules that govern behaviour, rights and responsibilities in it have been established over many centuries, those that govern the digital world have evolved over little more than a decade. Without solid backing and history these rules do not have the weight or relevance that their physical world counterparts do.

The authors have examined how traditional human rights can be adapted, expanded and how they could be translated in the digital world.

This Proposed Rights and Responsibilities for Citizens in the Digital World is a statement of rights and responsibilities that its authors consider that eCitizens within the digital world should have relating to their digital persona.

The Rights

Users of information processing systems shall have the right to:

- Own their own digital identity;
- Have sole control of that digital identity in all of its use;
- Have no one other than the owner of a digital identity revoke it;
- To replace their digital identity if it has been compromised in any way so that it matches the compromised one;
- Use systems in an anonymous or pseudonymous manner if they require, so long as this is not for unlawful reasons;
- Request and receive proof of their interacting parties identities;
- Obtain confirmation of interacting parties acting in delegated roles for a legal entity;
- Verify the existence and status of a legal entity;
- Have the ability, but not the obligation, to act in a delegated role for a legal entity;
- Access and use information resources as defined by the owner of the resources;
- Access and use information resources at an affordable price;
- Make backup copies of information for personal use so that it can be restored if the original is lost;
- Use and enjoy legitimately downloaded material on the device or platform of their choice;
- Agree with other interacting parties the jurisdiction of the digital interaction;
- Obtain redress, if required, using the relevant dispute resolution process in the agreed jurisdiction;
- Undertake digital interactions with other parties as permitted by law;
- Have freedom of expression and opinion, as permitted by law;
- Have the right to publish freely their expressions and opinions, as permitted by law;
- Receive eServices from the government where they are citizens;
- Not have their digital interactions subject to surveillance or interception, save by legitimate order by a court of competent jurisdiction;
- Refuse to accept any unwanted digital interactions;
- Have irrefutable proof of all digital interactions they undertake;
- Decide and implement the level of protection that they want for any digital interaction;
- Avoid self incrimination in any digital interaction;
- Own and decide the purpose and use of their own intellectual property;
- Not have government censorship of digital interactions, unless sanctioned by law in the relevant jurisdiction;
- Not have their identity credentials stored in a central database where they may be accessed or attacked;
- Navigate in an unrestricted manner through public accessible digital networks in a non-discriminatory manner;
- Have due judicial process and proper legal representation for the jurisdiction in any conflicts with any service provider or transaction partner;
- Not be held liable for any content provided by others on systems they own and control where this content may be stored or transmitted;

- Have uninterrupted services and reasonable access to contracted digital services and resources without hindrance or prejudice;
- Be notified and give approval for personal data, or sensitive personal data, to be transmitted to anyone by a service provider or any other individual or legal entity holding such data;
- To be assured that, on request unless mandated by law, that all private and personal digital information held by any third party is securely deleted on termination of contractual or other relationships with the information holder;

The Responsibilities

As well as users having rights in the digital world, they also have responsibilities, these are to:

- Treat other interacting parties with respect, regardless of income, ethnicity, gender, physical location or disability;
- Protect their digital identity from unauthorised use;
- Be responsible for all actions taken with their digital identity;
- Take appropriate action as soon as possible after discovering or suspecting that their digital identity has been compromised;
- Take appropriate action as soon as possible after discovering that systems that they control are being used for the storage and/or transmission of unlawful material;
- Comply with the relevant legislation, regulations, codes of conduct and best practice where they are digitally interacting;

Glossary

Best practice	A technique or methodology that, through experience and research, has proven to reliably lead to a desired result.
Citizen	A person who is born in a country or a person who has legally established his or her allegiance to that country. Typically citizenship also confers rights (such as the right of political participation) and responsibilities (adherence to the rule of law).
Code of Practice	Rules established by regulatory bodies or trade associations, which are intended as a guide to acceptable behaviour. As such they do not have the force of law behind them.
Court of Competent Jurisdiction	A court with the jurisdiction to hear a case.
Credential	Proof that the claimed identity is relevant and that the offered references from third parties supporting the claimed identity is current
Delegated Role	A role within a legal entity that has been assigned to an individual user with that user's agreement and that has certain rights and responsibilities relating to the delegated role
Digital Identity	The digital representation of a set of claims made by one digital subject about itself or another digital subject
Digital interaction	An interaction carried out using ICT, examples include B2C, B2B
Digital subject	An entity represented or existing in the digital world
Digital world	The entire sphere of digital interactions using ICT
Dispute resolution	The process of resolving disputes between parties. Methods of dispute resolution include: <ul style="list-style-type: none"> • arbitration; • conciliation • lawsuits (litigation); • mediation; Dispute resolution processes other than judicial determination are often referred to as Alternate Dispute Resolution. (ADR)
eCitizen	One who has a digital identity in the digital world
eServices	An umbrella term for services on the Internet. eServices include e-commerce transaction services for handling online orders, application hosting by application service providers (ASPs) any processing capability that is obtainable on the internet from any source (government, legal entity or individual users).
ICT	Information and Communication Technology.
Identity	An unique set of data, such as a token, username, fingerprint, or social security number, combined with attributes that uniquely describe an entity or the individual characteristics by which a thing or person is recognized or known. The entity may be a user, an application or a service.
Interaction	Exchange of information between and among actors. Examples of interactions are: Financial Transaction between two parties, Multiple parties signing a document; Non Repudiation of receipt or sending a document, authorised access to a resource, etc
Jurisdiction	The power and authority of a court to hear and decide a particular type of case.
Legal entity	Any partnership, corporation, association or other organization that has, in the eyes of the law, the capacity to make a contract or an agreement and the abilities to assume an obligation and to pay off its debts. A legal entity, under the law, is responsible for its actions and can be sued for damages

Legal rights	Rights and obligations of an individual within a jurisdiction.
Owner	The person or entity that has been given formal responsibility for the security of an asset or asset category. It does not mean that the asset 'belongs' to the owner in a legal sense. Asset owners are formally responsible for making sure that assets are secure while they are being developed, produced, maintained, and used.
Personal data	Personal data means data which relate to a living individual who can be identified: <ul style="list-style-type: none"> • from those data; or <ul style="list-style-type: none"> • from those data and other information which is in the possession of, or is likely to come into the possession of, the Data Controller; and includes any expression of opinion about the individual and any indication of the intentions of the Data Controller or any other person in respect of the individual.
Physical World	The non-digital world
Regulation	Rules enforced by a government agency to restrict or control economic activity rather than prohibit it. Typically enforced by Regulators. Regulations can also exist in industry sectors that are produced by the industry itself for performing some industry specific tasks
Revoke	Termination of a user's digital identity
Resource	Something of value that is used in a process. In this case users are responsible for the security of their identity and information, businesses and government are responsible for their own internal policies, customer information, trained staff etc;
Role	A set of permissions applied to specified groups of resources. Users with this role have those permissions on those resources
Sensitive Personal Data	<ul style="list-style-type: none"> • the racial or ethnic origin of the Data Subject, • his political opinions; • his religious beliefs or other beliefs of a similar nature; • whether he is a member of a trade union; • his physical or mental health or condition; • his sexual life; • the commission or alleged commission by him of any offence; • any proceedings for any offence committed or alleged to have been committed by him, the disposal of such proceedings or the sentence of any court in such proceedings.
Service provider	Any provider of a service in the digital world that the individual user may use