

# DECLARATION ON DATA USE AND ALGORITHM ETHICS

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## INTRODUCTION

The considerable increase in the volume of the data generated within and without public administrations poses a challenge to organisations. The Government of Navarra is working on the development of new management mechanisms that make data intelligent while offering citizens sufficient guarantees.

In order to face the new challenges posed by data processing and artificial intelligence (AI), the Government of Navarra has drafted this Declaration, stating all the principles underlying the Government's data management policies.

Getting ready for the transformations triggered by mass data processing and AI requires an ethical framework in accordance with the values of sustainability, equality, innovation and good governance.

## DECLARATION SCOPE AND STRUCTURE

This Declaration sets forth the guiding principles in personal and public data management, as well as in the use of artificial intelligence (AI) algorithms.

Said guiding principles are:

1. Data protection
2. Open Data and re-use
3. Data governance
4. AI for citizens and for social and environmental wellbeing
5. Promoting innovation with data and AI
6. Accountability of AI systems

The Declaration includes three types of statements:

1. Obligations of the Government of Navarra
2. Rights of citizens and organisations
3. Commitments to action for progress

AI principles, procedures and rules shall be updated on a regular basis, following the recommendations and initiatives by the EU and other relevant organisations.

The Government of Navarra shall promote an agreement with local entities for the adherence to this Declaration. It shall also consider the possibility of reaching further agreements at the Spanish and European levels.

## **DECLARATION ON DATA USE AND ALGORITHM ETHICS BY THE GOVERNMENT OF NAVARRA**

### **1. Data protection**

[OBLIGATIONS] The Government of Navarra undertakes to actively comply with the General Rules for Data Protection. In so doing, it shall:

- Protect the security, integrity and confidentiality of personal data.
- Assess risks in advance and activate the privacy requirements at an early stage when designing new products and services.
- Collect personal data only when this is necessary for the proper functioning of services, for specific, explicit and legitimate purposes, and only for as long as it takes to process them for the stated purpose.
- Make the means available, raise awareness and offer training to ensure effective enforcement of the General Data Protection Regulation (GDPR).

[RIGHTS] The Government of Navarra shall protect citizens' data rights. In addition to complying with the requirements in the regulations in force, it shall uphold:

- The right to get a response from the party responsible for data processing regarding the processing of one's personal data and, if necessary, the right to access personal data and the relevant information about their processing.
- The right to get the party responsible for data processing to change or delete inaccurate personal data without undue delay.
- The right to object to the processing of one's personal data on grounds relating to one's personal situation.

[COMMITMENTS] The Government of Navarra shall encourage personal data empowerment among citizens. To this effect, it shall:

- Promote the development of projects enabling citizens to identify the situations in which their personal data may be published or used.



## 2. Open Data and re-use

[OBLIGATIONS] The Government of Navarra undertakes to actively comply with Regional Law 5/2018, of 17 May, on Transparency, Access to Public Information and Good Governance. In so doing, it shall:

- Order the sharing of public information to be reused by society.
- Publish all the freely accessible data in its possession and take measures to make them known to citizens.
- Promote the knowledge of the means and results of public actions, creating social value and strengthening responsible and democratic practices.

[RIGHTS] The Government of Navarra shall make available to citizens and organisations the necessary means to exercise their rights in the use of public information. Said rights include:

- The right to access existing public information and request yet unpublished data, in accordance with the right to access public information.
- The right to make a responsible contribution to the public administration by supervising its functioning, based on the accountability data of projects and services.

[COMMITMENTS] The Government of Navarra shall encourage the reuse of public information for social and business innovation. To this effect, it shall:

- Share public information to promote its being reused, enabling the creation of social and economic value while strengthening the business fabric, job creation and inclusive development.
- Guide data use-promoting actions towards the development of a reuse environment based on trust, where citizens can feel safe when exercising their rights and companies can design services on the basis of accessible, persistent, reliable data.

## 3. Data governance

[OBLIGATIONS] The Government of Navarra guarantees the quality of the data in its possession, in an effort to ground decision making on quality data. To this effect, it shall:

- Ensure the public ownership of the data generated in the provision of public services and the development of public policies.
- Implement systems to ensure the data are accurate, full, up-to-date and persistent.
- Implement the appropriate means to minimise data security risks, taking proportionate defence measures against cyberattacks.



[COMMITMENTS] The Government of Navarra shall strive to achieve good data governance, promoting data quality, system sustainability and support to innovation. To this effect, it shall:

- Establish an agency in charge of data governance, allocating resources to it and defining its processes and goals.
- Cooperate with civil society organisations in the collective governance of data for the common good.
- Implement procedures to automate and standardise data management.
- Set data quality standards and technical requirements for sensor devices, and develop applications for data to be integrated into information and decision-making processes.

#### **4. AI for citizens and for social and environmental wellbeing**

[OBLIGATIONS] The Government of Navarra shall undertake to prevent risks and protect against them in algorithm application, thus creating a reliable environment, based on damage prevention. In so doing, it shall:

- Assess the potential risks of algorithms for privacy, equality and security, in an effort to reduce the probability of adverse effects.
- Limit the uses of AI to those that do not go against the established system of values or may not harm the individuals or the environment.

[RIGHTS] Navarra shall defend the right to the highest attainable standards of living and to increase the common good through innovation.

- Citizens have the right to pursue wellness and independence through the application of innovation.
- Present and future generations have a right to a sustainable planet and to AI projects aimed at improving sustainable development indicators.

[COMMITMENTS] The Government of Navarra shall strive to ensure equality and sustainability in IA, setting verifiable standards in this regard:

- Analysing algorithms to prevent unfair bias that may result in any form of discrimination.
- Encouraging actions that favour inclusion and equality while fighting gender violence and bridging the gender gap.
- Making sure that AI projects contribute to achieve the Sustainable Development Goals.



- Carrying out campaigns to spread basic knowledge of algorithms and AI among citizens: procedures, rights, participation channels and complaints to bridge the digital gap.
- Promoting a framework of rights for Navarra's citizens in line with the highest international standards.

## **5. Promoting innovation with data and AI**

[OBLIGATIONS] The Government of Navarra shall play an active role in the promotion of innovation as a tool to improve its services and achieve its goals.

- Government spending in AI will go to projects that contribute to enhance the common good. Innovation policies shall be in line with the goals set for the public administration.

[COMMITMENTS] The Government of Navarra shall promote a reliable, knowledgeable AI environment that places Navarra at the forefront of innovation, talent engagement and investment attraction. To this effect, it shall:

- Support the use of AI as leverage for decent employment policies for all, offering solutions to the problem of job destruction.
- Participate and promote cooperation with other actors (public and private entities, and associations) in innovation networks.
- Be part of the innovation system only in an ancillary capacity, without being a competitor to private actors in areas beyond its competences.
- Disseminate the principles and rules within the Government of Navarra and among other actors as well, in an effort to create a shared-vision space where developments occur within a logic of freedom.

## **6. Accountability of AI systems**

[OBLIGATIONS] The Government of Navarra shall have a transparent, open data innovation policy. In this regard, it shall:

- Record the use of algorithms, formally approve their use and publish this information.
- Offer guarantees of proper function by means of control mechanisms and declarations of conformity for algorithms.
- Establish an administrative body for ethical issues.

[RIGHTS] Citizens have a right to play an active role in the system.



- Mechanisms will be implemented for citizen participation, enquiries, suggestions and complaints.

[COMMITMENT] The Government of Navarra shall promote accountability in AI, as well as shared learning, with the collaboration of third parties. To this effect, it shall:

- Implement a law enforcement system that contributes to boost confidence in AI.
- Analyse AI systems in terms of economic, social and environmental costs.
- Take empirical evidence as a mechanism for algorithm accountability and to measure the impact and benefits of algorithms in order to justify the decisions made. When an algorithm is used to make decisions with an impact at the individual level, the decision should be able to be explained using arguments that can be understood by humans.
- Allocate high-level responsibility for AI policy, with competencies to account for the system as a whole.



## GLOSSARY

### Artificial intelligence and algorithms

- **Artificial intelligence (AI):** There is no single definition of artificial intelligence. It is An umbrella term for computer systems that perform tasks normally requiring human intelligence. AI technology combines data, algorithms and computing power (for calculation).
- **Algorithm:** A set of rules to be followed in calculations or other problem-solving operations.

### Data protection

- **General Data Protection Regulation (GDPR):** A regulation on data protection and privacy in the European Union (EU) and the European Economic Area (EEA). It contains provisions and requirements related to the processing of personal data of individuals and the transfer of personal data outside the EU and EEA areas. It is fully applicable as of May 2018.
- **Personal data:** Information relating to an identified or identifiable natural person.  
  
‘Personal data’ means any information relating to an identified or identifiable natural person (“data subject”); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person’ (GDPR, article 4).
- **Data portability:** ‘The data subject shall have the right to receive the personal data concerning him or her, which he or she has provided to a controller, in a structured, commonly used and machine-readable format and have the right to transmit those data to another controller’ (GDPR, article 20).

### Transparency, data sharing and data governance

- **Transparency:** Citizen access to public information. Under the GDPR, information or communication to data subjects must be concise, transparent, intelligible and easily accessible, and use clear and plain language.
- **Open Data:** The publishing of open data. Open data (including commercial information) are freely available for everyone to use and republish without restrictions from copyright, patents or other mechanisms of control.
- **Data governance:** The process of managing the availability, usability, integrity and security of the data within the territory of Navarra with the aim of facilitating data-based innovation. Effective data governance ensures that data are consistent and trustworthy, and do not get misused. It affects both Government-internal information and interactions with third-party data.