OPEN RIGHTS GROUP

IRG DIGITAL RIGHTS 24

June 2024

Table of Contents

The digital rights landscape	2
Data protection rights	
Platform power	2
Surveillance	2
Freedom of expression	3
The right to send private messages	3
Surveillance	3
Privacy is a fundamental right	3
Government, Business interests	3
Private communication is essential for freedom	3
Reduces risk of crime	3
Platform power	3
Putting users in control	3
ActivityPub	4
Would work similar to email	4
Market competition	
Puts users in control of their content	4
Digital Sanctuary	4
Protecting those most at risk of digital harms	4
Protecting asylum seekers	4
Special category of data	4
Training and support	4
Anonymous voter registration	4
The right to appeal takedowns and demonetisation	5
The right to appeal takedowns	5
Protecting content creators	5
A right to appeal and impartial assessment	
Algorithmic demonetisation	5
Accountable Artificial Intelligence	5
Protecting those most at risk of digital harms	5
The right to human review	5
Transparency	5
Regulation	5

Exacerbating inequalities	6
Stronger data rights and a functioning ICO	6
Data protection rights	6
The ICO isn't working	6
Protecting individuals	6
Reduction in cybercrime	6
Helps tackle injustice	6
Restricting AI empowered Surveillance	6
Surveillance	6
Pre-crime	7
AI in workplaces and schools	7
Facial recognition	7
Biometrics	7
Protecting free speech online	7
Protecting our speech	7
Employer Protection	7
Unfair copyright and defamation claims	7
Transparent censorship	7
Right to appeal censorship	8
Consumer friendly and sustainable technology	8
Platform power	8
Do not track default	8
Open source solutions	8
Right to repair	8
Digital rights management	8
Platform liability	8

We shared this guide for political parties to help inform the digital policies in their manifestos for the 2024 General Election.

The digital rights landscape

Data protection rights

Improving data rights gives people more control and protection over their data.

Platform power

Too much power in the digital world lies with a handful of influential platforms. We want to open up the market and empower web users.

Surveillance

New technologies such as facial recognition and AI-empowered predictive policing erode people's freedom.

Freedom of expression

Britain has a tradition of free and open speech, but our right to free expression online is being put at risk.

The right to send private messages

Surveillance

Our historic right and ability to have private conversations is under threat from a war on encryption.

Privacy is a fundamental right

Democratic governments should promote end-to-end encryption as a means to preserve our ability to talk privately with other people.

Government, business interests

It is vital for protecting sensitive business communications and keeping sensitive information away from hostile actors.

Private communication is essential for freedom

Freedom requires people to communicate openly without fear of censorship or retaliation.

Reduces risk of crime

Keeps personal data secure and away from the hands of criminals.

Platform power

Putting users in control

The content we create on social media is ours. We should be free to move it between platforms.

ActivityPub

Open, decentralized social networking protocols already exist.

Would work similar to email

With email you can email anyone. Why isn't social media the same?

Market competition

Users would be free to move between platforms. They wouldn't be tied into walled gardens.

Puts users in control of their content

Users would not be limited to privacy damaging apps to interact with a platform.

Digital Sanctuary

Protecting those most at risk of digital harms

Digital harms are exacerbating inequalities and discrimination within society.

Protecting asylum seekers

People fleeing oppressive regimes require digital protection as well as physical protection.

Special category of data

Enhanced data protection rights for people at higher risks of digital harms.

Training and support

To help victims of surveillance and stalking minimise their digital footprint.

Anonymous voter registration

Recognising asylum seekers and refugees as vulnerable people who can register to vote anonymously.

The right to appeal takedowns and demonetisation

The right to appeal takedowns

Protecting content creators from unfair moderation decisions that infringe on their free expression and livelihood.

Protecting content creators

Content creators, and business owners livelihoods can be destroy by unfair changes in terms and conditions and moderation decisions.

A right to appeal and impartial assessment

An Ofcom or Ombudsman appeals process to handle complaints that have not been resolved; and a simple route to the courts.

Algorithmic demonetisation

Many content decisions are made by AI. Content creators are often treated unfairly and need simple ways to challenge decisions.

Accountable Artificial Intelligence (AI)

Protecting those most at risk of digital harms

Without the correct regulation, AI systems and algorithmic decision-making risks exacerbating inequalities.

The right to human review

Ensuring everyone has the right for a human review of any AI decision made about their life.

Transparency

People should be able to see how AI systems make decisions about them and the data sources they use.

Regulation

AI systems should be regulated in a way that helps to protect people's data rights.

Exacerbating inequalities

AI must be stopped from magnifying or perpetuating existing biases within society.

Stronger data rights and a functioning ICO

Data protection rights

Stronger data protection rights for individuals and reform of the ICO are needed to protect individuals and build trust in the digital economy.

The ICO isn't working

Currently many complaints to the ICO are not resolved. The watchdog rarely takes enforcement action against organisations, other than light touch 'reprimands'.

Protecting individuals

Stronger individual data rights help to protect vulnerable groups from digital harms.

Reduction in cybercrime

Controls on the proliferation of personal data online to help to reduce fraud and cybercrime.

Helps tackle injustice

Campaign groups fighting scandals and injustice should be able to launch collective complaints to the ICO.

Restricting AI empowered surveillance

Surveillance

New technologies that erode people's right to a private life, such as facial recognition, are increasingly being deployed.

Pre-crime

Prohibiting the use of AI to try and 'predict' individuals' behaviour and risk of committing crimes.

AI in workplaces and schools

Banning harmful behavioural analysis in schools and workplaces.

Facial recognition

Give people protections against AI empowered live facial recognition systems.

Biometrics

Restrict biometric categorisation systems using sensitive characteristics (e.g. gender, race, ethnicity).

Protecting free speech online

Protecting our speech

Freedom of speech online is under threat from algorithmic censorship, employer overreach and unfair copyright and defamation claims.

Employer Protection

Other than for politically restricted roles employees should be free to express themselves online without workplace punishment.

Unfair copyright and defamation claims

There should be punishments for solicitors and organisations who issue clearly unfounded copyright or defamation claims.

Transparent censorship

Internet Service Providers should always explain why a site is being blocked. Shadow bans should be banned.

Right to appeal censorship

Individuals should have a right to appeal wrongful censorship on digital platforms.

Consumer friendly and sustainable technology

Platform power

Market competition is restricted by digital rights management tying people to platforms, and practices that exploit people's data.

Do not track default

Do not track settings should be the default options for browsers and software with explicit consent required to share.

Open source solutions

Government procurement practices should favour open standards and open source solutions.

Right to repair

People should be free to repair devices and use replacement parts and consumables from different suppliers.

Digital rights management

People should be able to move content they have purchased between platforms. DRM locks ought to be removed when copyright expires.

Platform liability

Marketplaces should share some liability for scam adverts and sellers who flout regulations.