



WG3
Law & Technology

Working Group Charter WG3 Law & Technology

TDL | **Trust in
Digital
Life**

Table of Content

Charter – Working Group 3 Law and Technology	3
1. Statement of purpose	3
2. Scope of the Working Group.....	3
3. Timeframe	3
4. Definition of the desired end result and any intermediate deliverables.....	4
5. Guidelines regarding composition	4

Charter – Working Group 3 Law and Technology

1. Statement of purpose

Recognizing the close tie between democratic structures and rights and freedoms on the one hand, and society's trust on the other, the Law and Tech WG is to explore how law and policy can drive the design of technology that (a) enables democratic structures (e.g., checks and balances and separation of powers), and (b) honours the European espousal of human rights and freedoms, such as privacy, freedom of expression, protection of minorities, freedom of association, and freedom of belief. Exploration is to include how to guard against the possible hijacking and thwarting of these democratic structures and rights and freedoms.

2. Scope of the Working Group

The Law and Tech WG will ask if accountability, transparency, and open competition are adequate for ensuring that ICT products do not oppose democratic structures and values and in fact promote them. If so, how might they be achieved for ICT products? If not, what else is needed? The exploration will delve into such topics as:

- Accountability – third party beneficiaries in contracts; audits; ombudsmen; procedural due process; etc.
- Transparency – average people knowing what law applies; right to know where one's personal data (including behavioral data) is; objective and visible certification criteria; existence of contractual relationships and their terms; visibility into parties' practices; market driven education campaigns; etc.
- Open Competition – market structure concerns of concentration, product differentiation, ease of entry; trade-offs with open or closed systems; interoperability; etc.

The Law and Tech WG will aim to complement the Technology and Requirements WG and the Use Cases WG, with the three WGs informing each other's work.

3. Timeframe

The Law and Tech WG is to work at a rhythm of "three months on/three months off", with opportunities for comment offered during its rest period. "On" months are April, May, and June, as well as October, November, and December.

4. Definition of the desired end result and any intermediate deliverables

By end December 2011, the Law and Tech WG is to produce a final report that articulates a vision for trustworthy products relating to information and communications technology (ICT), including devices, applications, services, and infrastructures. In order to provide guidance to other WGs in the meantime, the Law and Tech WG will produce intermediate deliverables leading up to its final deliverable, as follows:

- April - June 2010: Produce a preliminary report and solicit feedback.
- October - December 2010: Revise the report to factor in feedback.
- April - June 2011: Test the workability of the vision that has been articulated by examining whether it works when applied to the efforts of other WGs.
- October - December 2011: Refine the vision in a final, polished version of the report.

5. Guidelines regarding composition

In line with the general aim for balance in the Trust in Digital Life initiative, the Law and Tech WG should strive to have the following composition:

- One-third solution providers;
- One-third application customers, or service industries that will use the technologies; and
- One-third academic researchers and others from non-profit organizations (e.g., consumer groups, civil and political rights advocates, etc.) whose work relates to the Objectives.

Because input from non-profit organizations is key to this WG, special effort should be made to enable active involvement of these representatives.