



Inputs to UN CSTD Working Group on Data Governance at All Levels

Track 3 – Considerations of Sharing the Benefits of Data

1. What dimensions of “benefits” (economic, social and other indirect aspects of it) should the track consider and why?

The use of ICTs for the collection and analyses of data to assess the implementation of the SDGs provides immense potential to identify gaps and support data-led policymaking, particularly in developing countries. To ensure comprehensive SDG implementation via the use of ICTs and data, the Working Group should consider economic benefits like productivity growth, revenue generation, and cost savings; social aspects such as inclusion, well-being, and collaboration; and indirect gains including environmental sustainability, innovation, and institutional enhancements, addressing inequalities and maximizing impact in developing countries.

The UN reinforces this, suggesting that “New sources of data, new technologies, and new analytical approaches, if applied responsibly, can enable more agile, efficient and evidence-based decision-making and can better measure progress on the SDGs in a way that is both inclusive and fair”¹. It further offers examples of how Big Data, which is used to refer to extremely large and complex datasets, can be used to advance the SDGs, for instance to track deforestation and promote climate action (SDG 13). The collection of data for informing developmental policies, as well as the enabling conditions for its access, analyses and application should be considered among the benefits of data.

Another issue is that of data divides and its consequence for sustainable development in the global South. The Global Digital Compact (GDC) has acknowledged that “data divides, including gender and geographical data gaps, can lead to inequitable distribution of benefits, the misuse and misinterpretation of data and biased results” (para. 40). Data divides exacerbate the inequality between those with access to high-quality data, and those without². The exclusion of the possible benefits that can be gained from the access and use of high-quality data, which now includes training data for AI models, should also be considered. Further, the Working Group could consider the benefits that accrue from closing the data value gap, which refers to the structural

¹ United Nations, Big Data for Sustainable Development. Available from <https://www.un.org/en/global-issues/big-data-for-sustainable-development>

² Randeep Sudan, Craig Hammer and Yaroslav Eferin, Toward Bridging the Data Divide, World Bank Blog, 5 September 2023. Available from <https://blogs.worldbank.org/en/opendata/toward-bridging-data-divide>

mismatch that happens when raw data is processed by private companies and then sold again as high-value services, without benefits flowing back to the originators of the data.

While high-quality data (including AI training datasets) offers benefits for SDGs, intellectual property (IP) protections on copyrighted materials collected through data scraping can create barriers, potentially widening inequalities in developing countries by limiting access to essential datasets without licensing or exceptions. Balancing intellectual property (IP) incentives for innovation with fair use provisions could ensure equitable benefits, as overly restrictive IP might stifle AI-driven progress in developing countries.

2. How do stakeholders involved throughout the data lifecycle (e.g., collection, curation, analysis, and reuse) impact the benefits of data?

The stakeholders at the very beginning of the data lifecycle, i.e. the users, should also be the decision-makers for directing how the data they generate is used across the entire lifecycle of the data, whether used within their own country or across borders. However, developing and least developed countries have insufficient levels of digital literacy needed to understand how their data are being collected and used³. In addition, the value generation from the use of collective data should also be considered by the Working Group, as population-level aggregated data (like health or agriculture data) should primarily be used for the public good.

Addressing this gap requires significant efforts to enhance digital literacy among users in developing countries, so that they are empowered with the understanding of how their data will be used, how the benefits of such use will accrue to them, and provide their informed consent on that basis. Such a framing would also help to shift some of the asymmetry in the current framework where tech companies and platforms are able to unilaterally collect data and determine how to monetise it for their own private gain, potentially through IP protections like trade secrets or patents on data processing methods. The lack of effective benefit-sharing mechanisms, including IP licensing models that ensure equitable access for sustainable development, should also be considered by the Working Group.

In this context, the role of data brokers must also be addressed. Data brokers take many forms, from those who simply gather data to those who match buyers and sellers of data to specialist data brokers who process data for specific purposes. These actors are generally engaged in the sale of raw datasets, Application Programming Interfaces (APIs), user profiles, or even real-time sharing to other entities, including businesses, institutions or other data brokers. As data brokers operate by collecting, packaging and selling data from various sources, the integrity of any single source of data and the consents associated with it is nearly impossible to maintain or assess.

³ Jann Lay and Katharina Fietz, Digital skills in the Global South: Gaps, needs, and progress, UNIDO Industrial Analytics Platform, August 2023. Available from <https://iap.unido.org/articles/digital-skills-global-south-gaps-needs-and-progress>

However, effectively regulating the operations of data brokers is onerous for countries, especially developing nations, as in many cases these actors operate across jurisdictions and may have no tangible connection with the country or the citizens whose data they are selling. As the data broking industry has grown to around US\$434 billion in 2025 and is expected to reach US\$616.541 billion by 2030⁴, effective regulation is necessary to ensure the transparency of this industry and its practices for the responsible management and protection of data.

The Working Group could also consider the role of stronger international cooperation for better cross-border application of data protection laws, mandatory disclosure of data sources and consent across the entire data value chain. This could specifically consider the possibility of developing pathways for mandatory benefit-sharing requirements in case of cross-border data transfer and monetisation; and creating effective accountability, grievance redressal and restitution mechanisms for breaches due to commercial actors engaged in the sale of data.

3. Which governance arrangements (for example, standardization, finance, intellectual property and data protection in a broader sense) impact benefits of data and can such arrangements help address equities related to benefit sharing?

The creation and effective enforcement of data protection and data privacy laws is key to ensure that responsible use of data and benefit sharing with the users are realized. This is equally important to foster trust among users, build safe digital platforms and support growth in the digital economy. While most countries have adopted laws to regulate the collection and use of personal data⁵, datasets often include both personal and non-personal data (known as ‘mixed-datasets’).

Research suggests that aggregated data can still reveal sensitive information about populations⁶, yet current regulatory frameworks have largely focused on individual personal data. The Working Group could consider the specific concerns raised by the proliferation of mixed datasets, and how they can be better regulated to preserve privacy and increase data protection.

For developing countries, the role of effective policies at all levels for addressing the current (in)equities of benefit sharing cannot be understated. The OECD has noted that “the value of data will be affected by the governance framework that determines how they can be created, shared and used”⁷. However, when it comes to the creation of common standards for interoperability and sharing the benefits of data, developing and

⁴ Knowledge Sourcing Intelligence, Data Broker Market - Forecasts from 2025 to 2030, December 2024. Available from <https://www.researchandmarkets.com/reports/5987173/data-broker-market-forecasts>

⁵ UNCTAD, Data protection and privacy legislation worldwide. Available from <https://unctad.org/page/data-protection-and-privacy-legislation-worldwide>

⁶ Andrea Gadotti et al., Anonymization: The imperfect science of using data while preserving privacy. *Sci.Adv.* 10, eadn7053 (2024). DOI:10.1126/sciadv.adn7053

⁷ OECD (2022), “Measuring the value of data and data flows”, OECD Digital Economy Papers, No. 345, OECD Publishing, Paris, <https://doi.org/10.1787/923230a6-en>.

least developed countries often have limited capacities to engage in these discussions, especially at the multilateral level.

This in turn hampers their ability to safeguard citizens' data privacy and to participate fully in the global digital economy on an equal footing. The Working Group could consider how greater efforts and resources can be allocated to build the institutional capacities of developing countries to bridge the digital divide. Enhancing South-South cooperation to strengthen the exchange of knowledge, experiences and best practices for data protection and benefit-sharing among the people and countries of the global South should also be highlighted in this regard.

4. How can investments in digital public goods and infrastructure expand the circle of actors able to derive value from data and participate in data-driven innovation?

The approach pioneered through the adoption of Digital Public Infrastructure (DPI) is key for increasing meaningful digital inclusion in developing countries⁸. The inclusivity, interoperability, scalability of DPIs promotes public benefit and value creation, driving innovation to build, adapt and localise DPI-based digital solutions for the global South.

The open-source nature of DPI plays an important role in this endeavour, as it enables the adaptation of digital solutions for different needs and contexts. The open-source nature of DPI, governed by permissive IP licenses (such as MIT, Apache, or GPL), plays an important role in this regard. These IP frameworks explicitly allow free access, modification, redistribution, and commercial reuse, enabling a wider range of actors—local developers, startups, SMEs, civil society, and researchers—to adapt digital solutions to different needs and contexts without incurring high licensing fees or facing proprietary restrictions. By adopting open source and citizen-centric models of digital infrastructure, governments and other stakeholders can participate more effectively in the digital economy, limit the risk of commercial oligopolies, and increase the benefit generated from public data. For instance, the use of DPI-based data exchange systems can help break data silos and create cross-cutting components and linkages between systems⁹.

Further encouraging modular, interoperable DPIs can promote digitalisation to maximize public value while being aligned with clear public interest principles that ensure flexibility and scalability of the digital solutions at the population level. By setting up DPI-based building blocks, further applications can be developed for addressing developmental priorities. For instance, the transaction data on digital payment platforms have been used to determine the credit history for small enterprises and provided easier access to

⁸ Danish, Taking Forward Digital Public Infrastructure for the Global South, South Centre, Policy Brief 146, 29 September 2025. Available from <https://www.southcentre.int/policy-brief-146-29-september-2025/>

⁹ Soujanya Sridharan, Vinay Narayan and Jack Hardinges, Digital Public Infrastructure: Orientation Matters, CIGI, 12 November 2024. Available from <https://www.cigionline.org/articles/digital-public-infrastructure-orientation-matters/>

loans¹⁰. This shows how a DPI approach boosts financial inclusion and enables the users to derive benefits from their own data.

5. Are there any aspects of this subject that require further studies, standardization, or other empirical work, from a development perspective, that would facilitate our work on the subject?

As a preliminary step, there is a need to assess the different pathways through which data from developing countries is currently being monetised. Generally, for deriving economic value, actors may sell the raw data; sell insights and services based on data; sell commercial solutions developed using that data; or a combination thereof¹¹. However, many developing countries do not have the necessary insight to see how their data is being commercialised, and where it is flowing to.

Using concepts such as Data Value Chain, which “describes the process of data creation and use from first identifying a need for data to its final use and possible reuse”¹², should be considered in this regard. Mapping such data value chains would enable a better understanding of where economic value is being created and captured from the data, and how the benefits can be guided back to the data creators.

The Working Group could also consider the need to develop guidelines on how non-personal, aggregated data is treated by stakeholders, particularly tech firms and data brokers, as it has implications for privacy, sustainable development and even national security. For instance, population-level health data is often used for medical research to support clinical trials, drug development, and evidence-informed healthcare governance¹³. Access to such health datasets could be valuable to healthcare and pharmaceutical firms, but the data would have come entirely from patients and local populations, who may not see any direct benefits from the use of their data by these companies.

6. Do you believe there are other high-level questions that would add value to Track 3 discussions and are not covered above? If so, please list them.

There is an imperative to consider the creation of effective accountability, grievance redressal and restitution mechanisms in case of mismanagement, breach and misuse of personal data, as such data can be used for committing cybercrimes, fraud and identity theft, among others.

¹⁰ Maria Fernandez Vidal and Dean Caire, Leveraging Transactional Data for Micro and Small Enterprise Lending, CGAP, March 2024. Available from <https://www.cgap.org/research/publication/leveraging-transactional-data-for-micro-and-small-enterprise-lending>

¹¹ Suraj Srinivasan, Robin Seibert and Mohammed Aaser, How to Monetize your Data, Harvard Business Review, November-December 2025. Available from <https://hbr.org/2025/11/how-to-monetize-your-data>

¹² Open Data Watch, The Data Value Chain: Moving from Production to Impact. Available from <https://opendatawatch.com/reference/the-data-value-chain-executive-summary/>

¹³ UNCTAD, Data for development, UNCTAD/DTL/TIKD/2024/2, 8 May 2024. Available from <https://unctad.org/publication/data-development>

There is also the challenge of limited awareness among users about their rights over their own data, especially in developing and least developed countries. Even where data protection and privacy laws provide for remedies, victims of such breaches in developing countries may not be able to enforce them due to lack of transparency and weak enforcement mechanisms at the national level.

This becomes even more challenging when it comes to the cross-border enforcement of user rights and legal remedies in case of data mismanagement, as data controllers are often based in other countries only in name and have no real links with the jurisdiction. Seeking mutual legal assistance and judicial cooperation can be very difficult in such circumstances.

Finally, it is useful to note that many developing countries have only enacted their data protection laws within the last few years. As the capacity to effectively enforce these laws is still being built, using South-South and Triangular cooperation can be a useful modality to enhance human and institutional capacities in this domain.