

India : what digital tools for development ?

Dates : Monday, June 12th and Tuesday, June 13th 2023

Venue : Sciences Po - amphithéâtre Jeannie De Clarens, 27 rue St. Guillaume 1st floor

Monday, June 12th : **The rural and urban faces of digital India**

9:30 am - 10 am : welcome coffee

Welcome remarks by Dr Vanessa Scherrer, Vice-President for International Affairs Sciences Po and introduction by Dr Christophe Jaffrelot (CERI - Sciences Po).

10 am - 1 pm : First round table on “Digital tools and public policies, the **Aadhaar program**” with Prof. Reetika Khera (Indian Institute of Technology Delhi) and Dr Nicolas Belorgey (CNRS). Chair : Dr Kriti Kapila (King’s College London).

1 pm - 2 pm : catered lunch

2 pm - 5 pm : Second round table on “Development of **smart cities** in India” with Dr Marie-Hélène Zérah (Institute of Research for Development) and Assoc. Prof. Sukriti Issar (CRIS, Sciences Po). Chair : Tanmay Misra (Carter Center’s India Policy Initiative).

Tuesday, June 13th : **Inclusionary or exclusionary digitization ?**

9:30 am - 10 am : welcome coffee

10 am - 1 pm : Third round table on “Digital tools : **financial inclusion** or **war against cash** ?” with Yamini Aiyar (Centre for Policy Research) and Jérôme Büchler (Identity Consultant, World Bank). Chair : Dr Peter Addo (AFD).

01:00 pm - 02:00 pm : catered lunch

2 pm - 5 pm : Fourth round table on “**Personal Data Protection** : the EU – India debate and dialogue” with Mishi Choudhary (Technology lawyer) and Bruno Gencarelli (European Commission). Chair: Jeanne Sulzer (Attorney at law).

Contacts :

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Abstracts and bios

PANEL 1

Chair :

Dr Kriti Kapila is Lecturer in Anthropology and Law at King's College London. She is currently completing her book manuscript on the politics of historical DNA and genomic medicine in contemporary India, and a short introduction to Anthropology. Her research interests include the anthropology of the state, the law, and science. She has written extensively on knowledge and state-making, and the politics of identification and indigeneity in India, and is currently developing a project on the digital state. Her recent book (*Nullius: The Anthropology of Ownership, Sovereignty, and the Law in India*) examines property and state-making in India with respect to the question of indigenous title, the collection of museum objects, and data ownership under Aadhaar.

Kriti is currently Visiting Professor at the Ecole des Hautes Etudes en Sciences Sociales, Paris (2022-24) and Member, Institute of Advanced Studies, Princeton (2023-24).

Aadhaar in Welfare: Pain without Gain - Prof. Reethika Khera

Aadhaar, India's unique identity system, was introduced in 2009 with the stated purpose of creating a more inclusive and efficient welfare system. Hundreds of millions of Indians were enrolled into the biometric database, with successive governments creating pressure by making it compulsory for social benefits. The talk will demonstrate how Aadhaar, contrary to government claims, *excludes* people entitled by right from welfare when made compulsory. I will argue that Aadhaar was never really about welfare and hope to alert to the dangers lurking in such expansive digital ID projects. I explain how the project opens the doors to immense opportunities for government surveillance and commercial data-mining. For example, how profiling, made possible by Aadhaar, impinges on the fundamental Right to Privacy; or how surveillance leads to self-censorship and can choke free thought and expression.

Reetika Khera is a development economist working on social policy in India. She is Professor (Economics) at the Indian Institute of Technology Delhi where she holds the Narendra and Chandra Singhi Chair. She has edited a book titled "[Dissent on Aadhaar: Big data meets big brother](#)" on India's digital ID project.

The Aadhaar battle: Why some corporate philanthropies, the Bretton-Woods institutions and other financial actors promoted a digital ID? - Dr Nicolas Belorgey

In the context of the Aadhaar battle in India, it has been claimed that the digital ID had been propelled by certain business interests and the World Bank. In this presentation, I intend to take this claim seriously and shed light on the precise reasons why some corporate philanthropies (and which ones), the Bretton-Woods institutions and some other financial institutions had interests in developing such an ID. Firstly, IT philanthropies, such as Microsoft's, Omidyar's and Infosys', are interested in a digital ID because it is a way to expand their markets. Secondly, the World Bank is interested in mapping people, like places, as assets, two endeavours that are also conducted by some of the proponents of Aadhaar. Thirdly, many financial actors also strived to make a 'war against cash' (later termed 'financial inclusion') in order to expand their reach on the populations, an expansion for which a digital ID would be a facilitator. Eventually, the launch of the digital ID by the state in India took place in the wake of the economic liberalization of 1991, that also allowed to open new markets to internationally circulating capital.

Nicolas Belorgey is a researcher with the Centre National de la Recherche Scientifique, Paris. He is the author of many peer-reviewed articles and a book on the New Public Management phenomenon. He teaches at Université Paris Sciences et Lettres (PSL-Dauphine). He is currently writing a book on the Indian digital ID battle.

PANEL 2

Chair :

Tanmay Misra leads The Carter Center's India Policy Initiative in Washington, D.C. He has worked at the International Atomic Energy Agency, the United Nations Industrial

Development Organization, the International Criminal Court, and Columbia University's South Asia Global Center. He has studied at the London School of Economics (PhD, Law), the Fletcher School of Law and Diplomacy (M.A., Law and Diplomacy), Harvard Law School, the Diplomatic Academy of Vienna, and Brown University (B.A., Humanities). He served as attaché to the 13th EU-India Summit in Brussels.

City Power in Smart India - Assoc. Prof. Sukriti Issar

What are the key features of smart cities in the Indian context? Is it just urban politics by other means, business as usual, or is it fundamentally changing the balance of power between different actors? What type of institutional change is implied by the setting up of Special Purpose Vehicles in the smart city mission? Using ideas about decentralization, this talk will investigate changing city-state relationships in the digital era.

Sukriti Issar is Associate Professor of Sociology at CRIS, Sciences Po. She is the Scientific Director of the master's program Governing the Large Metropolis (GLM) of the Ecole Urbaine, Sciences Po, Paris. Her research interests focus on housing, urban policy, institutional change and social history. Her research has recently been published in *EPW*, *Urban Studies*, *Housing Studies*, and *Journal of Interdisciplinary History*. More on her at sukritiissar.com.

Subnational Paths to Digital Futures: Regional Variations in Urban Data Regimes in India - Dr Marie-Hélène Zérah

This paper's starting hypothesis is that the nature of socio-spatial justice embedded in the rolling-out of Smart Cities in India calls for a reflection at the crossroads of the idea of disruption (Stiegler 2016) and a historical institutionalism approach (North 1990). We observe that the existing smart cities research in India is situated either in the discursive understanding of the "Indian idea of smart" (Datta 2015) or analysis of selected cities' experiments (Prasad et al. 2022). We take a step away from this approach to argue that the dialogical relationship between data-driven urbanism and institutional rescaling is embedded into subnational histories of construction of a collective identity and the contemporary adoption of neoliberal municipal reforms (introduction of private actors, e-governance and human resources reforms). Based on qualitative interviews with government officials and politicians in three Indian states (Karnataka, Madhya Pradesh, and Punjab), this paper notices the emergence of welfarist and exclusive variegation of 'urban data regimes' under the Smart Cities Mission at provincial scales in the country. The paper argues that the adopted regional comparison lens also contributes to the renewal of comparative urbanism.

Marie-Hélène Zérah is a senior researcher at the Institute of Research for Development, Paris, currently deputed to the Centre for Policy Research as Senior Visiting Fellow, where she is focusing on the role of small towns in India, urban energy transformation and the

governance of smart cities. She has worked extensively in the area of urban infrastructure, urban governance and urban democracy in Indian cities.

PANEL 3

Chair :

Dr **Peter Addo** is an experienced data scientist, and has an extensive background in working with data, and emerging technologies in the developing contexts.

Currently, he is the lead on Artificial Intelligence, and serves as the head of Emerging Tech Lab under the Innovation Strategy and Research (ISR) directorate at the French Development Agency (AFD), Paris, France. He leads efforts to provide advisory and actionable research on harnessing data and the technologies of the Fourth Industrial Revolution (4IR) driven by artificial intelligence (AI) for a sustainable development agenda, both broadening and deepening current action of Groupe AFD. In particular, he contributes to the responsible adoption and investment of emerging technologies for sustainable development and growth.

He formerly worked at the French National Center for Scientific research (CNRS) as a researcher, and at the French National railway company (SNCF) as the Lead Data Scientist.

The Digi State - Yamini Aiyar

This presentation will explore the emerging contours of the "digital" enabled welfare state in India and its relationship with notions of State capacity within the Indian bureaucracy. It will explore the emerging dynamics of state-citizen relations that underpin the digi state and unpack its effects on accountability at the grassroots.

Yamini Aiyar is the President and Chief Executive of the Centre for Policy Research. In 2008, she founded the Accountability Initiative at CPR, which is credited with pioneering one of India's largest expenditure tracking surveys for elementary education.

Yamini's work sits at the intersection of research and policy practice. Her research interests span the fields of public finance, social policy, state capacity, federalism, governance and the study of contemporary politics in India. She has published widely in academic publications and the popular press, and writes regularly on current affairs and policy matters in mainstream Indian newspapers.

Yamini serves on a number of government and international policy committees as well as boards of nonprofits and think tanks. Her recent policy commitments include: Commissioner and Chair, Governance Working Group, Lancet Commission on Reimagining India's Health System; Member, Chief Minister's Rajasthan Economic Transformation Advisory Council; Member, United Nations Committee of the Experts on Public Administration; Council Member, United Nations University; and Member, Technical Advisory Group, National Data and Analytics Platform, NITI Aayog.

Yamini is an alumna of the London School of Economics, St. Edmunds College, Cambridge University and St. Stephen's College, Delhi University.

"India stack": a digital public good ready for the global stage? - Jérôme Büchler

After introducing the concept of "India stack" and its broader ecosystem, we will question whether digitalization has improved financial inclusion in the country. We will then proceed to discuss how India has leveraged its unique position to add the topic of digital public infrastructure to the agenda of South-South dialogues and cooperation, with a focus on Africa. Lastly, we will review the salient impacts and challenges that this process begets.

Jérôme Büchler holds a MSc in Computer Science from EPITA Paris. He has 15 years of experience in the space of digital identity and digital public infrastructures. During his career, he has been responsible for the design and implementation of large-scale national identity systems in more than 20 countries, mostly in Asia and Africa. Since 2017, he has worked as an independent consultant and advisor to governments, either directly or via World Bank assignments. He occasionally collaborates with research institutes and standardization bodies on the themes of evaluation, innovation and privacy protection.

PANEL 4

Chair :

Jeanne Sulzer : Attorney at law - 20 years in the fields of International Criminal Law, Human Rights and Terrorism with expertise in strategic litigation and assisting victims of international crimes at the national and international level (ECCC/Cambodia, CAE/Habré case, ICC, Universal jurisdiction cases).

Head of the International Justice Commission of Amnesty International France. University Lecturer @ Sciences-Po Paris (International Criminal law/Law School & Victims rights /PISA), University Sorbonne Paris 13 (Justice internationale/M2ONG & Cooperation), University Paris II Panthéon Assas (Répression du terrorisme/M2 Justice pénale internationale), UConn-Paris (Human Rights).

She held senior positions with International Human Rights organizations (Amnesty International, FIDH) and have extensive advocacy and training experience including on Gender based violence.

Mishi Choudhary is a technology lawyer and an online civil liberties activist with law practice in New York and New Delhi. The Open magazine calls her an emerging legal guardian of the free and open internet. She is currently the SVP and General Counsel at Virtru, a global data encryption and digital privacy provider. Until August , 2022, she was the Legal Director of the New York based Software Freedom Law Center and Partner at Moglen & Associates. In 2010, she founded SFLC.in, a New Delhi headquartered Digital Rights organization. Under her direction, SFLC.in has become the premier non-profit organization representing the rights of Internet users and protecting digital freedoms. As of 2017, Mishi was the only lawyer in the world simultaneously to appear on briefs in the US and Indian Supreme Courts in the same Term. In 2015 she was named one of the Asia Society's 21 young leaders building Asia's future. In 2016 she was inducted into the Aspen Global Leadership Network by the Aspen Institute.

My remarks will cover Communications Surveillance in India: Current Legal and Technology Framework and The Road Ahead.

The 21st century India is experiencing an unprecedented kind of geopolitical power. The strained relationships of US-China, the Ukraine war, an increasingly chaotic Pakistan have all ensured that countries are lining up to woo New Delhi. The technology Industry in India is seeing another kind of boost, that fueled by its internal market. As the Government prides itself upon home grown startups and the ever increasing presence of global companies, it has continued to increase its control over its citizens through technology.

Where government reads every face, political dissent is under permanent intimidation. Wherever Indians go and whatever we do in the public sphere we expect our image to be recorded without our knowledge or consent. Equally – as Aadhaar has escaped its original role in the protection of public subsidies against theft and fraud and become the universal link tying all chains of personal data

together – we expect our “data shadow” to follow us through every fiscal and administrative transaction. Privacy cannot be assured at all, illegal government surveillance cannot be prevented, and protection of the economy from widespread crime is impossible if government mandatorily collects information capable of compromising every citizen’s identity and then takes no responsibility for the management of risks downstream. Neither overreaching government surveillance nor widespread criminality can be prevented if a society’s identity management structure is one big pile of infinitely valuable data surrounded by a macrocosm of arbitrary software.

My remarks will explore India's technology infrastructure and its rapid rise in the absence of any guardrails or protection of its people despite a fundamental right to privacy.

« The Indian and European approach of Personal Data Protection: diverging or converging? »

After having served as Deputy to the Director and Acting Director for Fundamental Rights and Rule of Law, **Bruno Gencarelli** heads the newly established team responsible for international affairs (including data flows) in the area of justice and consumers at the European Commission. He was in charge of the Commission's work in the area of data protection in the decisive phases of the legislative reform of EU data protection law. This included leading the Commission's delegation in the interinstitutional negotiations with the European Parliament and the Council on the data protection reform (GDPR and "Law Enforcement Directive"). He also led the negotiations of several data transfer arrangements, including the EU-Japan mutual adequacy arrangement creating the world’s largest area of free and safe data flows. He recently co-led for the EU the negotiations with the UK on all aspects relating to justice and consumers in the context of Brexit. He is currently in charge of the negotiations on a successor arrangement to the EU-US Privacy Shield. Mr Gencarelli previously served as a member of the European Commission's Legal Service and as an assistant (référéndaire) to a judge at the European Court of Justice after having practiced law in the private sector.