

Items for PAMPAS

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Ruud Beugelsdijk

technologist of the

Dutch Data Protection Authority
(College Bescherming Persoonsgegevens)

EU regulation

Privacy matters (1st and 2nd pillar of the EU-treaty)

Regulation on EU-level,
Implemented in law on a national level

Once implemented international co-operation continues

Note however: some 3rd pillar matters (for which member states have autonomy, e.g. state security, law enforcement) touch on privacy as well.

Importance of privacy

EU:

An information society brings about data processing facilities available for all. At the same time data of each and everyone of us may be used and abused, massively, by various organisations, during a long time, for various purposes.

Misuse of personal data has a severe impact on a free society, as has mistrust in communication facilities.

That's why EU-regulations on the processing of data exist.

The directives on privacy seek to respect fundamental rights.

Two important EU-directives

Directive 95/46/EC of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data

http://europa.eu.int/comm/internal_market/en/dataprot/law/

Directive 2002/58/EC of 31 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications)

http://europa.eu.int/information_society/topics/telecoms/regulatory/new_rf/documents/l_20120020731en00370047.pdf

How to apply the directives in a complex environment?

Working groups

Article 29 Working party (chaired by Stefano Rodota)

via http://europa.eu.int/comm/internal_market/en/dataprot/

installed the Internet Task Force (ITF) of 1999

identifies internet issues

prepares recommendations

International Working Group on Data Protection in Telecommunications (world wide)

<http://www.datenschutz-berlin.de/doc/int/iwgdpt/>

Privacy by Design for Telecom systems

Objects for protection will be personal data.

To be used: Privacy Enhancing Technologies (PET) to take care of issues at an **infrastructural level**. This may e.g. involve MIX-technologies

Special attention for data involved in billing processes, as well as for traffic data and/or location data. See e.g. letter to EC, attached.

Privacy by Design

6FP Projects are successful if based on:

- Generic international public concerns
- Human rights concepts & privacy
- European conventions, laws & directives
- High profile, high risk, high tech concepts

Integration of European guidelines into technology

Example:

PISA (EU IST-2000-26038)

http://pet-pisa.openspace.nl/pisa_org/pisa/index.html

Contact

Matters should be dealt with on (at least) a EU-level.

Additional information:

working parties mentioned

national data protection authorities e.g. www.cbpweb.nl

info and/or further guidance:

rbe@cbpweb.nl