

6th IT STAR WS on Digital Security

Panel on Internet Privacy and Data Protection

Panelists

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Bratislava, March 30, 2012

ISSUES TO BE DISCUSSED

- Privacy
- Data protection
- Intellectual property rights

SOME HISTORY

Revolutions in Information Transfer According to Isaac Asimov

- speech
- writing
- press
- computers & Internet

NEW THREATS – OR ARE THEY?

Threats are not new but never have been so many people threatened

- general availability of powerful tools
- ease of procurement of necessary skills

How can we defend?

PRI VACY AND SECURI TY

Where Does I t Start? Where Does I t
End? What I s New?

- eavesdroppi ng
- fraud
- i ntrusi on
- theft of i denti ty

Genui nel y new concerns

- the "right to be forgotten" as an important element of personal ity rights
- the changi ng atti tude of di fferent groups of towards pri vacy

NEW PLAYERS

Governments and EU

- Freedom of Information Act – a positive development
- data retention requirements – a mixed blessing
- ombudsman – whom and what to protect, and from whom or from what?

Dilemma: public safety vs. individual privacy

Attempts to regulate

- activities at the European Commission for a "comprehensive reform of data protection rules", accompanied by similar efforts at the Council of Europe

RELATED ISSUES

What *is* new:

- software patents
- retention of data on private communications
- abuse of social networks by both providers and users
 - new alchemy (transforming data into money)
 - importance of being anonymous

Anti -Counterfeiting Trade Agreement (ACTA)

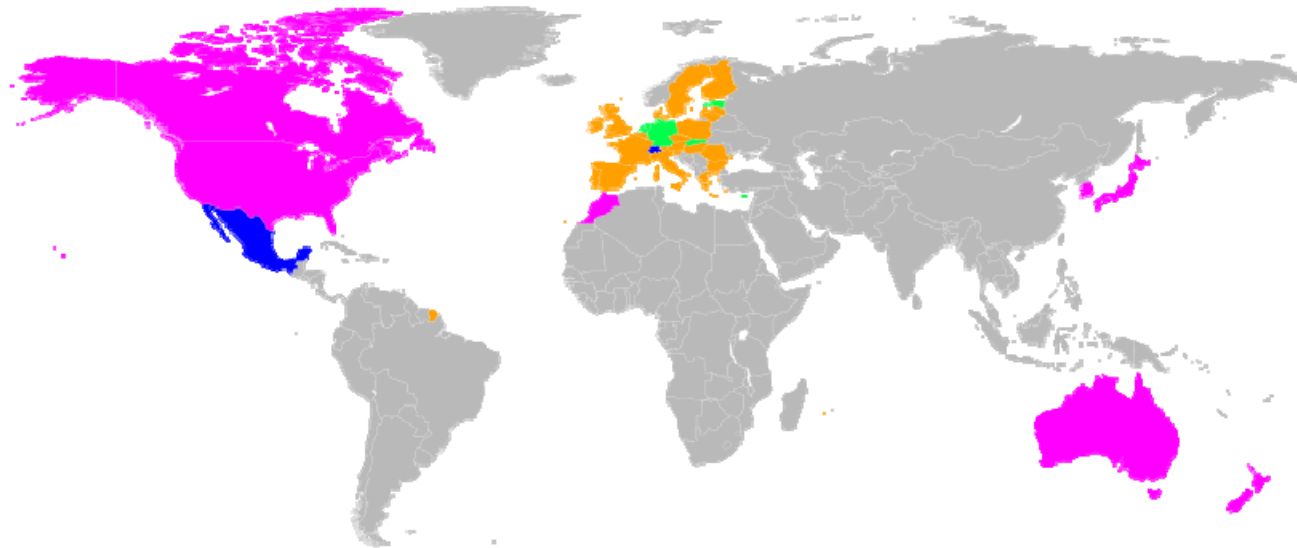
A need to protect intellectual property and related rights

- at the expense of freedom of individuals?
- necessity to safeguard investment
- conflict with patent law?
- mixed reactions, balance negative
- some (few) came running, majority observes

The Bottom Line

- to agree or not to agree, this is a question

ACTA Today



- Red** Signatories
- Blue** Signatories also covered by signature of the EU
- Green** Non-signatories covered by signature of the EU
- Yellow** Other countries involved in drafting the convention

RECENT INTERNATIONAL REGULATORY ACTIVITIES ON PRIVACY AND DATA PROTECTION

- **European Commission: comprehensive reform of the data protection rules**
95/46/EC -> **General Data Protection Regulation**
- **Council of Europe: modernisation of Convention 108**
agreement between signatories (not only EU!)
- **USA Federal Trade Commission Report: Protecting Consumer Privacy in an Era of Rapid Change**
 - **recommendations for businesses and policymakers**

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on the protection of individuals with regard to the processing of personal data and on the free movement of such data (General Data Protection Regulation)

(Text with EEA relevance)

Version 56
(29/11/2011)

http://ec.europa.eu/justice/newsroom/data-protection/news/120125_en.htm

HI GHLI GHTS

- reinforced 'right to be forgotten'
- explicit consent ("opt-in")
- increased responsibility and accountability
- transnationality
 - authority in own country
 - apply to processing abroad

THE CONSULTATIVE COMMITTEE OF THE CONVENTION FOR THE PROTECTION OF
INDIVIDUALS WITH REGARD TO AUTOMATIC PROCESSING
OF PERSONAL DATA [ETS No. 108]

(T-PD)

Modernisation of Convention 108: new proposals

http://www.coe.int/t/dghl/standardsetting/dataprotection/modernisation_en.asp

MAIN OBJECTIVES:

- **challenges for privacy** resulting from the use of new ICTs
- to strengthen the **Convention's follow-up** mechanism

HIGHLIGHTS:

- **human rights** based approach
- putting **individuals in control** of their personal data
- **technological neutrality**



<http://www.ftc.gov/opa/2012/03/privacyframework.shtml>

Result of serious internal and external discussions
(dissenting remark from the Commissioner!)

MAIN ACTION ITEMS:

1. **Do Not Track** option in browsers
2. Improved **privacy protection in mobile services**
3. **Consumer access to information** held by a data broker
4. Promoting **enforceable self-regulatory** codes

I APPRECIATE YOUR ATTENTION