

# Privacy is a human right

- *“Everyone has the right to respect for his private and family life, his home and his correspondence.”*
  - Article 8 of The European Convention on Human Rights
    - adopted by states member of The Council of Europe
- *“Everyone has the right to the protection of personal data concerning them”.*
  - Article 16, The Treaty of Lisbon, The Treaty on the Functioning of the European Union states
- *“Everyone has the right to the protection of personal data concerning him or her”  
[..] *“Such data must be processed fairly for specified purposes and on the basis of the consent of the person concerned or some other legitimate basis laid down by law. Everyone has the right of access to data which has been collected concerning him or her, and the right to have it rectified.”**
- Article 8, the Charter of Fundamental Rights of the European Union

# Security & privacy should be considered earlier in the design process

- Multidisciplinary approach: education, training, legal, policy, technology
  - Clear definitions and guidelines, legal framework and best practices
- Aligning research to policy initiatives, moving research results in operational environment
  - Focus on the entire picture, i.e. not only at application level
- Understanding the economic aspect of personal data protection and disclosure
  - Support & promote research & best practices in privacy friendly architectures
- Some areas of (possible) intervention
  - Policy maker
    - Advocating and fostering a Pan-European approach to privacy
    - Avoid online service providers lock-in by fostering user profile portability;
    - Implement Data Breach Notification;
  - Technology
    - Limit data pollution (e.g. minimal disclosure);
    - Limit content's lifetime (e.g. ephemeral communication);
    - Limit data leakage by design (privacy by design)

# Privacy & Trust in ENISA 2011 Work Programme

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- WPK 2.1
  - Security & privacy of Future Internet technologies (partial)
- WPK 2.3
  - Secure architectures and technologies
- **WPK 3.2 - Deploying Privacy & Trust in Operational Environments**
  - **Outcome (Q4 2011)**
    - Report on minimal disclosure and other principles supporting privacy and security requirements
    - Report on trust and reputation models. Evaluation and guidelines
    - Study on monetizing privacy
- **WPK 3.3 - Supporting the implementation of the ePrivacy Directive (2002/58/EC)**
- Activities linked to
  - Digital Agenda
    - Policy dimension
  - FI Initiative
    - Research dimension

# PIA Framework

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## In 2010:

- ENISA made comments in July 2010 on the draft submitted by the Industry on 30 March 2010.
- Presented initial comments on PIA draft in the Art29 TS
- The ENISA position was referenced in the Article 29 WP opinion of July 2010

## 2011 onwards:

- Assisting in the implementation of the PIA framework (e.g. technical guidelines for implementation across sectors)

# Article 4 on DBN

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- **2010:** ENISA DBN Study "*Data breach notifications in the EU*"
- **2011 onwards:** Implementation of Art4 on DBN
  - Development of technical guidelines
  - ENISA Expert group: Art29 reps [French, Spanish, Dutch, Greek and Polish DPAs]
  - Art29 Technology Platform on Art4: ENISA participation

