



EUROPEAN DATA
PROTECTION SUPERVISOR

European Data Protection Supervisor

Privacy by design: interactions of the EDPS with research projects

***Turbine Final Workshop
18 January 2011***

Michaël Vanfleteren



EUROPEAN DATA
PROTECTION SUPERVISOR

EDPS policy paper 2008

European Data Protection Supervisor

- The EDPS has a general mission of promoting a data protection culture and respect for data protection principles in all Community policies.
(Article 41 of Regulation 45/2001)

The EDPS wants to promote the principle of '***privacy by design***'.



EUROPEAN DATA
PROTECTION SUPERVISOR

EDPS policy paper 2008

European Data Protection Supervisor

- The EDPS shall monitor relevant developments, insofar as they have an impact on the protection of personal data, in particular the development of information and communication technologies. (Article 46 (e) of Regulation 45/2001)
- The EDPS conducts a **technology watch**



Aim of the policy paper

- Advise the Commission and/or project consortiums in their efforts to use privacy and data-protection-friendly RTD methodologies and encourage the development of technologies and processes that will promote and reinforce the effectiveness of the EU data protection legal framework.

Models of contribution to RTD programme

1) Framework Programme and calls for proposals:

- participates in workshops and conferences aiming at identifying future challenges which can be relevant for the EU Research and Technological Development policy;
- contributes independently to research advisory boards launched by the Commission in connection with the Framework programme;
- assists the Commission in the evaluation process of proposals, after they have reached the first threshold of selection by the EC.

Models of contribution to targeted research projects

II) RTD projects

- The EDPS facilitates discussion with National Data Protection Authorities
- The EDPS selects/is made aware of projects which present specific DP issues and discusses about it with the EC
- A consortium of a project can request an opinion from the EDPS.



Opinion: conditions

- Independence: Participation as a partner of a consortium cannot be envisaged
- Request to the EDPS must be made before submission of the project to the EC
- Agreed agenda with project
- Limited resources
- Independent opinion
- Opinion published on EDPS website



Practical case: Turbine

- Selection criteria
 - Attractive project from a Data Protection point of view
 - Objective here is to improve data protection and privacy, but a project which solution is privacy friendly would be considered
 - Identified as one of EDPS' key areas in his Annual Report



Scope of opinion

- Focus is on:
 - technical developments of the project
 - research methodology and procedures implemented in the project
- The EDPS does not supplement the EC Reviewers or National Data Protection Authorities



Biometric data processing

- Nature of biometric data and matching process present specific risks
- Biometric data are personal data: fingerprints/iris/face/hand palm images
- Important feature of the project is the protection of the biometric template by:
 - Irreversibility
 - Revocability (and renewability)
- Compliance with data protection principles: data quality (accuracy/purpose limitation), security

Demonstrator: Thessaloniki airport

- Compliance with Greek DP Law: notification of biometric data processing operations
- Conditions:
 - Proportionality of the processing; Access to specific areas of the airport; voluntary enrolment and information to data subjects; privacy friendly enrolment procedure; training of staff; experiment used exclusively for scientific research purposes; fall back procedures
- Authorisation granted under those conditions



EUROPEAN DATA
PROTECTION SUPERVISOR

European Data Protection Supervisor

THANK YOU

More information:
www.edps.europa.eu