Data Protection Officers
European Privacy Seal

Andreas Krisch
andreas.krisch@edri.org
European Digital Rights – EDRi

- Association of European Privacy and Human Rights Associations
- founded in 2002
- 28 Member Organisations
- 18 European Countries

- bi-weekly newsletter EDRi-gram since 2003
- German edition since 2006 at www.unwatched.org
EU DP Framework

- Data Protection and Privacy
  - are fundamental rights
  - guaranteed by the Charter of Fundamental Rights of the European Union
- DP Directive requires member states to
  - maintain a register of processing operations
  - or
    - to require data processors to appoint a DP Officer
    - and maintain a register of their processing operations
DP Officers in Germany

- are either employed by the processor or external experts
- perform their tasks independently
- directly report to the top level management
- implement professional DP management
- perform audits on a regular basis
- perform prior checking for new applications
DP Officers - Advantages

- have an DP expert within your company
- get trustworthy, confidential expert advice during application development and operation
  - advances innovation & market position
- establish a professional data protection management
- build a trust relationship to DPAs
- build a trust relationship to customers
- handle data breaches responsibly
DP Officers - Disadvantages

- professional standardisation is still in progress
- only few good trainings available
- external DPOs tend to accept too many customers
- internal DPOs tend to suffer from lack of independence
DP Officers – State of play

- German DPO association developed professional principles
  - defines high quality standards for the profession
- DPOs are important players in the promotion of Data Protection and Privacy
- DPOs are by far more effective than registration schemes
  - less bureaucracy, faster results
  - cooperative relationships advance DP friendly solutions
Data Protection Seals (1)

- German State Schleswig Holstein
  - DPA introduced privacy seal for DP compliant IT services and applications
  - State of Schleswig-Holstein decided to choose products with DP seal over comparable products without seal.
    - -> competitive advantage for certified products / services
    - -> also interest from companies without business relations to the State of Schleswig-Holstein
Data Protection Seals (2)

- European Privacy Seal – EuroPriSe
  - certifies, that an IT product or service can be operated in a DP compliant way and that it provides excellent DP features in at least one criterion
  - criteria based on EU DP directive -> valid in all member states
  - evaluation is carried out by legal and technical experts; seal is awarded by independent authority
  - -> possibility to demonstrate DP compliance to customers / individuals
  - -> advancement of Privacy by Design / Default
The business of Privacy is about building and meeting trust between data processors and data subjects that fundamental rights are sufficiently protected.