Right to Privacy, Demand for Ethics and Transparency
The protection of personal data has been legislated in all the layers of the European legislative continuum. All the legislation is directly relevant to the governmental institutions of Belgium. This includes the ECHR.

- On European continental level there is the European Convention on Human Rights and Convention 108.
- On European Union level the applicable legislation (at this moment) is Directive 95/46/EC, which will be replaced by the General Data Protection Regulation in May 2018 (Regulation 2016/679).
- In Belgium, privacy has been legislated in La Loi vie Privée/Privacywet.
Personal data used

Justice and Security

Welfare

Tax

Employees

Innovation
General Data Protection Regulation (GDPR)

European Union privacy is:

► Outdated: The proposal on which the European Directive is based stems from 1993. The Directive was therefore not even designed with the internet in mind let alone smartphones, tablets, Internet of Things.

► Fragmented: Because European Union privacy legislation takes the form of a directive every membership is able to implement the directive in their own way.

► Inefficient: Although the requirements stemming from the directive are strict, lack of any real enforcement measures have made the directive an ineffective tool. Fines are in no way on par with the profits to be made from non compliance.

Thats why from May 2018 onward…
General Data Protection Regulation

More Rights
- Right to be forgotten;
- Right to object to processing.

More requirements
- Privacy by Design/Privacy by default;
- Data Protection Officer.

Higher fines
- €20,000,000,–;
- 4% world wide revenue.

Better Protection
- Processor also responsible;
- More focus on security.

More Trust?
- Data Breach Notification requirements.
Under the GDPR data subject rights have become significantly more visible to citizens. While all the rights of the Directive have remained in the GDPR new rights which have developed over time such as the right to be forgotten have been included.

Most significant are the judicial remedies that have been explicitly added to the Regulation. While these rights were already available in some countries having them explicitly mentioned increases citizen awareness.
Mandatory for all governmental institutions

Public “privacy” face of the organisation

Enforcement of privacy rights, from data subjects to data protection authorities through the DPO.
Data Breach Notification

1. 

2. 

3. 

4. 

CPP
Commission for the protection of privacy
Why compliant: Financial

<table>
<thead>
<tr>
<th>Fines</th>
<th>Investment lost?</th>
</tr>
</thead>
<tbody>
<tr>
<td>La Loi vie privée/Privacywet: €100.000</td>
<td>The places where Google Glass is banned</td>
</tr>
<tr>
<td>GDPR: €20.000.000 or 4% of worldwide annual turnover</td>
<td>Google Glass has been hailed as the future of wearable technology and a possible replacement for the mobile phone, but even before its launch it has run into trouble</td>
</tr>
</tbody>
</table>

US Government's Failure To Protect Public Privacy Is Driving Business Overseas

Wearables a violation of workers' rights?

Administrative Sanctions

- Worst case scenario the data protection authority can impose temporary or definitive limitations including bans on processing activities;
- Ordering the erasure of collected data;
- Ordering controllers or processors to bring processing operations into compliance with the provisions of the regulations, in a specific manner and within a specified period.
Six people falsely accused of crimes after errors in internet data disclosure.

Explicit celebrity photos leak following speculated iCloud breach.

Thousands of German spies at risk after double-agent stole list of identities.

Our £130,000 bill from identity theft.

A stolen passport landed one British couple with a huge demand from the bank.

Pastor Outed In Ashley Madison Hack Commits Suicide

"He talked about depression. He talked about having his name called out...he said he was just very, very sorry."

09/09/2015 05:21 am ET | Updated Sep 09, 2015

Man pleads guilty in huge ID theft case.

29,000 FBI Agents and DHS Staffers Had Their Contact Info Revealed.

Shame of charities that prey on the kind-hearted and drove Olive to her death: Organisations who exploited pensioner's kind heart admit to sending begging letters.
Scenario’s – Safety & Security

Limitations and considerations a Privacy & Security perspective

► Within the boundaries
► Benefit case
► Technically possible
► Data
► Explainable
► Legally justify
► Deliver on data promise
► Communication
► Transparency!

Endless possibilities – Digital Innovation & Data at Hand
Why Compliant: Trust

June 11, 2015
The Government Fails Again to Protect Sensitive Information

HealthCare.gov sends personal data to Twitter, Yahoo and Google
Privacy advocates warn the data could be misused

iCloud celebrity photo hack: Are we too quick to trust cloud storage?

Telefoonboek van Defensie gelekt op internet
Trust

Compliance ≠ Trust

- Fair & Lawful processing
- Exercise my rights
- Accurate – data quality & Integrity
- Ethical Processing
- Protect - Security
- Trustworthy – Reputation

Trust is everything
MOST THINGS STILL REMAIN TO BE DONE.

GLORIOUS FUTURE!
Question?