



# Interplay between standardisation and the General Data Protection Regulation

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European policy

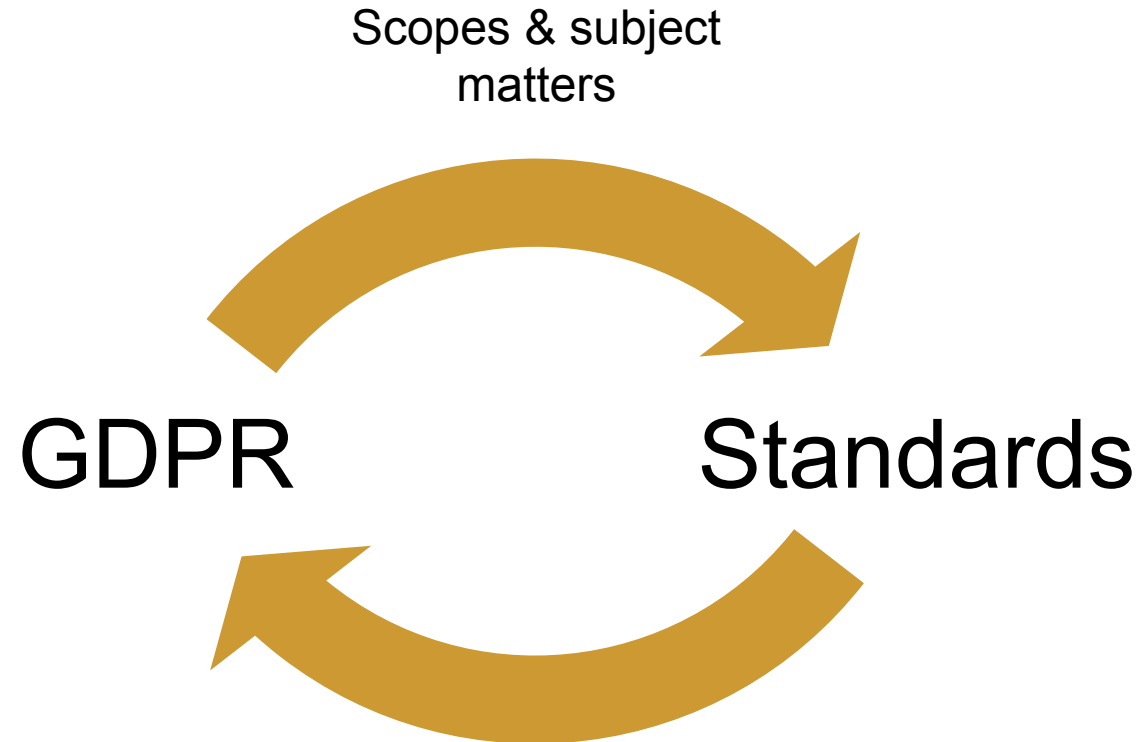
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# Main points

1. Interplay between standardisation and the Regulation (EU) 679/2016 (General Data Protection Regulation)
2. Standardisation opportunities in the GDPR
3. Recommendations for moving forward

# Standardisation and the General Data Protection Regulation



- Assist with compliance
- Data Protection Authorities' Inspections
- Transparency

# Standardisation opportunities in the GDPR (I)

- Regulation (EU) GDPR 679/2016
- Explicit references to standardisation

## 1. Right to object (art. 21)

*“In the context of the use of information society services, and notwithstanding Directive 2002/58/EC, the data subject may exercise his or her right to object by automated means using technical specifications”*

# Standardisation opportunities in the GDPR (II)

## 2. Art. 43 (9)

*The Commission may adopt implementing acts laying down technical standards for certification mechanisms and data protection seals and marks, and mechanisms to promote and recognise those certification mechanisms, seals and marks. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 93(2).*

- Certification study led by TILT, for DG JUST
  - Started in August – 10 month study
  - Among the aims to provide insights to the EC on the basis of Art. 43(9)
  - Survey for standardisation bodies & industry on standards in the data protection field

# Standardisation opportunities in the GDPR (III)



Technology-  
design  
obligations

Communication,  
data breach  
notification

## Modalities

- Contextualisation
- Implementation
- Enabling
- Accountability
- Transparency
- Audit

Data subjects'  
rights

# Framing standardisation in data protection field

- Not re-invent the wheel.....but also not oversimplification
- Ensure compatibility & alignment of standards (generic & sector specific ones)
- Keep in mind the specificities & particularities of the data protection field
  - The right to protection of personal data is a fundamental right – art. 8 Charter FR (same level of significance as other rights such as the right to liberty & security – art. 6, freedom of thought – art. 10)
  - Existence of secondary legislation (GDPR)
  - Data protection is not only about data security
- Open dialogue & involvement of data protection authorities & experts

Thank you

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