

The collection and storage of personal data in the EU

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the value of privacy”

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ENISA study on data collection and storage in the EU

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Goals of the study

- Examination of the data minimisation principle (minimal disclosure)
- Examination of the conservation principle (minimal storage of personal data)

Structure

- Data collection and storage in the EU
- Data collection and storage beyond the EU
- Data collection and storage in relation to the deployment of eID cards
- Case studies:
 - Social networking: registration to online social networking sites
 - Transportation sector: online ticket booking
 - Telecommunications sector: collection of consumer data and retention of traffic data
- Current perspectives on the collection and storage of personal data

Principle of minimal disclosure



“The solution that discloses the least amount of identifying information and best limits its use is the most stable long-term solution”

Kim Cameron
Seven Laws of Identity

Data collection and storage in the EU



Data Protection Directive:

- Personal data must be adequate, relevant and not excessive in relation to the purposes for which they are collected and/or further processed
- Personal data must be kept in a form that permits identification of data subjects for no longer than is necessary for the purposes for which they are collected or for which they are further processed

Data collection and storage beyond the EU



→ USA

→ Canada

→ Australia

Case studies



- Social networking: registration to online social networking sites
- Transportation sector: online ticket booking
- Telecommunications sector: collection of consumer data and retention of traffic data

Social networking: registration to online social networking sites



The example of Facebook

- First and last name
- E-mail address (and choose a password)
- Gender
- Date of birth

“Facebook requires all users to provide their real date of birth to encourage authenticity and provide only age-appropriate access to content. You will be able to hide this information from your profile if you wish, and its use is governed by the Facebook Privacy Policy”

Social networking: registration to online social networking sites



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Friends	BG, EE, HU, LT, LV, NL, PL, ES, UK
Ex-school friends, classmates, or colleagues	CZ, FR, MT
People with common interests	FI, IT, RO, SI, SK, SE
For country nationals, diaspora and people interested in the country	AT, CY, IE, PT
Common religious beliefs	GR
Sharing reviews on local shops, restaurants etc.	BE
Cross border workers	LU
Dating	DK
Business and career	DE

Surveyed social networking sites

Social networking: registration to online social networking sites



Some interesting facts

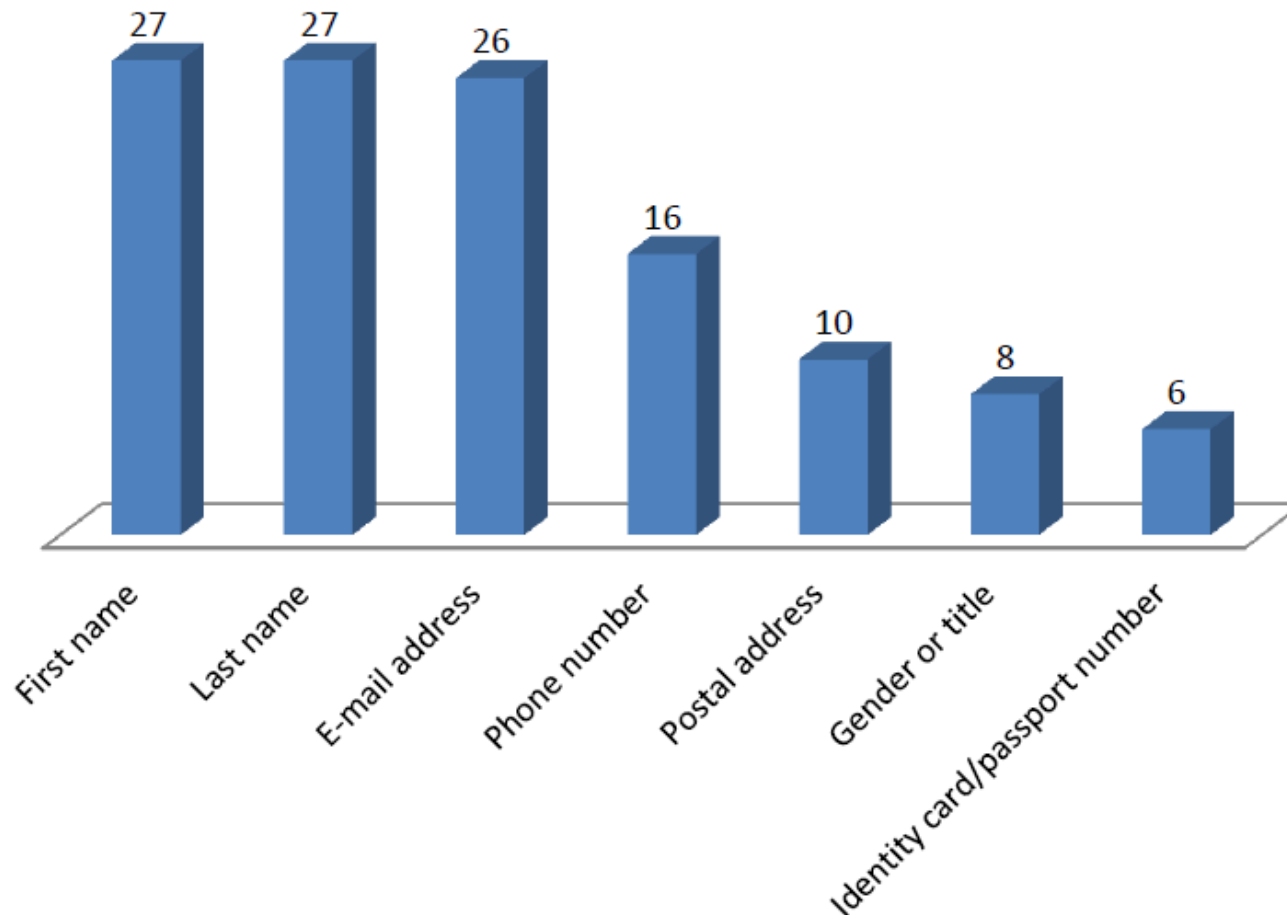
- 3 SNSs require only an e-mail address
- 3 SNSs require only an e-mail address and full name
- 17 ask for the date of birth
- 14 ask for the gender
- ... complex matrix of data

Transportation sector: online ticket booking



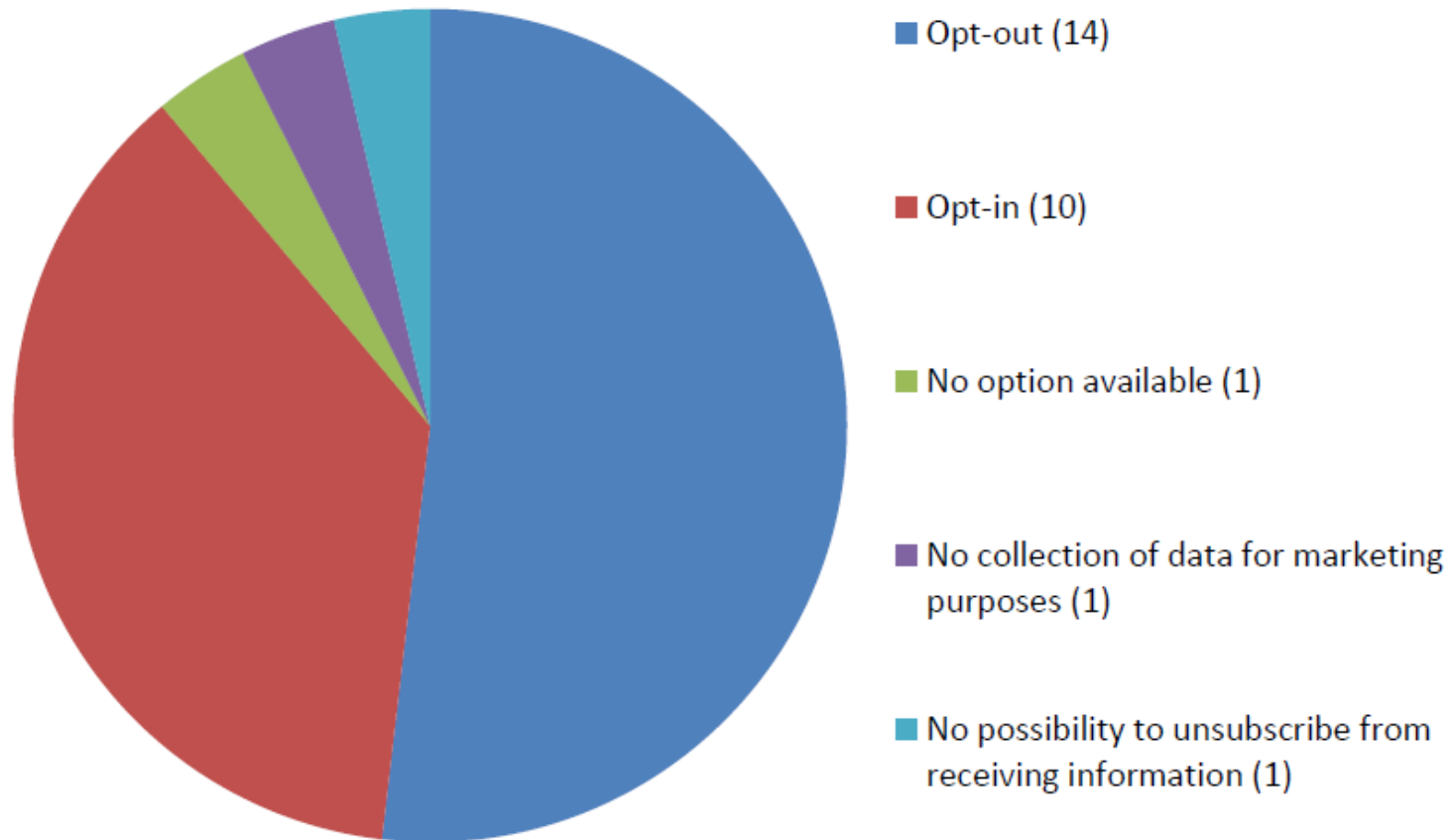
- 17 railway companies
- 3 bus companies
- 3 EU based airline companies
- 2 travel agencies
- 1 ferry company
- Purchasing of ski ticket (in lack of e-ticketing services in the country)

Transportation sector: online ticket booking



Types of personal data collected when booking the ticket online in 27 MS

Transportation sector: online ticket booking



Options offered by transportation companies to customers regarding the sending of information by the company in the future based on the data they collect on them

Transportation sector: online ticket booking



- At least four companies did not have a privacy policy
- Some surprising terms:

We also reserve the right to send all customers of our service email communications from time to time regarding updates and changes to our goods and services, new links to our website and any technical, administrative or legal notices important to our website, our products and services that we consider essential. **Customers are not able to unsubscribe from these notices.**

Transportation sector: online ticket booking



- Majority of cases where a privacy policy existed, the users were clearly informed about the use of cookies, but not about the storage period.
- One of the surveyed bus companies retains passenger data (first and last name of passenger, phone number, date of birth) for a period of **TEN** years.

Online purchasing of a product by an internet service provider



Internet service provider established in country	Obligatory personal data requested when purchasing a product online
BE, DE, HU, LV, LT, MT, PO, SK	Full name, E-mail address, Phone number
FR, IT, LU	Full name, E-mail address, Address, Phone number
BG, GR, RO	Full name, E-mail address, Phone number, National identification number
AT, CZ	Full name, E-mail, Address, Phone number, Date of birth
FI, PL	Full name, Phone number, National identification number
ES, SE	Full name, Address, Phone number, National identification number
EE	Full name, Address, National identification number
DE	Full name, E-mail address, Telephone number, Date of birth
UK	Full name, E-mail address, Address, Date of birth, Gender
NL	Full name, E-mail address, Address, Telephone number, Gender
IT	Full name, E-mail address, Phone number, National identification number, Date of birth , Gender
SI	Full name, E-mail, Address,

Telecommunications sector: retention of traffic data



- Regulated by the Data Retention Directive
- Varying choices
- Differences between fixed & mobile, and internet data

Recommendations

- to the **national Data Protection Authorities** that they should provide clear guidelines to data controllers
- to the **Article 29 Data Protection Working Party**, the **European Data Protection Supervisor** and **ENISA** that they should do the same for specific areas of processing of personal data with pan-European impact

Recommendations

- to the **Data Protection Authorities** that they should aim to improve user awareness relating to the rights stemming from the data protection legislation and on the possibilities offered to users by the legal system to exercise these rights, including by complaining in cases of excessive collection and storage of personal data, and
- to the **Member States** that they should identify and eliminate conflicting regulatory provisions relating to the collection and storage of persona data.

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<http://www.enisa.europa.eu/activities/identity-and-trust/library/deliverables/data-collection>

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