Summary of 1st Joint eSecurity WG – Article 29WG Meeting

14 October 2009, Brussels

Hosted by ERTICO and the CVIS project

Objective

The objective of the joint eSecurity WG – Article 29 WG meetings is to get a common understanding on data protection and privacy issues related to ITS, including of relevant measure and approaches. The first meeting took place in October 14th, 2009. It involved 30 participants from the ITS community, the security and privacy research community, the data protection agencies and from the commission. All the slides are available in the eSecurity web page[1]

Introduction

Antonio Kung, co-chair of the eSecurity WG made a presentation on the motivation for the joint meetings, highlighting the need to integrate the different stakeholder's viewpoints:

- push for ITS systems that would bring more safety
- push for ITS systems that comply with data protection requirements
- push for ITS systems that are cost effective
- push for the integration of privacy enhancing technologies

EDPS Opinion

Isabelle Chatelier presented EDPS position on the *commission action plan and proposal for a directive on intelligent transport systems.* The following issues were listed:

- need to clarify the role of ITS actors, in particular to identify the data controller,
- need to determine the legal basis on which ITS services will be provided (e.g. mandatory),
- need to take into account the notion of anonymous data in its very strict definition under data protection law,
- need to determine the purpose of data processing when it takes place,
- need to address the risk created by the interoperability of systems (e.g. merging different sets of data collected for specific purposes),
- need to address the risk of using location technologies and its impact to the proportionality principle and privacy.

The following recommendations were listed:

- Use a privacy by design approach where privacy is taken into account in an early state of the design of an application and systems
- Ensure minimisation of data
- Ensure security of data through assessment methods and use of *best available techniques*
- Develop pan-European contracts offering the same level data of protection across the UE.

[1] http://www.esafetysupport.org/en/esafety_activities/esafety_working_groups/esecurity.htm

Some discussion took place concerning potentially conflicting recommendations, e.g. allowing the user to de-activate a function for privacy reasons could lead to liability issues.

Use Case Presentations

Six use cases where presented, respectively focusing on data for safety information, data for traffic light management, pay per use insurance applications, road charging applications, traffic services and hotel booking services. All the presentations followed a similar structure, i.e. description of the application, of the messages, storages and accesses, of the actors and policies, and of the benefits. Some also briefly described implementations for privacy friendliness. Comments made from the participants with various viewpoints and backgrounds (legal, business, technology) confirmed the interest of the joint meeting. For instance, it was commented that the ITS community needed a better understanding of the notions of data controllers and data processors.

Next Steps

The discussions around the presentations were felt valuable. It was agreed to schedule further meetings with the objective to reach common conclusions. The group could focus on four use cases

- Data for safety
- Data for traffic light mgt
- One use case merging pay per use and road charging
- One use case merging traffic services and hotel management

Next Meeting

The following agenda is suggested for the next meeting, scheduled on December 2nd, 2009 in Brussels:

- Presentation of the privacy by design as meant in EDPS opinion
- Presentation of the concept of best available technique as meant in EDPS opinion
- Presentation of each case focusing on how issues and recommendations of the EDPS opinion can be taken into account
- Discussion for each use case on the potential best available techniques