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In association with



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## AT THE END OF THE DAY, IT'S ABOUT DATA

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# ETSI SUMMIT DATA PROTECTION AND PRIVACY IN A DATA-DRIVEN ECONOMY

General Data Protection  
Regulation (GDPR)  
2016/679

ePrivacy Regulation  
2017/003

Free Flow of Data  
Regulation (FFoD)  
2017/0228

*Building a EU data economy or “double bind”?*

# THE BIG PICTURE

Personal data

Personal and non-personal data

Non-personal data

## General regime for personal data protection

General Data Protection Regulation (GDPR)  
2016/679

## Privacy in electronic communications

ePrivacy Regulation  
2017/003

## Free flow of non-personal data

Free Flow of Data Regulation (FFoD)  
2017/0228

## Other specific rules on personal data (aligned with GDPR)

Directive on the processing of personal data for criminal law purposes (2016/680)

Regulation on the processing of personal data by EU institutions (45/2001), under revision (2017/0002)

## Upcoming (Q2/Q3 2018)

REFIT initiative on the Public Sector Information Directive (2003/98)

REFIT initiative on ".eu" domain Regulation (733/2002)

**Blue:** legislation adopted

**Orange:** legislation pending adoption or under revision

# EVERY COMPANY IS A DATA COMPANY



- In 2018 the number of IoT devices surpasses mobile phones and computers
- Indian IT sector and big data analytics > 8x by 2025
- Customers, staff, knowledge networks, new business
- Transversal (de-siloed) > data economy
  - *Interoperability, portability*
  - *and security (e-privacy and FFoD > links to cybersecurity)*
- Mixed data sets (smart meters, wearables...). 30 billion measures a day with IoT and Big Data. IoT **is** private data
- Data ownership (or ownership of a - temporary - right of use?)
- Massive issues with 3rd party data - shadow IT, data management platforms/demand side platforms, real time brokers (auctions). Adtech.
- Cities, the largest data integrators

Data economy  
+4% GDP in EU by 2020

[http://www.etsi.org/images/files/ETSIWhitePapers/etsi\\_wp26\\_city\\_digital\\_profile.pdf](http://www.etsi.org/images/files/ETSIWhitePapers/etsi_wp26_city_digital_profile.pdf)

# DIVERSE POLITICAL/HISTORICAL BACKGROUNDS



Single set of rules in EU and for players operating in EU and/or with EU data

- Different tradition and culture inside EU and even more so globally
  - *Privacy > means different things to different people*
- Issue of cross border transfers paramount to global business (FFoD)
- And even inside EU (data localization)

["Facilitating Cross Border Data Flow in the Digital Single Market: study on data location restrictions"](#)


- Can there be more than bilateral “mutual recognition” > adequacy agreements
- Adequacy agreements not secure enough (legal status)
- Could there be some multi-lateral agreement? A role for WTO? Who could enforce? EU global strategy?



# DATA PROTECTION & PRIVACY IS A JOURNEY, NOT A DESTINATION



- Regulatory and business incentives to be privacy-friendly (and social value of privacy)
- Providing generic standards is complex (and timing) > “industry-driven instruments” to break the issues in smaller pieces
- Portability issue grows more complex in the cloud stack (IaaS/ PaaS, SaaS)
- Functional and security standards
  - > *Anonymization, pseudonymization, formats*
  - > *Accessing data, data transfer and Portability*
  - > *Aggregation of and correlation between data sets*
- Self regulation, co-regulation > certification
- Who and how?



**SOMETIMES QUESTIONS  
ARE MORE IMPORTANT  
THAN ANSWERS**