Data Privacy Perspectives: Europe versus United States and Reality versus Illusion

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AGENDA

Europe versus United States - Comparing Approaches

Introduction to the Privacy Level Agreement

Privacy Level Agreement Outline

Questions
Opening Thoughts on Cloud

“We are at the age of planetary computing. Billions of people globally will be wirelessly interconnected.”
Europe Versus United States
Cloud Security Alliance Privacy Level Agreement (PLA)

Goal:
Encourage uniform, consistent and streamlined practices for CSPs in handling of personal data

Facilitate complete and more relevant disclosures

Structure:
Follows EU Data Protection Directive 95/46/EC principles and EU Commission Proposal for General Data Protection Regulation

Addresses WP29 Opinion 5/2012 on Cloud Computing European Data Protection Authorities’ guidelines on cloud contracts and use of cloud computing services
Privacy Level Agreement

1. CSP Identity (and EU Representative as applicable), role, data protection officer and the information security officer contact details

1. Categories of personal data that the customer is prohibited from sending to or processing in the cloud

1. Ways in which the data will be processed
   - Personal data location
   - Subcontractors
   - Installation of software on cloud customer’s
Privacy Level Agreement Outline

4. **Data transfer**
   - identify on which legal ground: e.g., adequacy decision, model contracts, Safe Harbor, Binding Corporate Rules (BCR).

5. **Data security measures**
   - Availability
   - Integrity
   - Confidentiality
   - Transparency
   - Isolation (purpose limitation)
   - Intervenability
   - Portability
   - Accountability
Privacy Level Agreement Outline

6. Monitoring

7. Third-Party Audits

8. Personal Data breach notification

9. Data portability, migration, and transfer back assistance
Privacy Level Agreement Outline

10. Data retention, restitution, and deletion
    - Data retention policy
    - Data deletion
    - Data retention for compliance with legal requirements

11. Accountability

12. Cooperation
Privacy Level Agreement Outline

13. Law enforcement access
14. Remedies
15. Complaint; dispute resolution
13. CSP insurance
NEXT STEPS

Expansion to US / Global version

Learn more by downloading the PLA Initiative Research Sponsorship Outline

Uncover data privacy perceptions in the CSA Data Protection Heat Index Survey

Build privacy into your planning – don’t bolt it on
THANK YOU!

Contact Us

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