

Anders Halvorsen

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Sendt: Tuesday, April 28, 2015 10:22 PM
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Emne: Security, Privacy and Data Protection WG call summary for review

Viktighet: Høy

Dear Mr. Ons,

Thank you very much for chairing the Working Group on Security, Privacy and Data Protection last week. As discussed, please find below a draft call summary below. Kindly let me know if you have any edits before I circulate to the group. By way of transparency, I am also planning on Cc'ing the other working group members.

As I recall, you will draft some principles for consideration at our next call, on May 14th. Following our call, we would also like to present these at the Global Policy Action Committee meeting we have here in Herndon, Virginia on May 21st. Would you be available to make a short presentation of these (via remote participation) in the afternoon your time on May 21st?

Thanks and best regards,
Anders

WITSA Working Group on Security, Privacy and Data Protection – Tuesday, April 21, 2015

Attendees:

Mr. Jesús Martínez Ons, AMETI (Spain) - Chair
Mr. Eduardo Sánchez, AMETI (Spain)
Mr. Gordon Morrison, techUK (United Kingdom)
Mr. Patrice Chazerand, DIGITALEUROPE (Belgium)
Ms. Diane Mevis, DIGITALEUROPE (Belgium)
Mr. Rahul Sharma, DSCI/NASSCOM (India)
Mr. Dondi Mapa, ITAP (Philippines)
Dr. Jim Poisant, WITSA
Mr. Anders Halvorsen, WITSA

Call Summary:

Mr. Ons welcomed everyone and explained the objectives of the call. He referenced the working group template which had been circulated by Anders Halvorsen, and which included a draft timeline. Once an assessment of issues and background had been made, draft principles drafted and key stakeholders identified, a paper would be drafted by the working group, which, once finalized, would be presented to the Global Policy Action Committee for review and then to the Board of Directors for approval.

Development of cloud services is very much related to both cyber and data privacy and cyber security. Mr. Ons stated that protectionism was emerging in many countries, especially with regard to data localization requirements. The draft EU cyber security directive under discussion will have major impact on cloud services and could set a global standard when finalized (ref. <https://ec.europa.eu/digital-agenda/en/cybersecurity>). Moreover, a cloud code of

conduct is under development in Europe; a high level of standardization of cloud services that companies can voluntarily adopt. It is being developed by the “Cloud Select Industry Group on Code of Conduct”, initiated by the European Commission as part of the Europe 2020 Initiative. The aim of this Subgroup is to produce a code of conduct for the cloud computing providers and to submit it to the [Article 29 Working Party](#) for approval (ref. <http://ec.europa.eu/digital-agenda/en/cloud-select-industry-group-code-conduct>). It was largely considered a good initiative supported by European industry. If approved by the European data protection authorities in the Art. 29 Working Party, the implementation process will be started.

Mr. Ons next invited the call participants to highlight issues that were of particular concern to them.

Dr. Poisant made a few suggestions with regard to the format of a future WITSA paper: 1) setting the stage (background information and identifying the barriers/problems that need to be addressed); 2) establishing the global principles that would service our industry and grow the digital economy; 3) identifying the stakeholders; and 4) finding the most effective ways to deliver or communicate the principles to the stakeholders. This was agreed by everyone on the call.

Mr. Chazerand mentioned that DIGITALEUROPE was also actively involved in the drafting of the European cloud code of conduct as well. He was particularly focused on how protectionism would impact SMEs and was opposed to the concept of “national” or “European” clouds. A European Commission communication on the single market was anticipated on May 6, which was monitored closely.

Mr. Sharma suggested that WITSA’s principles should specifically address emerging Internet of things (IoT) and machine to machine (M2M) industries as well as social media.

Ons agreed and emphasized that the principles should apply to all WITSA members and be a tool vis-à-vis stakeholders. He also cautioned that the principles will be interrelated with those established in other WITSA working groups, notably the data flows and international trade groups, and it would therefore be important to ensure close coordination between all these.

The principles would cover the following three major areas:

- 1) Data protection
- 2) Cyber security
- 3) Cloud (as affected by both data protection and privacy regulations)

Key topics included profiling, regulation and liabilities / data controllers, and sanctions regime. Mr. Chazerand that DIGITALEUROPE had developed global principles on many of these topics, which would be circulated for consideration by the Working Group. He highlighted two key papers; the 2013 DIGITALEUROPE comments on the “European Cloud Partnership Shared Data Area Initiative” and the position paper on “ Law Enforcement Access to Data in the European Cloud”.

Next steps: Mr. Ons invited all Working Group members to forward additional content. He will draft a set of principles for consideration on the next call, which will take place at 3:30pm Madrid on May 14th.

Action: Anders to keep a repository of all data circulated