

Can you
promote PET
through law?

Constantin
v. Stechow

Can you promote PET through law?

Dresden, 28.3.2003

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Outline

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- My PET definition
- My PET models
- German data protection law
- Legal PET approaches today
- Future options

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My PET definition

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„Every technology that
promotes the protection of
informational self-
determination“

„Jede Technologie, die den Schutz der
informationellen Selbstbestimmung
fördert“

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My PET models

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- data avoidance/ minimization
(including system built-in data
protection)
- transparency
- „individual control data
protection“

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UNI KASSEL
VERSITÄT

German Data Protection Law

- different legal system than United States
- basic data protection law AND specific regulations
- based on EU-Directive 1995
- ...

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Legal PET approaches today

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§ 3a BDSG:

„Data processing systems are to be designed and selected in accordance with the aim of collecting, processing or using no personal data or as little personal data as possible.“

„In particular, use is to be made of the possibilities for aliasing and rendering persons anonymous, in so far as this is possible and the effort involved is reasonable in relation to the desired level of protection.“

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Future options

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- legally implement product-seals as marketing tool
- improve system for privacy law enforcement
- adopt transparency obligations
- obligate the public sector to preferably use PET products
- ...(any other ideas?)

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Comments?

Questions?

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