
Session D2

Room: Brookfield, Friday 9.30-12.15

Data protection and privacy impact assessments: An instrument foreseen by the new European data protection regulation

Chairs Dr Michael Friedewald, Johan Čas, Dr Walter Peissl, Raphael Gellert, Niels van Dijk

- Dr Michael Friedewald, Fraunhofer Institute for Systems and Innovation Research, Germany, Forum Privacy and Self Determined Life in a Digital World
 - Data Protection Impact Assessments: Opportunities, Barriers, Implementation
- Raphaël Gellert/Niels van Dijk, Vrije Universiteit Brussel, Belgium, Brussels Laboratory for Data Protection & Privacy Impact Assessments
 - Defining a risk to a right: Challenges and caveats
- Johan Čas, Austrian Academy of Sciences, Institute for Technology Assessment, Austria
 - An Impact Assessment of Impact Assessments: Can DPIAs really be effective?
- Andreas Krisch (European Digital Rights/EDRi)
- Massimo Attoresi (European Data Protection Supervisor/EDPS, tbc)
- Amelia Andersdotter (Former MEP/Pirates; dataskydd.net)
- Dr Prokopios Drogkaris (European Network and Information Security Agency/ENISA)

While the proliferation of technological innovation has made the processing of personal data by automated means ubiquitous, the enforcement of the individual's rights has not been at the forefront of concern. Carrying out a Data Protection (or Privacy) Impact Assessment, while keeping in mind its purpose of ensuring the protection of individual rights, is able to bridge this divide. In order to help organizations and enterprises to assess the data protection impact of their processing of data, the new EU General Data Protection Regulation (GDPR), under the conditions of its Article 35, prescribes the execution of a Data Protection Impact Assessment (DPIA). A DPIA is an instrument to identify and analyse risks for individuals, which exist due to the use of a certain technology or system by an organization in their various roles (as citizens, customers, patients, etc.). On the basis of the outcome of the analysis, the appropriate measures to remedy the risks should be chosen and implemented (so called „privacy by design“). Although DPIAs have been discussed for more than ten years there was no standard model of how to carry out such an assessment. Until May 2018 when the GDPR will come into force there need to be DPIA framework(s) which are fulfilling the legal requirements.

Currently there are proposals by the French and UK Data Protection authorities, by the German „Privacy Forum“ and others. In the first part of the workshop (90 minutes) researchers and practitioners from several disciplines will present scientific findings on Privacy Impact Assessment and Data Protection Impact Assessment respectively. One aim is to learn from each other's approaches. In the second part (60 minutes) a round table of stakeholders (policymakers, representatives of civil society and industry, etc.) will discuss their perspectives on the data protection impact assessment and which extent scientific findings may help to deal with societal and political challenges