

ANEC comments on Committee of Standards written consultation on Draft Commission Implementing Decision on Standardization request (mandate) on 'Privacy management in the design and development and in the production and service provision processes of security technologies'

In March 2014, ANEC was informally consulted by the European Commission about the draft Standardization request (mandate) on 'Privacy management in the design and development and in the production and service provision processes of security technologies'. We submitted our comments which were taken into account for the most part¹. ANEC welcomes the draft standardisation request as we support the principle of "privacy by design and by default"².

It is with concern and regret that we take note of the possibility of the draft mandate/request being rejected by CEN and CENELEC members as we think that designing privacy and security in the development of technologies from the very beginning is essential to ensure that consumers' personal data protection rights are respected ("privacy by design"). Consumers expect the technologies they buy and use to protect their personal data by default, especially when it concerns their children. To protect the rights of vulnerable consumers such as children, the highest level of personal data protection settings should be provided by default ("privacy by default"). Other users with less stringent requirements can then easily adapt the level of protection to their needs/wishes. As consumers often struggle with the complexity of modern technologies, systems where consumers are required to take actions to maintain their privacy will present greater risks than those where systems design privacy in a robust manner that does not require consumers' supplementary actions. Standardisation can provide consumers and industry alike with the tools to comply with the regulatory and policy requirements on personal data protection and privacy.

ANEC urges the European Commission and members of the Committee on Standards to adopt the Draft Commission Implementing Decision on Standardization request (mandate) on 'Privacy management in the design and development and in the production and service provision processes of security technologies' and asks them to strongly encourage the CEN/CENELEC members to accept the draft mandate/request and propose the creation of a dedicated technical body for the execution of the draft mandate/request.

¹ <http://www.anec.eu/attachments/ANEC-ICT-2014-G-020final.pdf>

²

ANEC contribution to the European Commission public consultation on the Communication "A comprehensive approach on personal data protection in the European Union" (ANEC-ICT-2010-G-063final)