

### Summary, conference on ICT and privacy “The net will not forget” 23.-24. September 2009

8 October 2009

The conference “The net will not forget” was an event arranged by the French Embassy in collaboration with the German Embassy, Culturesfrance, DI/ITEK, IT University Copenhagen, The Danish Consumer Council, Alcatel-Lucent, Microsoft and the National IT and Telecom Agency, and aimed at shedding light on privacy challenges and forthcoming major areas of concern.

Mr Jørgen Abild Andersen, Director General of the National IT- and Telecom agency, opened the conference talking about the initiatives of the Danish Government within the ICT area. Following the Director General, the French Ambassador, Ms Bérengère Quincy, warmly welcomed all participants and speakers to the conference.

The following summary is a brief abstract of keynote speeches and the session on “Privacy from a vendor point of view” with contributions from the two sponsoring firms. Then follows an outline from the three theme based sessions “Mutation of privacy”, ”Trust in new technologies”, and ”Privacy versus security”.

#### **Keynote speaker: Bernard Benhamou**

*Position: Delegate on Internet Usage, Ministry of Research and Higher Education, State Secretariat for the Development of Digital Economy*

In his speech entitled “The European perspective & strategy on the Internet of the future”, Mr Bernard Benhamou emphasized that more than 1.6 billion Internet users are waiting for a ubiquitous web. We, as users, will not have selected moments where we choose to be online; moments where we access information and content in an isolated setting. Instead, we face an environment where our digital footprints will be more visible and persistent than ever – that is why we now need to think and act if we want to protect our privacy in the future.

Along these lines, Mr Bernard Benhamou talked about envisioning privacy as the “right to be forgotten”, allowing the users themselves to choose where and when information about them is gathered. An important part of being forgotten is the right to silence of the chips, a concept which has recently been mentioned by the European Commission in a communication to the European Parliament. A major tool in this empowering of users, Mr Bernard Benhamou underlined, is investing

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in new technologies to create the backbone for the future development, especially in terms of privacy enhancing technologies (PETs). We only have a 4-6 year window to integrate this into the rapid digitalisation of societies. Protecting citizens, Mr Bernhard Benhamou stressed in his closing remarks, is a crucial part of development.

***Keynote speaker: Mr Gus Hosein***

*Position: Policy Director at Privacy International, Advisor to the American Civil Liberties Union, and Visiting Senior Fellow at the London School*

Mr Gus Hosein had chosen to build his presentation “- Beware! The Future is Promising: The Dynamics of Privacy Debates“ upon his more than 20 years of participation in the world-wide privacy debate.

Working with privacy is a lonely business, Mr Gus Hosein started out by saying, explaining that most people in general do not care about privacy or even human rights. Privacy advocates however must not cease their work, and there are many wins, for instance the Beacon application in Facebook which has just been shut down. Mr Gus Hosein continued, saying that being on Facebook is *not* giving up privacy. Social networks services as phenomena don't mean the end of privacy, but it means that we need to actively define our privacy boundaries and act accordingly.

Privacy has become more sophisticated and a much richer notion, thus giving a much richer debate. Google was brought up as an example: In privacy terms Google may be the worst on search, but is maybe one of the best in advertising – thus making it harder to make a clear-cut categorization of actors in the privacy debate. Coming to the end of his presentation, Mr Gus Hosein did however point out that the message of a richer, more sophisticated debate does not mean that there are not different views – a war is going on! It is not natural for companies to respect privacy, and as such many multinational companies want EU to change privacy regulations saying that privacy considerations hurt businesses – which also is the main argument in the US for not passing separate regulation on privacy. Summing up, Mr Gus Hosein argued that just because we face variety of actors that in privacy terms cannot be classified as either good or bad, we as citizens, as consumers and as privacy advocates must not give up the debate.

***Session: Privacy from a vendor point of view***

In this session Ms Gabrielle Gauthey, Senior Vice President in charge of Public Affairs for Alcatel-Lucent and Mr Casper Bowden, Chief Privacy Adviser, Microsoft Europe, Middle-East and Africa presented their views on privacy issues and forthcoming challenges.

Ms Gabrielle Gauthey stated that the number one priority in the privacy debate is to respond to consumer worries, no matter what they are. Building on a strategy where a key element is that the network itself should deal with privacy threats, Alcatel-Lucent has embedded privacy policies in communications in the network itself by building on unified IP networks. This puts the networks at the heart of resolving security and privacy issues. Finally, if enforced by policy makers and

regulators this could also be a way to embed privacy by design in all new products and services based on network technology.

Privacy by design was also a topic in Mr Caspar Bowden's presentation on how privacy technology can do more than we think. Mr Caspar Bowden started out by talking about the vagueness in the concepts, for example trust where a trusted party in a technical sense is an entity that can break you security – which is not the more common notation of trusted party. Moreover privacy by design seems to remain a more intangible concept, which we need to concretise and operationalize. As an example of the latter, Mr Caspar Bowden introduced Microsoft's Identity Meta system, allowing minimal privacy disclosure.

***First theme session: Mutation of privacy***

The purpose of this session was to investigate the multifaceted nature of privacy, as well as point to the many challenges and paradoxes entangled herein.

Speakers: Mr Pierre-Jean Benghozi, Research Director at the French National Centre for Scientific Research, Ms Karin Riis-Jørgensen, Chairwoman of the European Privacy Association, Mr André Laperrière, Director General of the GTC Secretariat, Mr Niels Elgaard Larsen, Head of IT-Political Association of Denmark (IT-pol.dk), Ms Camilla Hersom, President of the Danish Consumer Council, and Mr Kai Rannenber, Mobile Business & Multilateral Security, Goethe University Frankfurt.

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Mr Pierre-Jean Benghozi presented a paradigm of privacy versus performance; it is most difficult to assess the economic and social impacts of privacy - that is why privacy often is presented as being opposite to ease-of-use and performance. Mr Pierre-Jean Benghozi did however by the example of geolocalisation illustrate that by the use of multiple identities and regulation, this is not necessary the case.

Ms Karin Riis-Jørgensen, as chairwoman of the European Privacy Association, took the regulator perspective further, by raising awareness of the increasing digital footprints we leave when we use the internet. Ms Karin Riis-Jørgensen advocated for each citizens' right to their own data, and privacy by design, two topics which are highly prioritized in the work of the European Privacy Association.

Ending the first part of the session, Mr André Laperrière explained about the work of the Global Trust Council with special emphasis on how our relationships define our identity.

At the second part of the session, Niels Elgaard Larsen showed the audience by way of a snapshot of the present laptops on the network, the vulnerability of using open networks. Furthermore, Niels Elgaard Larsen called for more attention and action on privacy by politicians. This was supplemented by Ms Camilla Hersom who had a variety of examples, where consumer rights was transgressed and neglected.

Finally, Mr Kai Rannenberg ended the session with a presentation on existing portable privacy enabled GPS devices, and calling for more user-centric development in order to accommodate both consumer convenience as well as privacy.

***Second theme session: Trust in technologies***

This session aimed at presenting specific examples of working solutions with embedded privacy, and outlined the premises for gaining trust – regulatory and beyond.

Speakers: Ms Pia Jespersen, Special consultant at Digital Health, Mr Michel Arnaud, Professor at Paris Nanterre University, Head of the laboratory on electronic knowledge industries (CRIS), Mr Achim Klabunde, Policy officer in the European Commission’s Directorate General for Information Society and Media, Mr Jakob Illeborg Pagter, Head of Research and Innovation at the Alexandra Institute Centre for IT Security, Mr Daniel Le Métayer, Research Director in INRIA, France, and head of the new initiative LICIT, and Ms Lena Andersen, Deputy Commissioner in the Danish Data Protection Agency (DPA).

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Ms Pia Jespersen told about Digital Health, where a national information security structure provides services for role-based authentication using digital certificates as a single sign on token, thus making operations easier for health staff at hospitals.

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Mr Michel Arnaud presented e-ticking as an example which excellently shows the complex nature of privacy – in order to get a discount you need to disclose some personal information.

Mr Jakob Illeborg Pagter on the other hand, showed a working solution for sales system for sugar beets, with no tradeoffs to privacy given the use of an algorithm facilitating operations on encrypted bids.

Integrating privacy from the beginning, when developing new projects was a major point in Mr Daniel Le Métayer’s presentation. He advocated for more privacy by design, for instance by developing privacy certification schemes and privacy profiles along the lines of for instance the security profiles existing under the common criteria regime.

Going in another direction, the basics for disclosing this information was the topic of Mr Achim Klabunde’s talk. He presented the development in European law related to data protection from the 1980’s and forward.

The national regulatory basics of data protection were also at the heart of Ms Lena Andersen’s presentation. She did however also advocate for going further in privacy protection than is demanded by law. As an example, Ms Lena Andersen urged the use of privacy impact assessment – both by governmental bodies as well as by the industry.

***Third theme session: Privacy versus security: from conflict to alliance?***

The last session of the conference presented the conflict embedded in privacy where security for many often equals identification.

Speakers: Mr Saadi Lahlou, Director, Institute of Social Psychology London School of Economics and Political Science, Mr David Basin, Chair for Information Security at the Department of Computer Science ETH Zurich, Mr Stephan Engberg, Founder and CEO Priway, Mr Mark Klamberg, Doctoral Candidate in Public International Law at the Faculty of Law (Stockholm University), Mr Max Senges, Chairman of the Internet Rights and Principles Coalition, and Mr Dieter Gollmann, Security in Distributed Applications, Hamburg University of Technology.

Mr Saadi Lahlou started out by posing the question of why we need personal data, the privacy dilemma: disclosing of preferences is needed for good interaction with suppliers, and status is gained through the activity record (gold memberships with airlines), and last but not least is this kind of external memory handy for the user.

Mr David Basin continued defining the dilemma: we cannot control how people use the information we provide them in the future. Controlling future usage needs very strong mechanisms for ensuring the correct use.

Mr Stephan Engberg presented a solution to the privacy versus security problem, arguing that it does not need to be a choice between security and privacy – you can have both. As an example Mr Stephan Engberg mentioned the development of a national DNA database, which with the right design renders possible anonymous LAB-analysis.

This view was supplemented by Mr Dieter Gollman, who talked about shifts in access control and communications security. Going from the more technical perspective on the privacy versus security dilemma to a more regulatory and soft law perspective, Mr Mark Klamberg presented the Swedish FRA law. In addition, Mr Max Senges presented ongoing work in the Internet Rights and Principles Coalition on guidelines to privacy.

### ***Closing remarks***

Speaker: Mr Georg Apenes, Director of the Norwegian Data Inspectorate, awarded the Rosing Academy`s Honorary Award by The Norwegian Computer Society.

The conference ended with closing remarks from Mr Georg Apenes, summarizing the many challenges in the privacy area illustrated by the many dedicated speakers. Mr Georg Apenes highlighted privacy as a window of opportunity where we at present time can and must contribute to establishing a framework of conduct which can be viable many years from now.