

SOCIAL PROTECTION AND JOBS

# 2019 CORE COURSES

OCT. 28–NOV. 8 | WASHINGTON DC

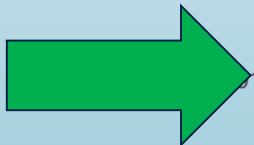


## Trends in Data Protection

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World Bank

Pension Data and  
Standards of Personal Data Protection  
November 7, 2019

# Why Data Protection?



...a new Social Contract (around Data) - still under negotiation

# Context - Enablers

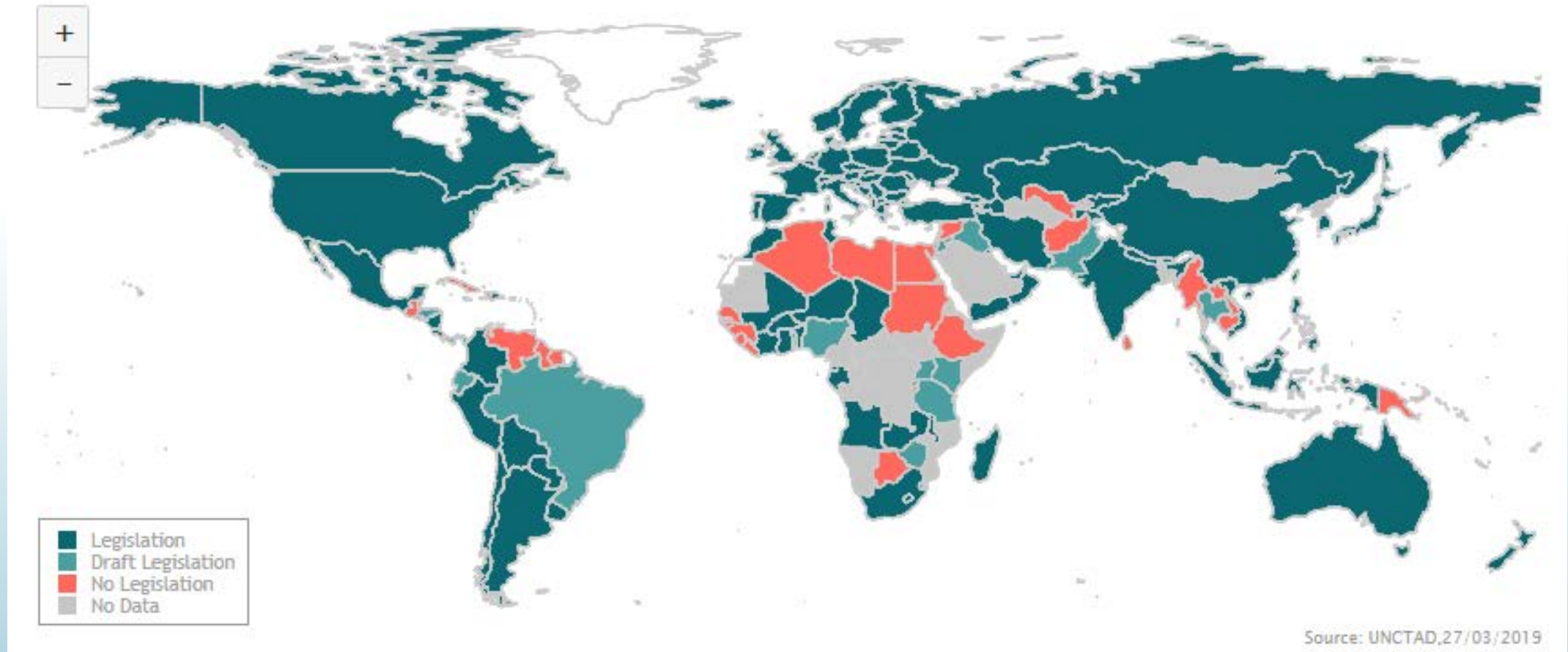
- Digitization (bits/bytes)
  - Challenges & opportunities
  - Not just converting of legacy systems ... process re-engineering
- Trust – a two-way street
  - Gov't interest in KYC
  - User's trust in integrity, transparency & Security of Gov't systems

# Context – Contested Areas

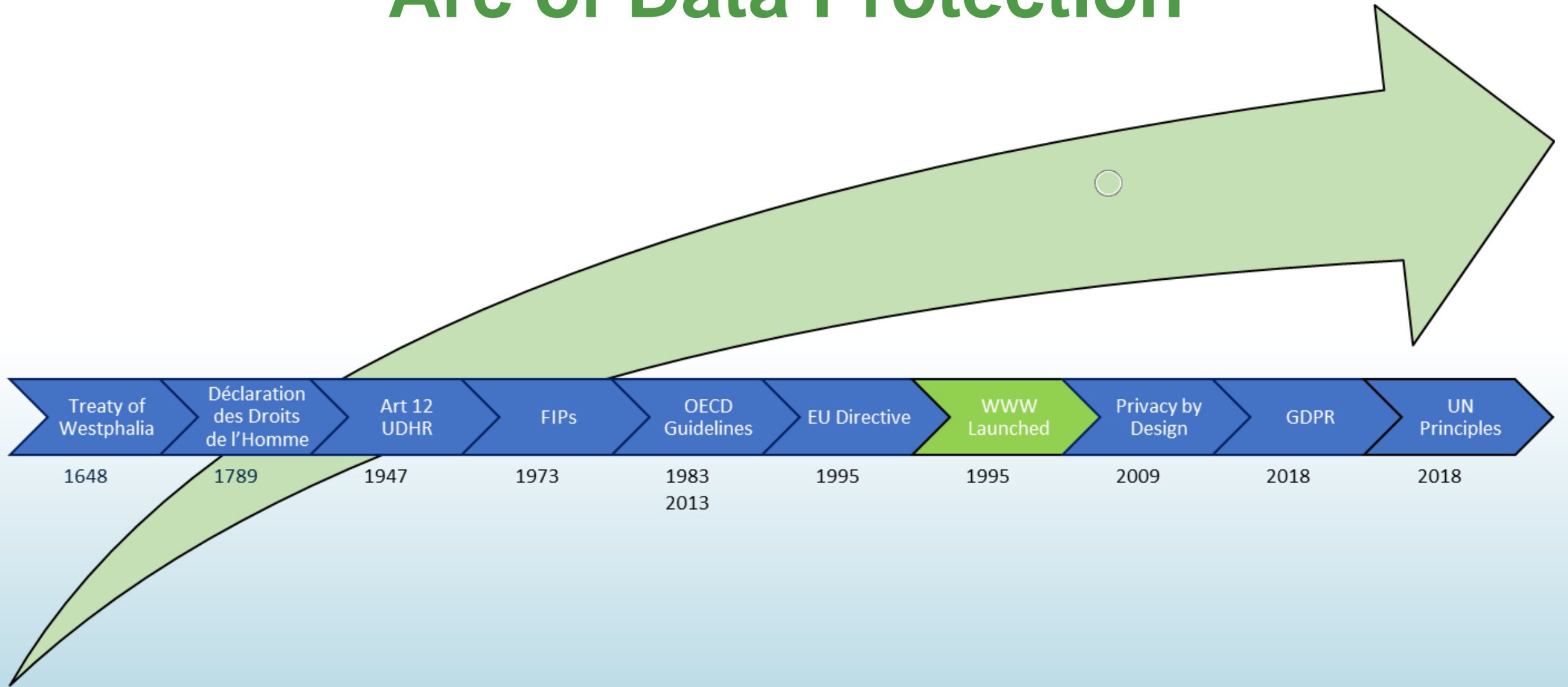
- Increase user agency /"ownership" of data
- Consent vs "Fair Use"
- Data Protection vs Privacy
- Centralized vs decentralized databases
  - Cloud Issues
  - Data Localisation
- Tension: Trends toward general application vs sector specific apps
- Biometrics

# Where we are today - Globally

Data Protection and Privacy Legislation Worldwide



# Arc of Data Protection



# Scope & Application

**Personal Data** : any information relating to an identified or identifiable individual.

**Personally Identifiable Information:** Any information that permits the identity of an individual to be directly or indirectly inferred, or any information which is linked or linkable, or may be attributed, to that individual.

**Data Processing:** any operation or set of operations, automated or not, which is performed on Personal Data, including but not limited to collection, storage, use, transmission, disclosure or deletion

# Elements of “Good” Data Protection (1)

1	FAIR AND LEGITIMATE PROCESSING	The [Data Processor] should process personal data in a fair manner, in accordance with its mandate and on the basis of the consent of the data subject.
2	PURPOSE SPECIFICATION	Personal data should be processed for specified purposes and take into account the balancing of relevant rights, freedoms and interests. Personal data should not be processed in ways that are incompatible with such purposes.
3	PROPORTIONALITY AND NECESSITY	The processing of personal data should be relevant, limited and adequate to what is necessary in relation to the specified purposes of personal data processing.
4	RETENTION	Personal data should only be retained for the time that is necessary for the specified purposes.
5	ACCURACY	Personal data should be accurate and, where necessary, up to date to fulfil the specified purposes.



# Elements of “Good” Data Protection (2)

6	CONFIDENTIALITY	Personal data should be processed with due regard to confidentiality.
7	SECURITY	Appropriate organizational, administrative, physical and technical safeguards and procedures should be implemented to protect the security of personal data, including against or from unauthorized or accidental access, damage, loss or other risks presented by data processing.
8	TRANSPARENCY	Processing of personal data should be carried out with transparency to the data subjects. This should include, for example, provision of information about the processing of their personal data as well as information on how to request access, verification, rectification, and/or deletion of that personal data, insofar as the specified purpose for which personal data is processed is not frustrated.
9	TRANSFERS	The [Data Processor] shall not transfer any personal data to a third party unless the [Data Processor] satisfies itself that the third party affords appropriate protection for the personal data.
10	ACCOUNTABILITY	There shall be in place adequate policies and mechanisms in place to adhere to these Principles.

# General Data Protection Regulation



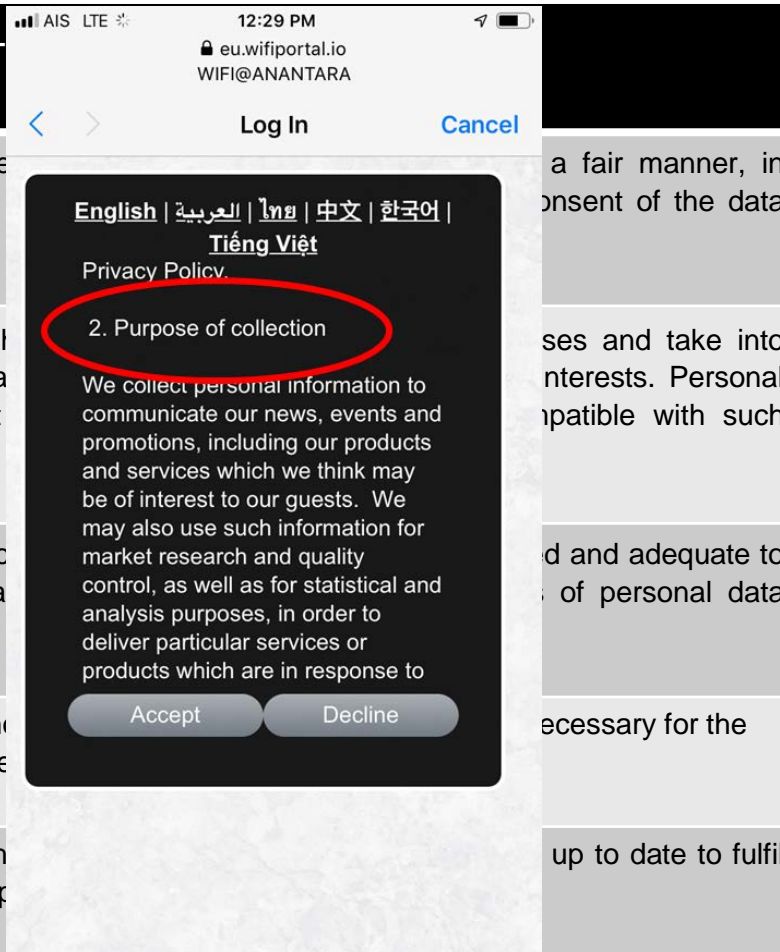
# Other (Non-Legal) Considerations

Pbd PETs are often conceptualized as part of “privacy by design,” which refers to embedding privacy measures and PETs into the conceptualization and architecture of data systems.


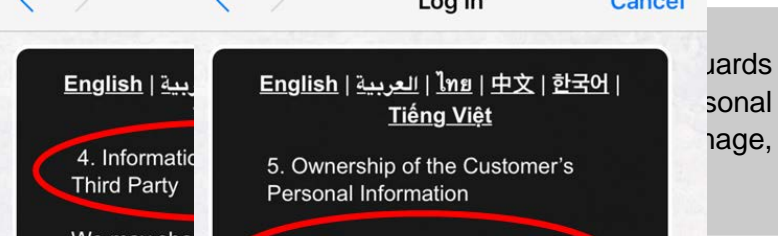

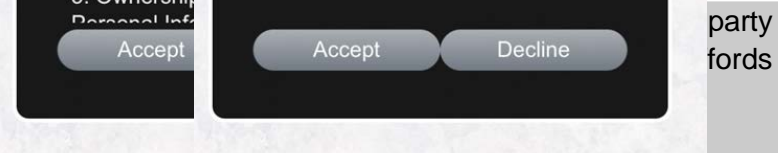

Privacy-enhancing technologies (PETs) refer to a coherent system of measures that protect privacy by eliminating or reducing the collection of personal data, preventing unnecessary or undesired processing of personal data, and facilitating compliance with data protection rules without losing the functionality of the data system in question. Examples include provision for automatic anonymization of data after a certain time period and encryption tools.

# Elements of “Good” Data Protection (1)

ELEMENTS OF PERSONAL DATA PROTECTION		
1	FAIR AND LEGITIMATE PROCESSING	The [Data Processing] should be carried out in accordance with the consent of the data subject.
2	PURPOSE SPECIFICATION	Personal data should be collected for specific, explicit and legitimate purposes. Data should not be processed for purposes other than those specified at the time of collection.
3	PROPORTIONALITY AND NECESSITY	The processing of personal data should be limited to what is necessary for the purposes for which the data is collected.
4	RETENTION	Personal data should be kept for no longer than is necessary for the purposes for which the data is collected.
5	ACCURACY	Personal data should be accurate and up to date to fulfil the purposes for which the data is collected.



# Elements of “Good” Data Protection (2)

6	CONFIDENTIALITY	Personal data should	
7	SECURITY	Appropriate organization and procedures should be in place to protect personal data, including against loss or other risks	
8	TRANSPARENCY	Processing of personal data subjects. This includes providing information about the process, request access, and delete data, insofar as this is not frustrated.	
9	TRANSFERS	The [Data Processor] should not transfer personal data unless the [Data Controller] has implemented appropriate protection measures.	
10	ACCOUNTABILITY	There shall be in place effective mechanisms to ensure compliance with these Principles.	

# Summary Considerations

Enhanced “agency” for data subjects

Questions about Consent

Questions about “ownership”

Tension between “Big Data”/ AI and Data Protection

Centralized vs decentralized data bases

Cloud considerations

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# Thank you

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