Data Privacy Perspectives: United States versus Europe and Reality versus Illusion

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AGENDA

United States versus Europe - Comparing Approaches

Data Sovereignty, Lawful Interception, User Consent

Dealing with Data Privacy Implications for the Cloud

Questions
"We are at the age of planetary computing. Billions of people will be wirelessly interconnected"
United States Versus Europe
Intention to measure commonalities and deviations in data protection perceptions which tie into Cloud, IoT and Big Data

Hand selected group of 40 survey respondents from across the globe. Roles included:

- Privacy commissioners
- Legal and Privacy counselors
- CISOs and InfoSec leaders
- Developers and architects
“…most of the US operations are considerably less sensitive to privacy data than Europe and more sensitive than what we see in APAC or Latin America.”
Lawful Interception
Rating Country’s Process to Obtain Information

“The US has a strong infrastructure of legal processes, both public and secret to obtain evidence for investigations. However, there are significant concerns about government entities exceeding or bypassing these established controls.”
Data Privacy Breaches by the Numbers

Applicable Laws

Data Residency and Data Portability

Government Data Collection and Monitoring

User Consent

Data Protection Measures Against Unlawful and Deceptive Practices

USA 11,841

CAN 335

MEX 8

BRA 32

CHL 2

PER 2

COL 3

VEN 3

ARG 1

DZA 2

EGY 5

NGA 9

UGA 1

NAM 1

ZAF 21

NOR 19

SWE 20

DEN 20

SHE 20

POL 4

UKR 7

TKM 1

TUR 24

SWE 20

NOR 19

RUS 24

AUS 190

CHN 64

IND 73

PAK 23

TUR 24

KOR 81

JPN 103

All Figures Depicting Cyber Case Counts Are Property Of Advisen Ltd.
Data Breach and Privacy Laws Correlation

[Map showing correlation between restrictive laws and fewer incidents, and permissive laws and many incidents]
User Consent
Should there be a call for a global bill of consumer privacy rights?

RESPONSE SAMPLING: NO

“This steps over the sovereign rights of individual nation states.”

RESPONSE SAMPLING: YES

“Global guidelines would be helpful in harmonizing a wide range of similar privacy laws around the world. However, on its own, they would have little enforceable effect.”
OECD Data Privacy Principles

**Facilitate or Cause Tension**

**DATA COLLECTION LIMITATION PRINCIPLE:**
Collect data by lawful means only

**DATA QUALITY PRINCIPLE:**
Personal data should be relevant to the purposes for which it is being used and should be accurate, complete and kept up to date
YOUR CALL TO ACTION

Build privacy into your planning – don’t bolt it on

Become a participating member in an industry based organization – IAAP, CSA

Download the survey report at CSA Research website

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