

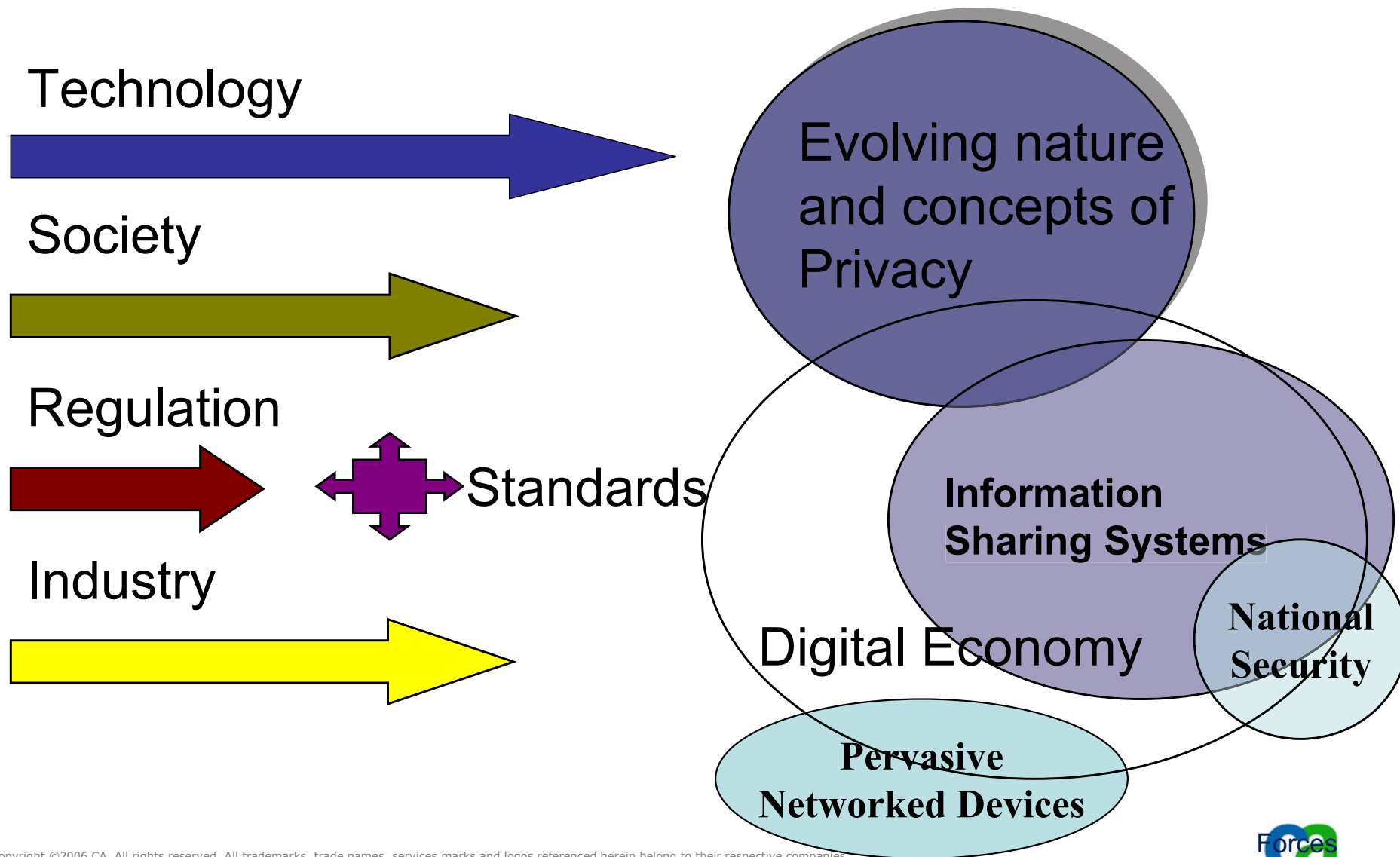


Trans-Border Data Flows: Challenges of Global Information Sharing

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Privacy Policies and Controls Are Trailing Information Sharing Technologies and Practices



Data Flows ...

- The communication of personal data across geo-political jurisdictions by private or public entities involved in governmental, economic or social activities

Source: "Analysis of Privacy Principles: An Operational Study," International Security Trust and Privacy Alliance (ISTPA), 2007

... present new management challenges...

- the networked, distributed sharing of personal and personally identifiable information across agency, government and private sector boundaries
 - uses a web of technologies
 - is pervasive
 - has virtually no *privacy* technology controls
 - with practitioners having inadequate privacy knowledge, standards and architectural models

Many Types of Personal Information

- **Financial**

Consumers leave a trail every time they use credit and debit cards for purchases

- **Communications Services**

Each call is logged, tracked, billed and stored, creating an unparalleled data set.

- **Location Data**

Telecommunications can yield the individual's location/movements.

- **Transactions**

Information and services purchased are recorded and mapped to individuals, creating an electronic web of money, communications, locations, and goods and services.

- **Interagency – Inter-government Exchanges**

Government agencies may acquire commercial data through a variety of processes, including their authority for taxing, licensing, or monitoring or contractually.

Source: Data Privacy & Integrity Advisory Committee, "The Use of Commercial Data" December 6, 2006, Report No. 2006-03

Issues Gaining Attention

- **Increased use of personally identifiable information and sensitive “business” information for purposes outside initial data collection**
 - Use in cross-domain programs and applications crossing government and business boundaries
 - Increased exposure to unauthorized access and use
 - Information about finances, health, communications, behaviors and transportation -- increasingly integrated into virtual databases of varying data quality
- **The use of this information for government purposes increases concerns as the potential for harm to the individual increases**
 - For example - deny or allow access to flight or entry to a country based on multiple information sources
 - Deny or allow benefits payments because of data matches
- **Implementation of networked information sharing systems and use of portable computing devices is exposing threats to privacy**
 - Who is responsible for assuring information privacy and data confidentiality principles through lifecycle of the personal information?

Relative State of Privacy and Security Standards

- Technical Privacy standards –at very early state
 - Issues of definitions and taxonomy
 - Focus on 'front-end' data collection and Web (such as Platform for Privacy Preferences (P3P))
 - Today heavy focus on data minimization as a practice
 - Unclear policy and operational relationship between security and privacy
- Privacy and security often conflated (“data breach”)
- Security – much more developed
 - frameworks, standards – ITU, ISO, OASIS, IETF, W3C, etc.)
 - mechanisms, technologies, products, practices
- ISTPA Privacy Framework (now undergoing revision) potentially important – www.istpa.org

Data Flows Impact and Are Impacted by Privacy Principles/Practices

- **Accountability**
- **Notice**
- **Consent**
- **Collection Limitation**
- **Use Limitation**
- **Disclosure**
- **Access and Correction**
- **Data Quality**
- **Enforcement**
- **Openness**
- **Anonymity**
- **Data Flow**
- **Sensitivity**
- **Security/Safeguards**

Source: www.istpa.org

“Making Privacy Operational....”



What Can Be Done?

- **The policy and technical teams must collaborate to address privacy issues in today's context of networked systems, infrastructures and applications**
 - Consensus on privacy policies needed – definitions, taxonomies, inter-relationships
 - Separately, technical frameworks and standards are necessary to support trans-border requirements, architectures, technical training
 - Look at ISTPA's *Analysis of Privacy Principles and Framework v 1.1* at **www.istpa.org**
- **Chief information security officers, security personnel, Privacy Officers, legal counsel, program managers must engage these issues**
- **Policy harmonization and technical frameworks and standards require your active support.**

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