

ARTICLE 29 Data Protection Working Party



Brussels, 15 April 2011
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ATOS Origin
Antonio Paradell
Av. Diagonal 200
08018 Barcelona
Spain

Dear Mr. Paradell,

On behalf of the Article 29 Working Party I would like to thank you for the cooperation and assistance the STORK project partners gave to the Working Party when it came to understand the technical and organisational details of the STORK project.

We would like to share with you our conclusions and therefore attach to this letter the written report dealing with the STORK project from a data protection point of view. We would further like to recommend the implementation of the following measures that we consider being important in the context of your efforts to put in place a privacy friendly interoperability model system for transborder eID recognition in Europe:

- Although the confidentiality of the log files is protected by several encryption layers the retention period should be defined according to the time technically necessary to repair the system or other similar activities.
- A comparative privacy risk analysis between the PEPS and the MW model should be carried out. Apparently one model requires architecture with a significantly higher number of data transfers and it seems that a lot of effort is required to make those 2 models interoperable. That's why we suggest carrying out a comparative risk analysis that should clarify which are the specific risks of both models and why from a technical point of view both models need to be implemented although they apparently deliver the same result.
- Guidelines that give specific recommendations **on common minimum standards on data security** and on how the principle of proportionality and data minimisation should be transposed in the field of requesting additional attributes through STORK should be developed.

This Working Party was set up under Article 29 of Directive 95/46/EC. It is an independent European advisory body on data protection and privacy. Its tasks are described in Article 30 of Directive 95/46/EC and Article 15 of Directive 2002/58/EC.

The secretariat is provided by Directorate C (Fundamental Rights and Union Citizenship) of the European Commission, Directorate General Justice, B-1049 Brussels, Belgium, Office No MO-59 06/036.

Website: http://ec.europa.eu/justice/policies/privacy/index_en.htm

- Privacy notes that take into account the complex infrastructure should be made available. Due to the differences deriving from the choice of either the MW or PEPS model on both sides of the transaction, the notes should be made in a way that exactly explains what happens in every possible constellation and provide the end user with the appropriate version of the notes.
- Security certificates used should be from a locally known and trusted provider.

Last but not least, the Article 29 Working Party would be grateful to be involved in a possible follow-up project in an earlier stage of the project.

Yours sincerely,

Jacob Kohnstamm
Chairman

Enclosure: Written report of the Article 29 Data Protection Working Party, Biometrics & eGovernment Subgroup