

## The Virtual Privacy Office – A New Approach To Privacy Protection

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### Abstract

*Technical progress and the movement towards an information society strongly effect privacy protection. In order to safeguard the right to informational self-determination in the future, new ways of privacy protection have to be developed now. Due to their independence as well as their expert knowledge and experience, privacy protection authorities are destined for this task. Thus, the authorities think of the optimization of their resources for remodelling privacy protection. The public, who are increasingly making use of the Internet, particularly lack privacy protection in that area which seems to pose the greatest threat to their privacy. They expect to find competent information and guidance in the Internet itself. Privacy protection which is only available by way of using other media can only partly perform its tasks.*

*Remedy may be achieved by intensifying the exchange of information and knowledge between the privacy protection authorities as well as sharing work and responsibilities. It makes sense to view such co-operations and joint ventures to increase the efficiency in a global context and to direct them internationally. Thus, all available information concerning privacy protection may be provided in an easily accessible format. Additionally, a privacy protection contact in the Internet will provide assistance for users with actual concerns. Forums for discussions with experts and others interested in privacy protection are intended to enable developments in the field to keep pace with technical progress. The Virtual Privacy Office will realize the technical support of these aspects on the basis of Internet technology.*

### 1 The Idea behind the Virtual Privacy Office

The development towards an information society has affected many changes in people's daily life, which result for example from the following trends:

- Since the flow of information has in many ways become much easier to achieve, virtually everybody is now able to play both the part of provider and user. This is due to a short cut in the production pipeline as, for example, the publication of text documents no longer requires the participation of editors, typesetters, printers, and distributors.

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- Thus, the exchange of information is rapidly speeding up and more people have access to more information, which, due to its digital format, is still easier to evaluate and process.
- The orientation towards national interests is blurred in the context of global computer networks. Even though international networks are not lawless borderlands, law enforcement is often cumbersome.

These trends also gravely affect the user's concern about privacy. More and more data trails and motion profiles are, often unwittingly, left behind in computer networks such as the Internet. There are almost no limits to their analysability. Neither the limitation of use to specific purpose nor protection against their misuse can be guaranteed. The fundamental right of informational self-determination can only be safeguarded if every single person can at any time ascertain who knows what about him or her; hence the growing uneasiness among users and would-be users of information technology about impending privacy invasion. Simultaneously, there is no independent and sufficiently competent contact for legal or technical support or in privacy related matters available in the Internet.

The transformation of society described at the beginning involves the need to rethink and revalue conventional concepts of privacy protection. In their current format privacy commissioners can not act adequately to challenges posed by the Internet and information society in general. Only maintaining a web site does not meet the requirements any longer. There is a need for action in order to prevent the irreversible loss of privacy becoming a reality of information society. Therefore privacy protection authorities must have a clear presence in the medium of the information society: the Internet. This is especially important because there the users become increasingly aware of the applications and functionalities used to invade their privacy as well as the lack of regulations and law enforcement.

## **2 Aims of the Virtual Privacy Office**

The aim of the Virtual Privacy Office is to re-establish an effective privacy protection on a new basis by absorbing currently developing communication technologies and Internet culture and utilizing them for new ways of privacy protection.

The intention is to develop new privacy protection levels by increasing the knowledge of privacy protection officials by building a stronger relation to practice. Who wants to have a say in the Internet needs to know the way it works, particularly from practical experience. This is going to be supported by involving external experts. A division of labour between the co-operating partners in the Virtual Privacy Office will prevent an excessive strain on the resources of the participants, by specialization in their

respective fields, because doing it alone would be unachievable. This requires an improved workflow within and between the departments in order to facilitate easy and rapid exchange of information between experts in the respective areas. Results will be accessible for everyone and will form a basis for further discussion, thus utilizing a constant challenging of the outcome for further development. The Virtual Privacy Office serves as a platform for the various activities. Therefore, the results of the project should be useful for all e-business and e-government projects which take care of privacy protection.

### **3 Ways and Means to the Aims of the Project**

The ways and means to the improvement of privacy standards will immediately be put to the test in the project itself:

- Transparency: The Virtual Privacy Office is based on open discussions with interdisciplinary experts and the interested public; open source for software – whenever possible – is a matter of course.
- Participation: Everybody is invited to take part in the Virtual Privacy Office. A project pool shall act as a agency to bring together people with new concepts and experts, research fellows or students searching ideas for a thesis.
- High standards of privacy protection and data security: These high standards have to be achieved in the project in order to put existing law into practice as well as to give new impulses by developing and implementing concepts for more privacy protection and data security.
- Testbed for Privacy Enhancing Technologies (PET): Practicable concepts through "PET in action" are developed in the Virtual Privacy Office. Thus, the state of the art for technical measures to achieve privacy protection is updated.
- Gaining experience: The privacy protection authorities gain working knowledge through "learning by doing", e.g. developing and providing own Internet servers with a high level of privacy protection.
- Feedback: Know-how in putting law into practice and new privacy concepts shall be transferred to manufacturers, providers, users, legislators, and standardizing bodies.

Thus, the Virtual Privacy Office will take the role of a platform. In an advanced stage of the Virtual Privacy Office will be enlarged with a Privacy Mall, in which commercial businesses, consumer organisations, scientists and others are co-operating.

## **4 Modules of the Virtual Privacy Office**

The know-how of the participating partners, particularly of the members of staff of the individual privacy protection authorities, forms the basis of the Virtual Privacy Office. In order to make this knowledge of privacy protection available to all collaborators with adequate technical support, it needs to be structured and supplemented with further classifying information. Thus, it will be made available in an information database, using adequate search engines and a system of access rights. This is the basis for the following modules which will be applied in the Virtual Privacy Office:

### **Module "Forum for Project Associates"**

Forums for discussions will be established in order to facilitate communication among the project associates. Thematic mailing lists represent the standard solution for these forums. Apart from tools like PGP which shall be used for encoded communication, special Virtual Private Networks will be installed between project associates. To this end common standards will be defined and central components provided, also taking the local situation of project associates into consideration. Groupware systems may be used to support co-operation.

### **Module "Privacy Internet Portal"**

The intention of the Internet Portal is to make information concerning privacy protection available to Internet users. This includes, for example, FAQs (Frequently Asked Questions) about a variety of privacy protection issues, detailed expert information or an on-line privacy magazine. Tools for do-it-yourself privacy protection may also be offered here. This privacy protection contact is aimed at a variety of target groups, as, for example, people with different levels of knowledge on the topic, media representatives or professionals in data processing. Good accessibility of the material, a high degree of interactivity and an international orientation are of major importance. The reliability of the service has to be reflected in the look and feel, as for example the highest possible degree of transparency concerning the actual level of privacy secured on the web-server.

### **Module "Public Privacy Office"**

The Public Privacy Office allows users to put individual questions to the privacy authorities by (encrypted) e-mail. Ideally, the authority responsible would reply quickly and competently. Some inquiries may be dealt with by referring users to the FAQs in the Internet Portal, others may be answered relying on information from the database. As the Public Privacy Office gains acceptance among users, dealing with the incoming e-mails will require increasing technical support in the shape of workflow systems and personal assistants. At a later stage inquiries might be forwarded to the responsible members of staff in the privacy authorities involved using a „call center system“.

### **Module "Forum for Experts"**

Particularly in the Internet there are many experts in privacy protection whose know-how should be incorporated in the Virtual Privacy Office. Realizing the Forum for Experts is not so much a matter of developing technical components but is rather about methods to include the expertise of such external specialists. Apart from such forums for discussion, spaces for collaboration should also be created by other means, such as thematic events or a project pool. The Virtual Privacy Office thus serves as an assembly point for privacy experts and people interested in the field.

## **5 Co-operation within the Virtual Privacy Office**

The better the degree of co-operation within the Virtual Privacy Office, the bigger the effect on privacy protection that can be achieved. In this respect the Virtual Privacy Office represents the basis of communication for the co-operating partners. It may also have a co-ordinating effect, for example as an assembly point for teams working on the same topic. Suggestions for such topics may be put forward in an innovation pool.

Primarily, the co-operating partners shall be taken from among the national and international privacy commissioners who are fit for this task by their responsibility for this topic and their independence. Participation in the Virtual Privacy Office will also effect work within the departments: The more active presence in the Internet will, on the one hand, lead to an increased awareness among the public. And the structure of the Virtual Privacy Office will, on the other hand, provide means of realizing a more effective workflow and division of labour among the participating departments. The aim is to achieve the greatest possible effectiveness with the same amount of work.

The international character of the Virtual Privacy Office is of great importance in the context of the global extension of the Internet. This will find expression in the multilingual character of the contributions to the Virtual Privacy Office, especially in English. The common legal basis in the EU particularly facilitates European co-operation. Furthermore, external experts shall be enabled to participate in the Virtual Privacy Office.

The identity and independence of the co-operating partners will not be compromised in the Virtual Privacy Office, but rather has to find expression in all contributions. By means of the encompassing portal of the Virtual Privacy Office, all users shall enjoy comfortable access to relevant information as well as an easy path to return, if required, immediately to the local authority responsible for their region. Thus, the Virtual Privacy Office works as an instrument of navigation by effecting a transparency of decentralized structures.

The intention is to situate the Virtual Privacy Office within a bigger context by involving providers not only from among privacy protection authorities but also from the commercial sector, scientific projects and private self-help groups. This could be realized as a Privacy Mall which features all aspects of privacy. The Virtual Privacy Office would in this sense work as a signpost guiding the users towards the various component parts.

## **6 Present Status of the Virtual Privacy Office**

The Virtual Privacy Office Project has been initiated by the Privacy Commissioner Schleswig-Holstein, Germany. Many privacy protection authorities of different nations like Germany, Netherlands, Switzerland, and Canada co-operate in the project. Other privacy protection authorities have been invited to join.

In summer 2000, the Virtual Privacy Office will go on-line. Increasing its functionality, the Virtual Privacy Office Project will be fully equipped in mid-2001.

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