



Certification and seals for protection of the right to personal data: a reflection on the readiness of the existing evaluation and certification landscape in view of the new EU data protection legal framework

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Certification and seals enhance consumer trust, as they are perceived as guarantees for quality of the certified product or service. Traditionally, seals or trust-marks appear in areas of e-commerce for safety reasons, as it is the case with the CE marking in the European Union market. Third-party certification is regular in areas of security products and systems. But how can certification work in the field of data protection? Until today, there have been few attempts for such an activity. EuroPrise, the European Privacy Seal is one of them. The landscape is expected to change, at least in the European Union as the new General Data Protection Regulation endorses certification for in its art. 39. In particular, the Regulation which will be in force in 2018 foresees that certification will play a role in assisting the compliance with the provisions, rights and obligations of the new legal framework. One question that arises out of this new provision concerns the readiness of the current certification landscape to adapt to this new role. Is there a need for new certification schemes or the already existing ones can be adjusted to include data protection requirements?

This paper explores the readiness of existing certification schemes for data protection requirements, based on the research results of the CRISP project on standardisation and certification of security products. The research conducted for the project is based on the analysis of existing security certification and evaluation schemes for security products, systems and services. We analysed the schemes in terms of general characteristics (owner, application area, validity time and others) and specific personal data protection criteria (accountability, data retention, data security, data minimization). The results are a useful output for consideration by both for certification owners and policy makers. Moreover, the paper introduces the first steps towards the CRISP proposal for a new certification scheme for security systems based on societal aspects.