

# Privacy Certification

**What happens after the last deliverable of an EU project?**



# Data Protection History

- 1970ies: stealing data in physical form
- Then Automatic decision making  
-> simitis first DP Law in Germany -> Mainly to protect citizens from the state
- Same still for directive 95
- Then the internet happend...
- GDPR



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# Certification



# Why do we want certification and seals?

- Highly complex market
- Highly complex products
- Clients with limited time and expertise
- Seals and certificates shall provide a guide to navigate this complexity in limited time

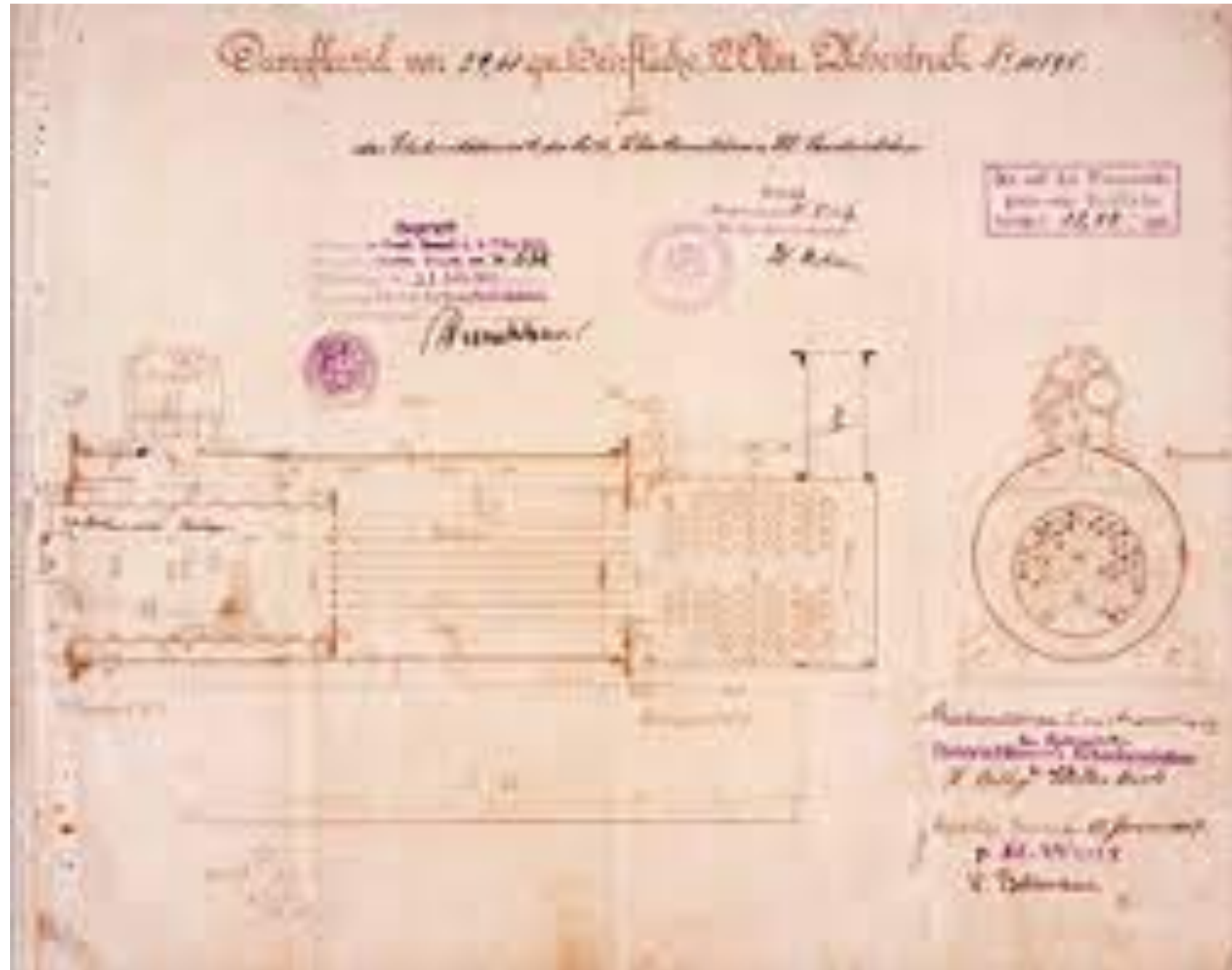


"Mulberry Street market, Little Italy, New York City, 1900" by [trialsanderrors](#) is licensed under [CC BY 2.0](#).



# What could be certified?

Products



People



(Uni) degrees

Professional Certificates

Organizations





# **The General Data Protection Regulation**



# GDPR and Certification

## R100

In order to enhance transparency and compliance with this Regulation, the establishment of certification mechanisms and data protection seals and marks should be encouraged, allowing data subjects to quickly assess the level of data protection of relevant products and services.



# GDPR and Certification

## Art 42 - 1

The Member States, the supervisory authorities, the Board and the Commission shall encourage, in particular at Union level, the establishment of data protection certification mechanisms and of data protection seals and marks, for the purpose of demonstrating compliance with this Regulation of processing operations by controllers and processors. [..]



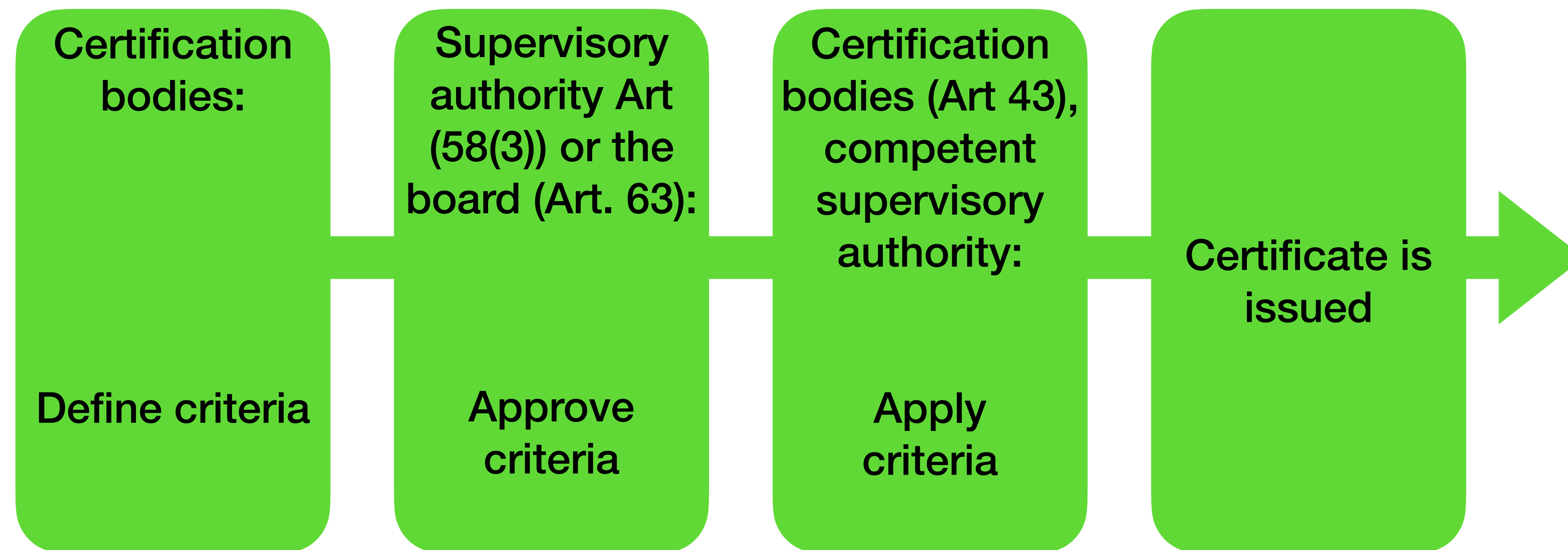
# GDPR and Certification

## Art 42 - 5

A certification pursuant to this Article shall be issued by the certification bodies referred to in Article 43 or by the competent supervisory authority, on the basis of criteria approved by that competent supervisory authority pursuant to Article 58(3) or by the Board pursuant to Article 63. 2Where the criteria are approved by the Board, this may result in a common certification, the European Data Protection Seal.



# Steps in the certification process per Art. 42 GDPR





**Easy enough?**

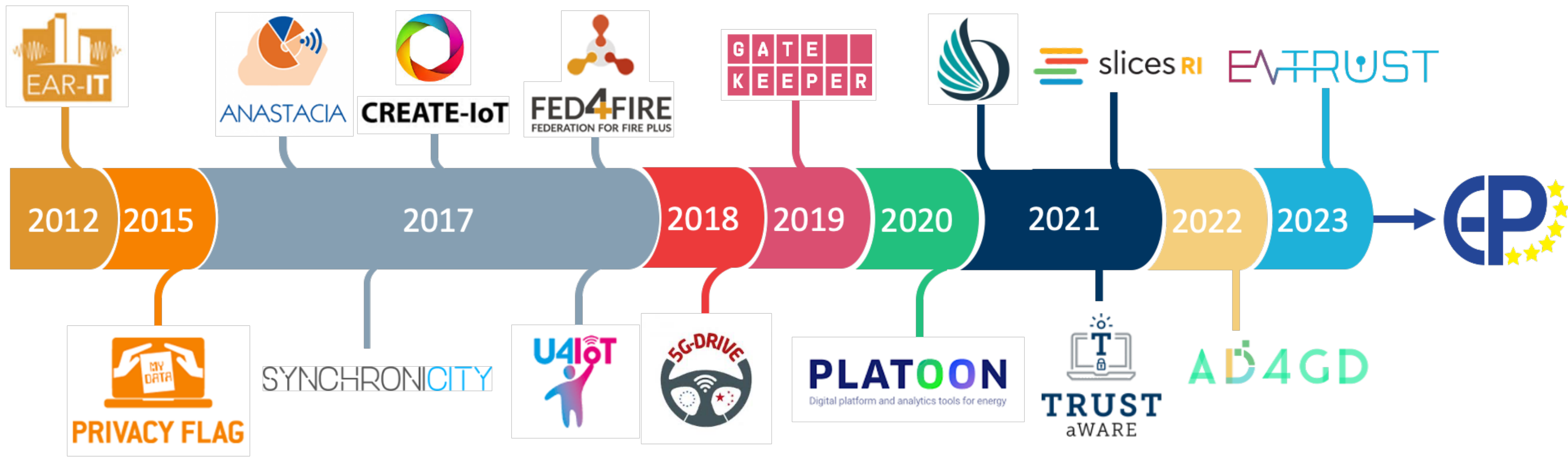
# Research

**What are the criteria for a privacy certificate and how did we get them in the first place?**



**PRIVACY FLAG**



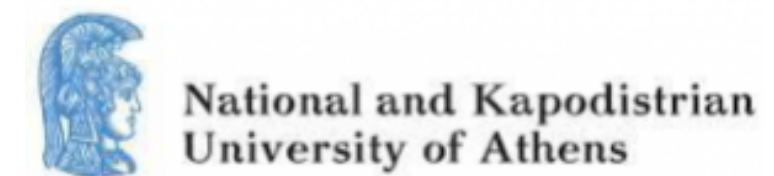


# PrivacyFlag

## Brief



- Total Budget: EUR 4,538,437.50 (EU-contribution: EUR 3,142,999.75)
- Duration: 05/2015-05/2018
- Partners:





# Privacy Flag Objectives and Results



- Scalable privacy monitoring and protection solution
- Global Knowledge Database of Privacy Risks
- Delivered:
  - Tools for citizens
  - Monitoring Platform
  - Universal Privacy Risk Area Assessment Tool (UPRAAM)...

# From Universal Privacy Risk Area Assessment to Certification

- Investigating the potential of UPRAAM for privacy certification and labelling
- Supporting a new certification scheme on personal data protection
- EuroPrivacy certification covers
  - the European General Data Protection Regulation (GDPR),
  - the Swiss Law on Data Protection,
  - relevant ISO standards.



**Europrivacy**



# From UPRAAM to EuroPrivacy

- UPRAAM got a permanent home in EP
- May 2018 CNPD published a document for public consultation
- EP got invited to discuss CARPA
- Many iterations later CARPA and EP was submitted to the EDPB

GDPR-CERTIFIED ASSURANCE  
REPORT BASED PROCESSING  
ACTIVITIES

CERTIFICATION CRITERIA

V1.0

[Abstract](#)

Document to the attention of organizations that want to obtain certification of processing activities under the GDPR-CARPA certification mechanism.



# Opinion of the Board (Art. 64)



**Opinion 28/2022 on the Europrivacy criteria of certification  
regarding their approval by the Board as European Data  
Protection Seal pursuant to Article 42.5 (GDPR)**

**Adopted on 10 October 2022**



# Europrivacy Management



Continuously supervised and updated by the Europrivacy International Board of Experts in Data Protection



Managed by the European Centre for Certification and Privacy in Luxembourg



Adopted by the European Union (EDPB) as European Data Protection Seal (Art. 42 GDPR)

**UNCERTAINTY  
LEGAL & FINANCIAL  
RISKS  
MARKET EXCLUSION**

**TRUST & CONFIDENCE  
COMPETITIVE  
ADVANTAGE  
REPUTATION**

**CHECK CONFORMITY  
GAP ANALYSIS**

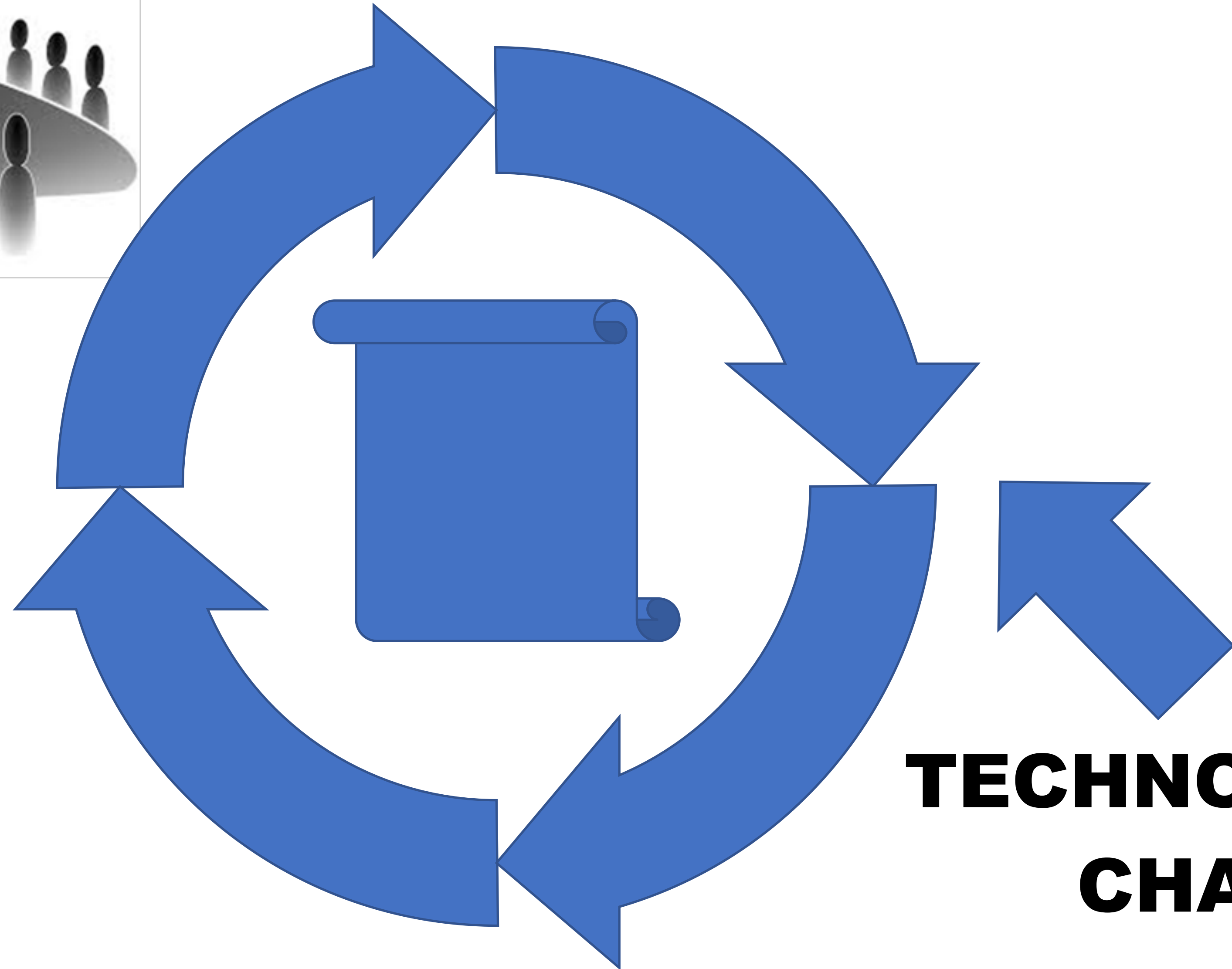
**CERTIFY YOUR  
COMPLIANCE**



# Continuous Enhancement Process



**REGULATORY  
CHANGES**



**TECHNOLOGY  
CHANGES**



# 12 Characteristics of Europrivacy



**The Official European Data Protection Seal for GDPR** (Art. 42)



**Continuously updated** to align with the evolution of regulations and jurisprudences



**Extensible to complementary national obligations**



**Applicable to emerging technologies**



**Highly reliable**  
with systematic assessments



**Time and cost efficient**  
thanks to its innovative methodology



**ISO compliant** and easily combinable with ISO 27001 and 27701



**Comprehensive** and applicable to almost any data processing activities



**Independent and managed by an international board of experts**



**Online resources, tools, and support**



**Global ecosystem of qualified partners and experts**

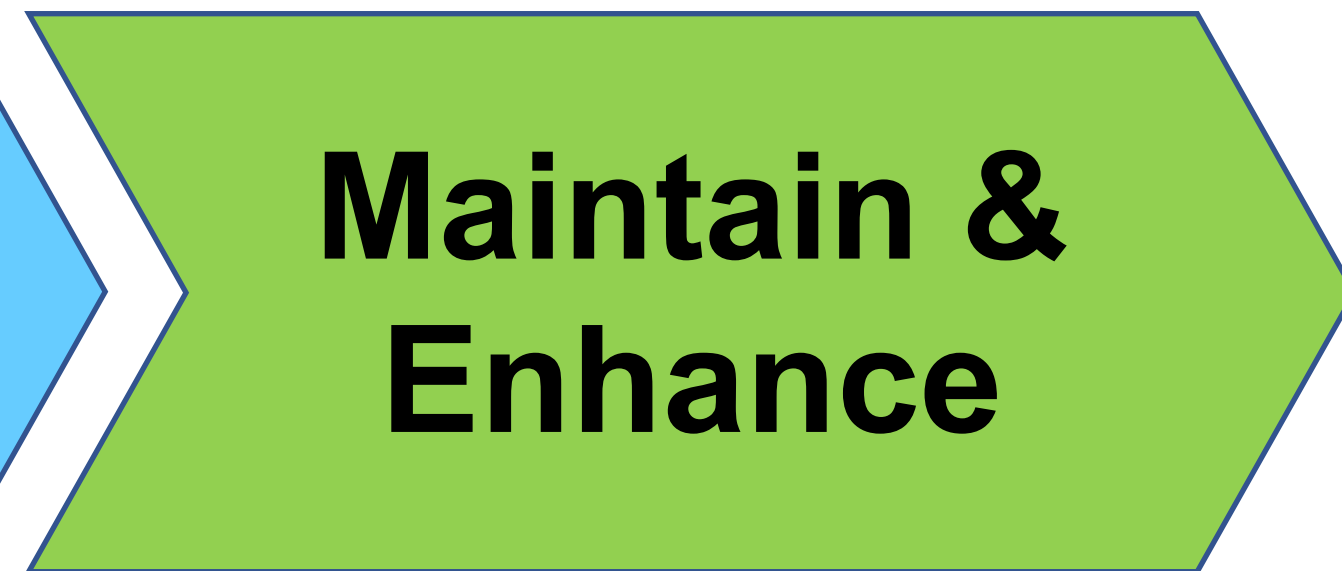
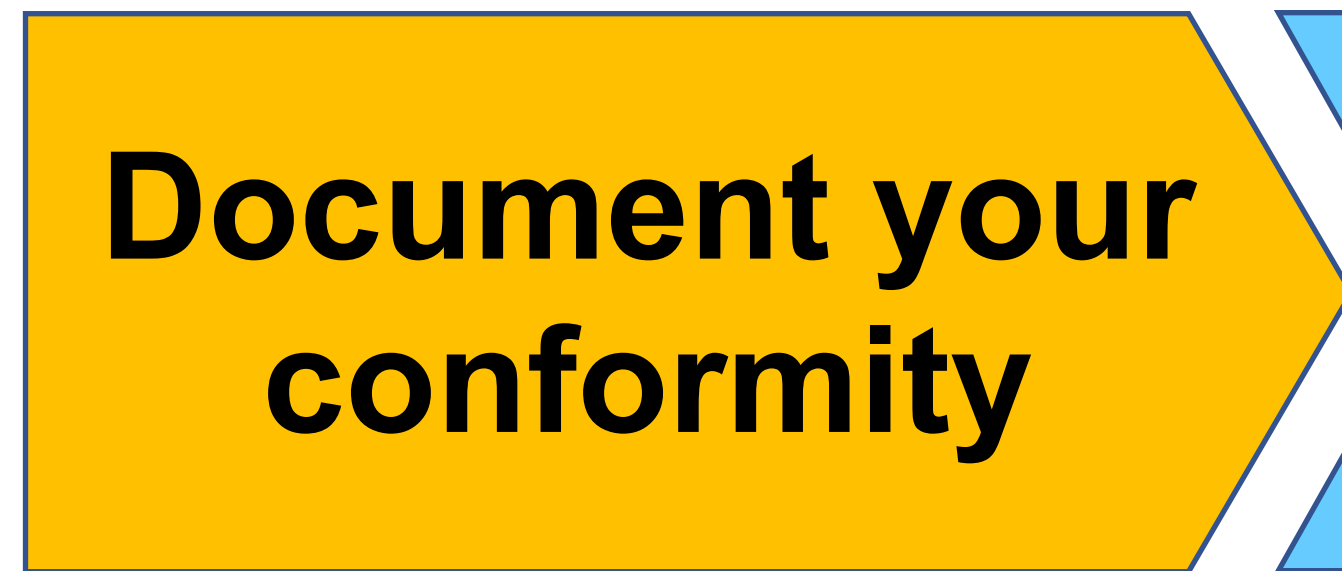


**Research and Innovation empowered**

# **What does an Applicant need for certifying its data processing activities?**

- 1. To comply with the data protection regulation**  
(GDPR and its national regulation)
- 2. To have a DPO and a record of data processing activities**
- 3. To prepare and document its conformity**  
**with the Europrivacy criteria**

# Your Smart Journey to Certification



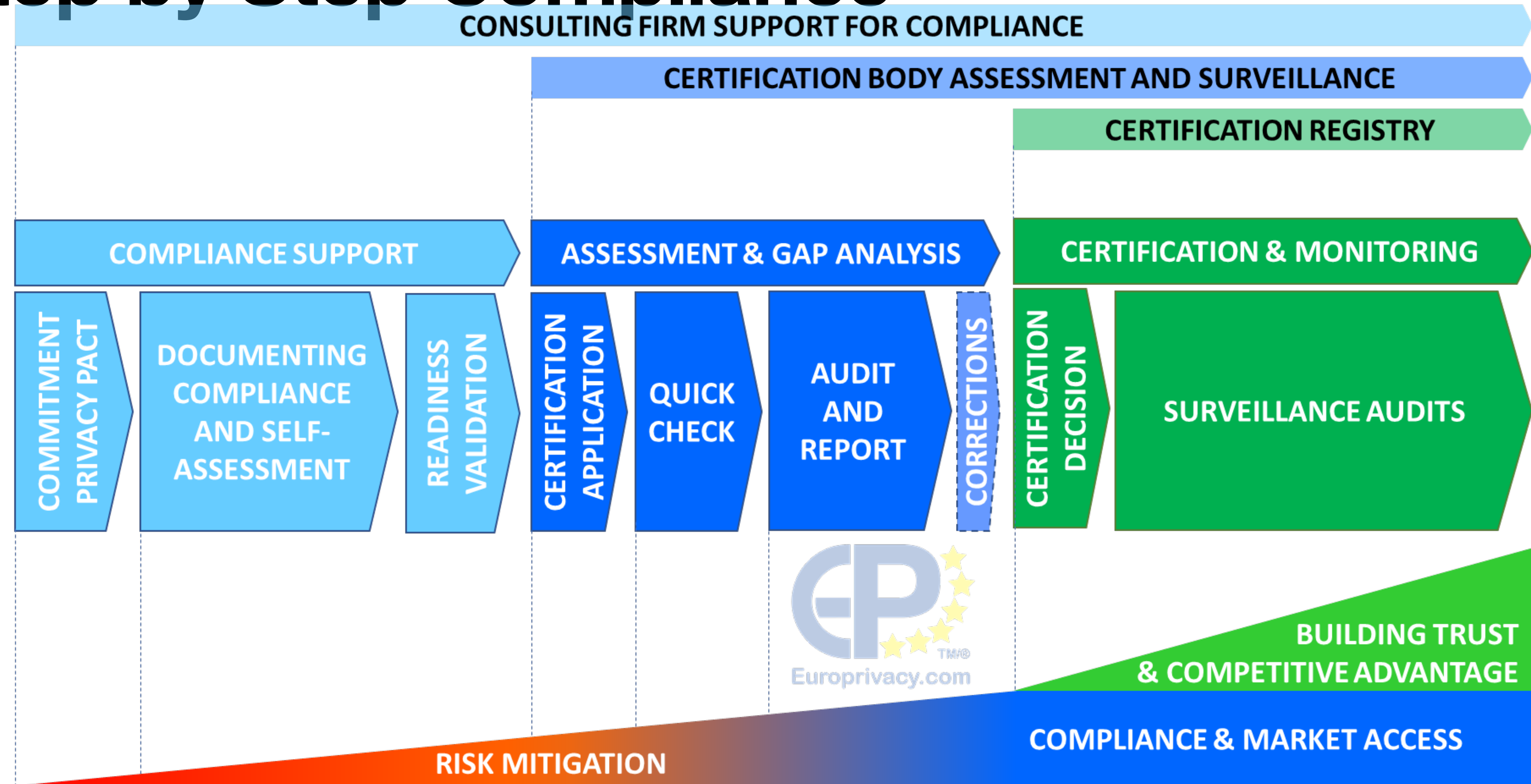
**Check  
& Reduce Risks**

**Value  
& Communicate**

**Enhance  
& Enjoy**



# Step by Step Compliance





# Europrivacy Online Tools and Support to make GDPR compliance time and cost efficient

## Europrivacy Public Website

The screenshot displays the Europrivacy Public Website. At the top, there is a navigation menu with the Europrivacy logo and links for 'EUROPRIVACY CERTIFICATION', 'EUROPRIVACY PARTNERS', 'RESOURCES', 'ABOUT', and 'APPLY'. The main content area features a 'GDPR Certification Cost Saving Estimator' tool. Below the tool, there is a section for 'AUDIT AND CERTIFICATION IN DATA PROTECTION' with a 'LEARN MORE' button. The bottom of the page includes three icons representing 'Identify and Reduce Legal and Financial Risks', 'Improve Reputation and Access to Market through GDPR certification', and 'Build Trust and Confidence through compliance monitoring'. A 'GDPR CERTIFIED' stamp is also visible.

## Europrivacy Online Academy

The screenshot shows the Europrivacy Online Academy website. The header includes the title 'Europrivacy Courses' and a brief description: 'Europrivacy Academy provides comprehensive training courses to those interested in obtaining an official certification as Europrivacy experts in assessing and certifying compliance of data processing activities with the GDPR and national regulations.' Below this, there are three course cards, each with an 'Enrolled' status and a 'See more...' button. The courses are: 'Introductory Course', 'Course for Implementers', and 'Course for Auditors'. Each card provides a short description of the course content.

## Europrivacy Community Website

The screenshot displays the Europrivacy Community Website. The header includes the title 'EUROPRIVACY COMMUNITY' and navigation links for 'Home', 'Login', 'Register', 'About', 'Contact', and a search icon. The main content area features a login and registration form with fields for 'Username or Email Address', 'Password', and 'Remember Me'. Below the form, there is a 'Log In' button and a link to 'Register | Lost your password?'. A message at the bottom of the page asks if the user is a DPO, Europrivacy implementer, or auditor and encourages them to register or apply for certification.

[www.europrivacy.com](http://www.europrivacy.com)



# Europrivacy Website

## AUDIT AND CERTIFICATION IN DATA PROTECTION

Europrivacy™/© delivers gap analysis and certification of compliance with the European General Data Protection Regulation (GDPR).

LEARN MORE

CONTACT US



### Identify and Reduce Legal and Financial Risks

through audit and gap analysis



### Improve Reputation and Access to Market

through GDPR certification



### Build Trust and Confidence

through compliance monitoring



## Europrivacy Innovative GDPR Certification

Europrivacy provides a state of the art methodology to certify the conformity of all sorts of data processing with the GDPR. It is extensible to complementary national data protection regulations and can be applied to emerging technologies. It enables Applicants to reduce their risks, to demonstrate their conformity with the GDPR, and to enhance their reputation and market access.

Developed through the European Research Programme Horizon 2020, it is continuously updated by the European Centre for Certification and Privacy (ECCP) in Luxembourg and its International Board of Experts in data protection. It is licensed to qualified certification bodies and consulting

## GDPR Certification Cost Saving Estimator



This estimator is provided for indicative purpose to help organisations and companies in assessing the costs and benefits of a European General Data Protection Regulation (GDPR) certification, such as Europrivacy. It shall not be used for any other purpose, such as quantifying exact risks or amount of fines issued by National Supervisory Authorities, and shall be used under the sole responsibility of the user. Comments and suggestions to enhance the tool are very welcome.

### Assess the hidden cost related to GDPR penalty risks

Estimate

How many years of activity do you want to consider?  years

What currency do you use?

What is the valuation of the company?

What is the yearly turnover?

Maximal GDPR fine (will be calculated)

Intermediary GDPR fine (will be calculated)

How would you assess the probability to be fined?

Cost for the risk to be fined per year (will be calculated)

In case of a fine of 10 000 000 Euros:

What would be the probability (percentage) to expose your company to bankruptcy?

Cost of the risk of bankruptcy over the considered period of time (will be calculated)

If you are a privately owned company, what percentage of your shares may be sold by your shareholders?

If you are a publicly traded company, what percentage of your