Towards embedding data protection and other socio-legal requirements in the certification of security systems

1. Summary

Harmonising the European security market calls for a holistic, pan-European certification scheme. The FP7-funded project CRISP (Evaluation and Certification Schemes for Security Products) aims to develop a novel *evaluation* and *certification* methodology for security systems that also integrates social dimensions (Security, Trust, Efficiency and Freedom Infringement) as assessment criteria. Data protection plays a crucial part in the methodology and data protection authorities and experts are invited to share their expertise to refine the CRISP methodology and contribute towards adoption of a CEN Workshop Agreement (CWA), a best practices document for further standardisation efforts and implementation by an interested organisation as future scheme owner. This paper outlines the novel CRISP approach to certification with a special emphasis on data protection issues and focuses on the relevance of the approach for data protection authorities and experts. It provides information on the next steps of the project.

2. CRISP approach to certification - background

The project team consists of seven partners: Netherlands Standardization Institute (project co-ordinator), Trilateral Research Ltd. (UK), Technische Universität Berlin (Germany), the Vienna Centre for Societal Security (Austria), Vrije Universiteit Brussel (Belgium), Universitat Jaume I de Castellón (Spain) and the Information Commissioner of the Republic of Slovenia, thus representing a standard body, technologists, academics and experts in the field of human rights, privacy and data protection. The partners involved in this project bring together high-ranking international experts in the field of security, certification, human rights and data protection with different scientific backgrounds.[1]

At this moment, the project is in its 3rd year with the goal of engaging the community of stakeholders in the process of development of the pan-European evaluation and certification scheme for security systems. Data protection authorities (DPAs) and experts are seen as an important source of knowledge for the refinement of the proposed

[1] For further information about all research reports, visit http://crispproject.eu/research-reports/.

scheme approach - the development of a CEN Workshop Agreement[2] as the initial standardisation activity in the course of CRISP project. The scheme will contribute to the protection of fundamental rights and promote compliance with relevant EU laws, with a particular focus on the General Data Protection Regulation679/2016 (GDPR) that specifically promotes the development of data protection certification schemes.

The starting point for CRISP is the acknowledgement that the European security market is highly fragmented and the objective of a common European certification scheme is one of the lines of action to achieve harmonisation. In response to this fragmentation, the CRISP project aims to facilitate a harmonised playing field by enhancing existing evaluation and certification schemes for security systems.

But the most outstanding feature of the CRISP methodology is to offer an innovative two-part *evaluation* and *certification* methodology that integrates four social dimensions (Security, Trust, Efficiency and Freedom Infringement – S-T-E-Fi dimensions) as assessment criteria:

- **Security,** which addresses the functionality of a security system in countering security threats and reducing risks;
- **Trust,** which encompasses the experiences and perceptions of the users of security systems, both employees and persons subject to scrutinizing;
- **Efficiency,** which includes the economical dimension of the technology in a broad sense;
- **Freedom infringement,** which examines the impact of security systems on the freedoms and rights of individuals, such as privacy and personal data protection.

CRISP methodology is built on two phases. First, an evaluation comprising two main stages (configuration and S-T-E-Fi assessment), and second, certification as third-party attestation related to systems, consisting of three stages (audit, attestation and surveillance).

Given the social feature of the methodology, a second and most relevant consequence of the CRISP project can be highlighted because the new and advanced approach will increase citizens' trust and confidence in security technologies as it focuses on the social impacts of security systems, a neglected focal point in the certification processes of security systems so far, as certification has primarily focused on the evaluation of technical requirements (the security dimension). The future implementation of the CRISP scheme also takes into account the technical requirements of a specific type of security system.

[2] A CEN Workshop Agreement (CWA) is an agreement developed and approved in a CEN Workshop; the latter is open to the direct participation of anyone with an interest in the development of the agreement. A CWA is a best practice document for further standardisation efforts. A CWA does not have the status of a European Standard and it involves no obligation at national level. A CWA may not conflict with a European Standard.

This novel approach to the inclusion of social, legal and economic aspects into the evaluation and certification methodology will first be piloted for installed video surveillance systems.

After the pilot phase, it is foreseen that the CRISP scheme can be extended to include other types of security systems. The CRISP methodology will serve as the foundation of the CRISP certification scheme which will, upon the completion of the CRISP project, be developed by an interested organisation as future scheme owner.

3. The role of data protection in CRISP approach - Relevance for DPAs

Throughout the whole cycle of the project participation of external stakeholders has been a priority for the project consortium. Security manufacturers, regulators, certification, standardisation and accreditation bodies and end users were identified as crucial allies in establishing market trust and confidence both on the part of market players and on the part of consumers, and promoting the uptake of the novel approach and its outcome.

Out of the group of regulators relevant to certification, DPAs are identified as highly important. Among others, the future scheme is intended to contribute to the protection of fundamental rights and promote compliance with relevant EU laws, with a particular focus on the GDPR.

The importance of the involvement of DPAs in the design and supply of security products, systems and services is undeniable. Security products have rapidly evolved over the past decades and many recent innovations have a heavy impact on the data protection area. Technologies are enhanced to intrusive surveillance systems and consequent data collection, processing, sharing and retention. As a result, there is a growing concern about the negative implications of these developments and the cost of security systems on the freedom of individuals.

The incorporation of the views and experience of data protection authorities and experts in the development of the CRISP scheme will contribute to bringing data protection and privacy at the forefront of evaluation and certification of security products and will further stimulate the adoption of data protection by design and data protection by default principles in the development of security systems.

The GDPR gives special attention to the implementation of certification schemes and Article 42 determines that in order to enhance transparency and compliance with the GDPR, 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.

This regulatory framework presents a driver for future development of the CRISP approach. From its conception to its final implementation, the CRISP methodology signifies a novelty and a clear difference within the certification marketplace as it might become a significant certification scheme for security systems aligned with the GDPR.

4. Future steps

On 30 September 2016, a Workshop will be organised for data protection authorities and experts in Madrid (Spain) hosted by the Spanish Data Protection Agency. The project consortium firmly believes that the active involvement of DPAs from different EU Member States will bring added value to the refinement of the CRISP scheme and its progress towards a CEN Workshop Agreement that will begin with a kick-off meeting in Delft, The Netherlands, on 17 October.