

Infomediaries and negotiated privacy techniques

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1. Infomediaries may contribute to privacy protection on the Web. Much however will depend on the individual design of the services offered. Infomediaries are not as such “privacy-friendly”.
2. The use of intelligent software agents in this context may give rise to additional privacy risks. User profiling is at the core of such agents’ activities. Therefore measures have to be taken to reduce the impact of privacy risks of intelligent software agents. For a list of recommended measures see the Common Position adopted by the International Working Group on Data Protection in Telecommunications in April 1999 http://www.datenschutz-berlin.de/doc/int/iwgdpt/agent_en.htm.
3. Search engines, too, need a privacy-enhancing design in order to avoid personal profiling without the user’s knowledge or consent. Such personal profiles are illegal without the user’s consent in certain jurisdictions (e.g. Germany). The International Working Group has recommended a number of steps to be taken to build privacy-enhancing technologies into search engines http://www.datenschutz-berlin.de/doc/int/iwgdpt/find_en.htm.
4. The Platform for Privacy Preferences (P3P) is the most sophisticated proposal that has been made from a technical perspective so far to enhance privacy protection on the Web. Technology is however no panacea for privacy risks in Cyberspace; it cannot replace a regulatory framework of legislation, contracts or codes of conduct. Rather it may only operate within such a framework. Privacy by negotiation is therefore no alternative to regulation but a necessary additional tool. The default configuration of the technical platform will be crucial; it should allow for anonymous browsing of the Web. For further recommendations see the Common Position on essentials for privacy-enhancing technologies (e.g. P3P) on the WorldWideWeb adopted by the International Working Group in April 1998 http://www.datenschutz-berlin.de/doc/int/iwgdpt/priv_en.htm.