

# Paradigms of Privacy Research & Privacy Engineering

Seda Gürses  
f.s.gurses@tudelft.nl  
TU Delft/ KU Leuven

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# PET SEMATARY



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**GDPR requires  
data protection by design  
and by default  
(Article 25)**

**A complex law with many requirements.**

**More about creating a vision than a checklist**

# **How to of Article 25!?**

**recommendations are abundant**

# European Data Protection Board

[https://edpb.europa.eu/edpb\\_en](https://edpb.europa.eu/edpb_en)

European Data Protection Board

En ▾



European Data Protection Board

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OUR WORK & TOOLS ▾



SEARCH

European Data Protection Board > Our Work & Tools > General Guidance > GDPR: Guidelines, Recommendations, Best Practices

## GDPR: Guidelines, Recommendations, Best Practices

[EDPB Guidelines 4/2018 on the accreditation of certification bodies under Article 43 of the General Data Protection Regulation \(2016/679\)](#)

[Annex 1 to the Guidelines 4/2018 - version for public consultation](#)

[EDPB Guidelines 3/2018 on the territorial scope of the GDPR \(Article 3\) - version for public consultation](#)

[EDPB Guidelines 2/2018 on derogations of Article 49 under Regulation 2016/679](#)

[EDPB Guidelines 1/2018 on certification and identifying certification criteria in accordance with Articles 42 and 43 of the Regulation 2016/679 - revised version after public consultation](#)

[Annex 2 to the Guidelines 1/2018 - version for public consultation](#)

[Endorsement of GDPR WP29 Documents](#)

## Agenda

[FULL AGENDA](#)

**Fifth Plenary Session of the EDPB  
- 4 & 5 December 2018**

 04 December 2018

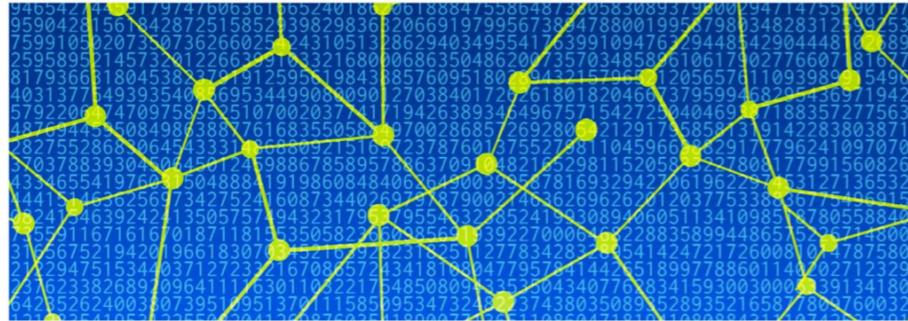
**Sixth Plenary Session of the EDPB  
- 22 & 23 January 2019**

 22 January 2019

**Seventh Plenary Session of the  
EDPB - 12 February 2019**

European Data Protection Supervisor

<https://edps.europa.eu>



EUROPEAN DATA PROTECTION SUPERVISOR

Opinion 5/2018

**Preliminary Opinion  
on privacy by design**

# ENISA

<https://www.enisa.europa.eu/publications>



## Privacy and Data Protection by Design

This report contributes to bridging the gap between the legal framework and the available technological implementation measures by providing an inventory of existing approaches, privacy design strategies, and technical building blocks of various degrees of maturity from research and development. Starting from the privacy principles of the legislation, important elements are presented as a first step towards a design process for privacy-friendly systems and services.

**Published** January 12, 2015  
**Language** English



## Privacy by design in big data

The extensive collection and further processing of personal information in the context of big data analytics has given rise to serious privacy concerns, especially relating to wide scale electronic surveillance, profiling, and disclosure of private data. In order to allow for all the benefits of analytics without invading individuals' private sphere, it is of utmost importance to draw the limits of big data processing and integrate the appropriate data protection safeguards in the core of the analytics value chain. ENISA, with the current report, aims at supporting this approach, taking the position that, with respect to the underlying legal obligations, the challenges of technology (for big data) should be addressed by the opportunities of technology (for privacy).

**Published** December 17, 2015  
**Language** English



# Norwegian Data Protection Authority

<https://www.datatilsynet.no>

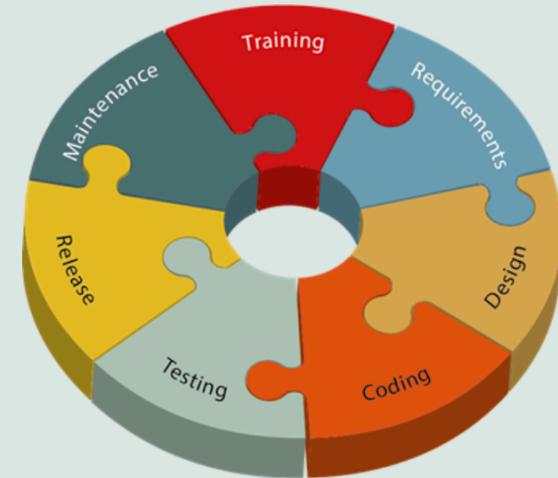


Guide

## Software development with Data Protection by Design and by Default

The Norwegian Data Protection Authority has developed these guidelines to help organisations understand and comply with the requirement of data protection by design and by default in article 25 of the General Data Protection Regulation. We have cooperated with security professionals and software developers in public and private sector among others.

[Print guide](#)



# Unabhängiges Landeszentrum für Datenschutz

<https://www.datenschutzzentrum.de/sdm/>



**U**nabhängiges **L**andeszentrum für **D**atenschutz  
Schleswig-Holstein

Suche

Drucken Impressum Datenschutzerklärung

## ULD

[Wir über uns](#)

[Meldungen an das ULD](#)

## Themen

[Privatwirtschaft](#)

[Medizin und Soziales](#)

[Öffentliche Sicherheit und Justiz](#)

[Öffentliche Verwaltung](#)

[Informationsfreiheit](#)

## Das Standard-Datenschutzmodell (SDM)

» [Standard-Datenschutzmodell](#)

Als "Standard-Datenschutzmodell" (SDM) bezeichnen die deutschen Datenschutzaufsichtsbehörden eine Methode, mit der für den Bereich des operativen Datenschutzes sichergestellt ist, dass eine einheitliche Datenschutz-Beratungs- und Prüfpraxis in Bezug insbesondere zu den technisch-organisatorischen Maßnahmen der DS-GVO erreicht werden kann.

- [SDM-Methodik-Handbuch, V1.1 \(Deutsch\)](#)
- [SDM-Methodology, V1.0 \(English\)](#)
- [Vorangegangene Versionen](#)

# Federal Trade Commission

<https://www.ftc.gov/tips-advice/business-center/privacy-and-security/tech>



**FEDERAL TRADE COMMISSION**  
PROTECTING AMERICA'S CONSUMERS

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## Mobile Health App Developers: FTC Best Practices

**TAGS:** [Advertising and Marketing](#) | [Health Claims](#) | [Privacy and Security](#) | [Consumer Privacy](#) | [Data Security](#) | [Tech](#) | [Health Care](#)

When developing a health app, sound privacy and security practices are key to consumer confidence. Here are some best practices to help you build privacy and security into your app. These practices also can help you comply with the FTC Act.

*Start with Security: A Guide for Business* offers tips for any business wanting to implement sound data security. For health app developers, here's tailored advice and additional questions to ask.

- [Minimize data.](#)
- [Limit access and permissions.](#)
- [Keep authentication in mind.](#)
- [Consider the mobile ecosystem.](#)
- [Implement security by design.](#)
- [Don't reinvent the wheel.](#)
- [Innovate how you communicate with users.](#)
- [Don't forget about other applicable laws.](#)

National Institute of Standards and Technology (NIST)  
<https://www.nist.gov/itl/applied-cybersecurity/privacy-engineering>

Information Technology Laboratory / Applied Cybersecurity Division

## PRIVACY ENGINEERING PROGRAM

About +

Collaboration Space +

Resources

Events

Get Involved

## Resources



### ***NIST Internal Report (NISTIR) 8062: An Introduction to Privacy Engineering and Risk Management in Federal Systems***

NISTIR 8062 introduces the concept of applying systems engineering practices to privacy and provides a new model for conducting privacy risk assessments on federal systems.

PDF

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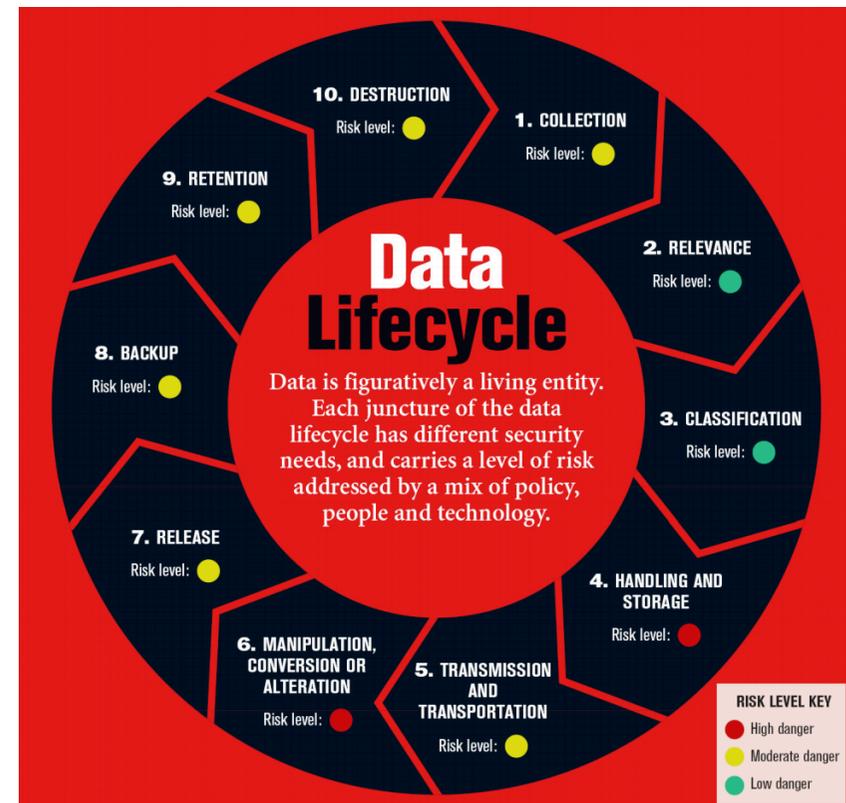
*More content coming soon!*

# Data Protection as a Service

## Accountability Life Cycle Activities

The table below lists the phased activities that support the Accountability Life Cycle.

Phase	Activity
<b>PHASE I: Prepare</b>	Activity A: Obtain the buy-in of key business stakeholders Activity B: Establish your GDPR readiness program team Activity C: Identify and assess relevant business functions Activity D: Identify and assess in-scope Third Party Processing activities Activity E: Establish a central Personal Data register Activity F: Distribute updated Data Protection policies and Privacy Notices Activity G: Educate internal Personal Data Handlers and external Data Processors
<b>PHASE II: Operate</b>	Activity H: Disseminate and maintain external Privacy Notices Activity I: Justify and record lawful Processing mechanisms Activity J: Process and record Data Subject rights requests Activity K: Validate and record Third Country data transfers Activity L: Report and manage Personal Data Breach incidents
<b>PHASE III: Maintain</b>	Activity M: Evidence understanding of Data Protection policies Activity N: Ensure the ongoing integrity and quality of the Personal Data Processing register Activity O: Trigger impact assessments for business change events Activity P: Verify compliance of Third Party Personal Data Processing activities Activity Q: Demonstrate effectiveness of Personal Data handling practices



**getting privacy engineering right?**

# getting privacy engineering right?

**privacy  
research**



**software  
engineering  
practice**

**privacy  
research**

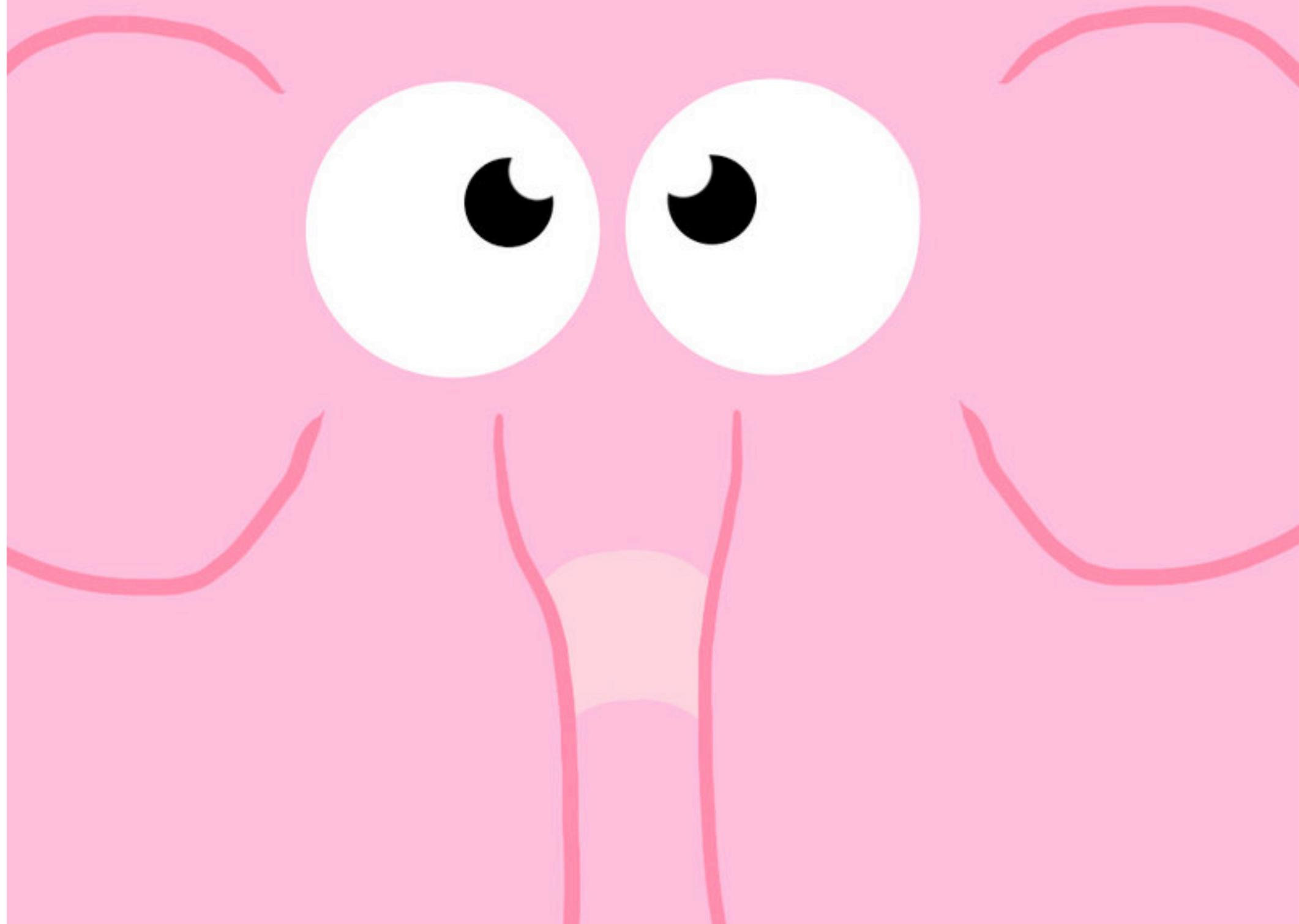


**software  
engineering  
practice**

**privacy  
research**



**software  
engineering  
practice**



**can it be that the practices around the production of software are an important element of privacy research?**

**privacy  
research**



**software  
engineering  
practice**



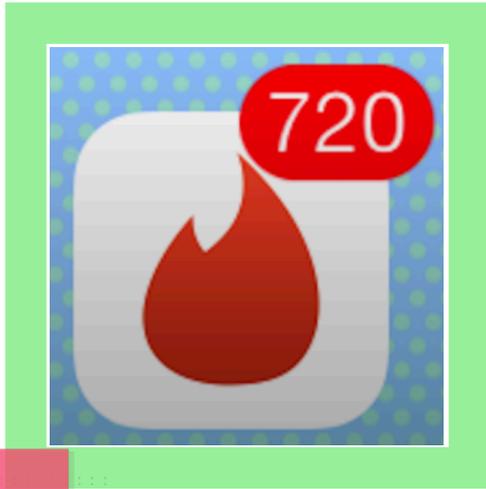
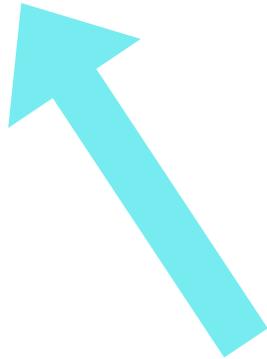
Wurstküche  
How the Sausage Gets Made



**matters?**



800



1.6b SWIPES PER DAY		26m MATCHES PER DAY
20b+ TOTAL MATCHES	190+ COUNTRIES	1.5m DATES PER WEEK

# TINDER PRIVACY POLICY

**Last Updated: 10/26/2017**

We take security measures to help safeguard your personal information from unauthorized access and disclosure. However, no system can be completely secure. Therefore, although we take steps to secure your information, we do not promise, and you should not expect, that your personal information, chats, or other communications will always remain secure. Users should also take care with how they handle and disclose their personal information and should avoid sending personal information through insecure email. Please refer to the



**gcwelborn/tinder-scraper** 

## **Someone scraped 40,000 Tinder selfies to make a facial dataset for AI experiments**

Posted Apr 28, 2017 by [Natasha Lomas \(@riptari\)](#)

A Tinder Bot for Data Scientist's  

<http://cruzwelborn.com/tinder-scraper/>

### **It might be a pseudo science, but students take the threat of eugenics seriously**

Today's white nationalists and neo-Nazis make extensive use of racist pseudo-science to bolster their political arguments.

# **Profiling and ranking is becoming a common practice**

**Tinder decides based on your profile who you see first!**

**LinkedIn uses similar inferences to decide which job ads to show you!**

**Insurance companies, banks, universities, and many others are ready to follow suit!**

# scenario

imagine you want to share a picture on a social network.

picture of a meeting with your colleagues discussing the introduction of code commits as a performance metric

you want to share the excitement of the moment with your friends (not your manager)

**How would you use OR design a system to do the following?**

you would like to tag your colleagues in the picture in an appropriate manner

you do not want your managers and 3rd parties (like Tinder) to see the picture

you do not want the social network to run facial recognition on the pictures

study:  
lit review  
42 interviews  
events/papers

# PRIVACY RESEARCH PARADIGMS

privacy as  
confidentiality

privacy as  
control

privacy as  
practice

# PRIVACY RESEARCH PARADIGMS

privacy as  
confidentiality

“the right to be let alone”  
Warren and Brandeis

data minimization

properties with mathematical guarantees

avoid single point of failure

open source - it takes a village to keep it secure

# PRIVACY RESEARCH PARADIGMS

privacy as  
confidentiality

you are worried that the social  
network may run facial recognition

encrypt the picture before uploading

obfuscate the image

# PRIVACY RESEARCH PARADIGMS

privacy as  
confidentiality

secure messaging

Signal – WhisperSystems

WhatsApp – Facebook

iMessage – Apple

Off The Record – Cypherpunks

All Tools

Encrypted in transit?    Encrypted so the provider can't read it?    Can you verify contacts' identities?    Are past comms secure if your keys are stolen?    Is the code open to independent review?    Is security design properly documented?    Has there been any recent code audit?

Off-The-Record Messaging for Mac (Adium)							
Off-The-Record Messaging for Windows (Pidgin)							
PGP for Mac (GPGTools)							
PGP for Windows Gpg4win							

TABLE II

CONVERSATION SECURITY PROTOCOLS AND THEIR USABILITY AND ADOPTION IMPLICATIONS. NO APPROACH REQUIRES ADDITIONAL USER EFFORT.

Scheme	Example	Security and Privacy										Adoption			Group Chat										
		Confidentiality	Integrity	Authentication	Participant Consistency	Destination Validation	Forward Secrecy	Backward Secrecy	Anonymity Preserving	Global Consistency	Causality Preserving	Message Transcript	Message Unlinkability	Particip. Reputation	Out-of-Order Resilient	Dropped Message Resilient	Asynchronicity	Multi-Device Resilient	No Additional Service	Computational Equality	Trust Equality	Subgroup Messaging	Contractable	Expandable	
TLS+Trusted Server <sup>†*</sup>	Skype	-	-	-	-	-	-	-	-	-	●	●	●	●	●	●	●	-	-	●	●	●	●	●	
Static Asymmetric Crypto <sup>†*</sup>	OpenPGP, S/MIME	●	●	●	-	-	-	-	●	-	-	-	-	●	●	●	●	●	●	●	●	●	●	●	
+IBE <sup>†</sup>	Wang et al.	-	●	●	-	-	-	-	●	-	-	-	-	●	●	●	●	●	-	-	-	-	-	-	
+Short Lifetime Keys	OpenPGP Draft	●	●	●	-	-	●	●	-	-	-	-	-	●	●	●	●	●	-	-	-	-	-	-	
+Non-Interactive IBE <sup>†</sup>	Canetti et al.	●	●	●	-	-	●	-	●	-	-	-	-	●	●	●	●	●	●	●	●	●	●	●	
+Puncturable Encryption <sup>†</sup>	Green and Miers	●	●	●	-	-	●	-	●	-	-	-	-	●	●	●	●	●	●	●	●	●	●	●	
Key Directory+Short Lifetime Keys <sup>†</sup>	IMKE	●	●	●	-	●	●	●	-	-	-	●	●	●	●	●	-	-	-	-	-	-	-		
+Long-Term Keys <sup>†</sup>	SIMPP	●	●	●	-	●	●	●	-	-	-	●	●	-	●	●	-	-	-	-	-	-	-		
Authenticated DH <sup>†*</sup>	TLS-EDH-MA	●	●	●	●	●	●	●	-	-	-	●	●	●	●	●	-	-	-	●	-	-	-		
+Naïve KDF Ratchet <sup>*</sup>	SCIMP	●	●	●	●	●	●	●	●	●	-	-	●	●	●	●	●	-	-	-	●	-	-	-	
+DH Ratchet <sup>†*</sup>	OTR	●	●	●	●	●	●	●	●	●	●	-	●	●	●	●	●	-	-	-	●	-	-	-	
+Double Ratchet <sup>†*</sup>	Axolotl	●	●	●	●	●	●	●	●	●	●	●	-	●	●	●	●	●	-	-	-	●	-	-	-
+Double Ratchet+3DH AKE <sup>†*</sup>	-	●	●	●	●	●	●	●	●	●	●	●	-	●	●	●	●	●	-	-	-	●	-	-	-
+Double Ratchet+3DH AKE+Prekeys <sup>†*</sup>	TextSecure	●	●	●	●	●	●	-	●	-	●	●	●	●	●	●	-	-	-	-	-	-	-	-	-
Key Directory+Static DH+Key Transport <sup>†</sup>	Kikuchi et al.	●	●	-	-	●	●	●	-	-	-	●	●	-	●	●	●	-	-	-	-	-	-	●	●
+Authenticated EDH+Group MAC <sup>†</sup>	GROK	●	●	●	-	●	●	●	-	-	-	●	●	-	●	●	●	-	-	-	-	-	-	●	●
GKA+Signed Messages+Parent IDs <sup>†</sup>	OldBlue	●	●	●	●	●	●	●	●	-	-	-	-	●	●	●	-	●	-	●	●	-	-	-	-
Authenticated MP DH+Causal Blocks <sup>†*</sup>	KleeQ	●	●	●	●	●	●	●	●	●	-	●	●	●	●	●	-	●	-	●	●	-	-	●	-
OTR Network+Star Topology <sup>†</sup>	GOTR (2007)	●	●	-	-	-	●	-	-	-	-	●	●	●	●	●	●	-	●	-	-	-	-	●	●
+Pairwise Topology <sup>†</sup>		●	●	●	●	●	●	●	-	-	-	●	●	●	●	●	●	-	●	-	●	●	●	●	●
+Pairwise Axolotl+Multicast Encryption <sup>*</sup>	TextSecure	●	●	●	-	●	●	-	●	-	●	●	●	●	●	●	-	-	-	●	●	●	●	●	
DGKE+Shutdown Consistency Check <sup>†</sup>	mpOTR	●	●	●	●	●	●	●	●	●	-	-	-	●	●	●	●	-	-	●	-	-	-	-	
Circle Keys+Message Consistency Check <sup>†</sup>	GOTR (2013)	●	●	●	●	●	●	●	●	●	●	●	●	●	-	-	-	●	-	●	●	-	●	●	

● = provides property; ● = partially provides property; - = does not provide property; † has academic publication; \* end-user tool available

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**Security and Privacy****Adoption****Group Chat**

---

**Confidentiality**  
**Integrity**  
**Authentication**

**Participant Consistency**  
**Destination Validation**  
**Forward Secrecy**

**Backward Secrecy**  
**Anonymity Preserving**  
**Speaker Consistency**

**Causality Preserving**  
**Global Transcript**  
**Message Unlinkability**

**Message Repudiation**  
**Particip. Repudiation**

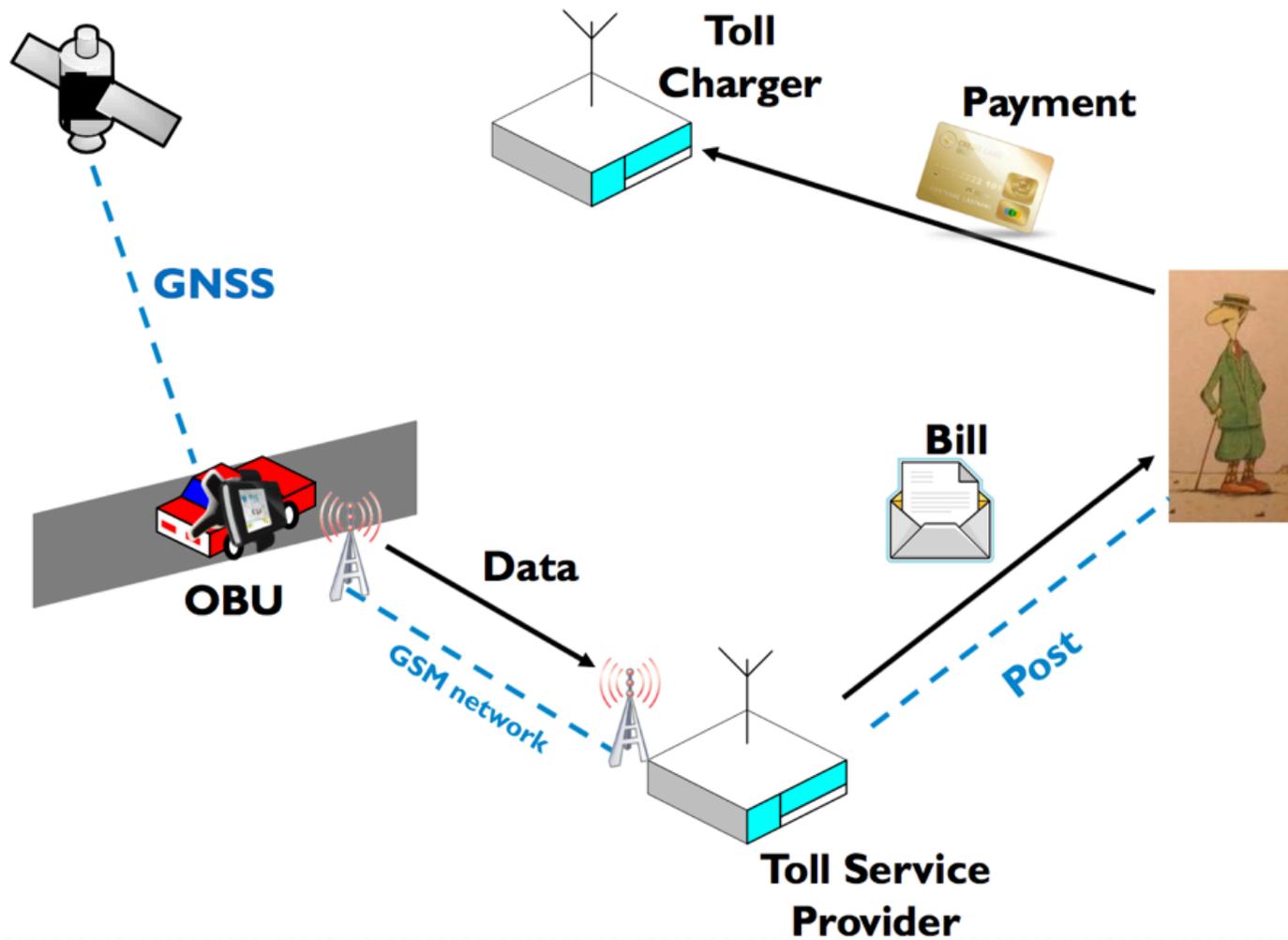
**Out-of-Order Resilient**  
**Dropped Message Resilient**  
**Asynchronicity**  
**Multi-Device Support**  
**No Additional Service**

**Computational Equality**  
**Trust Equality**  
**Subgroup Messaging**  
**Contractable**  
**Expandable**

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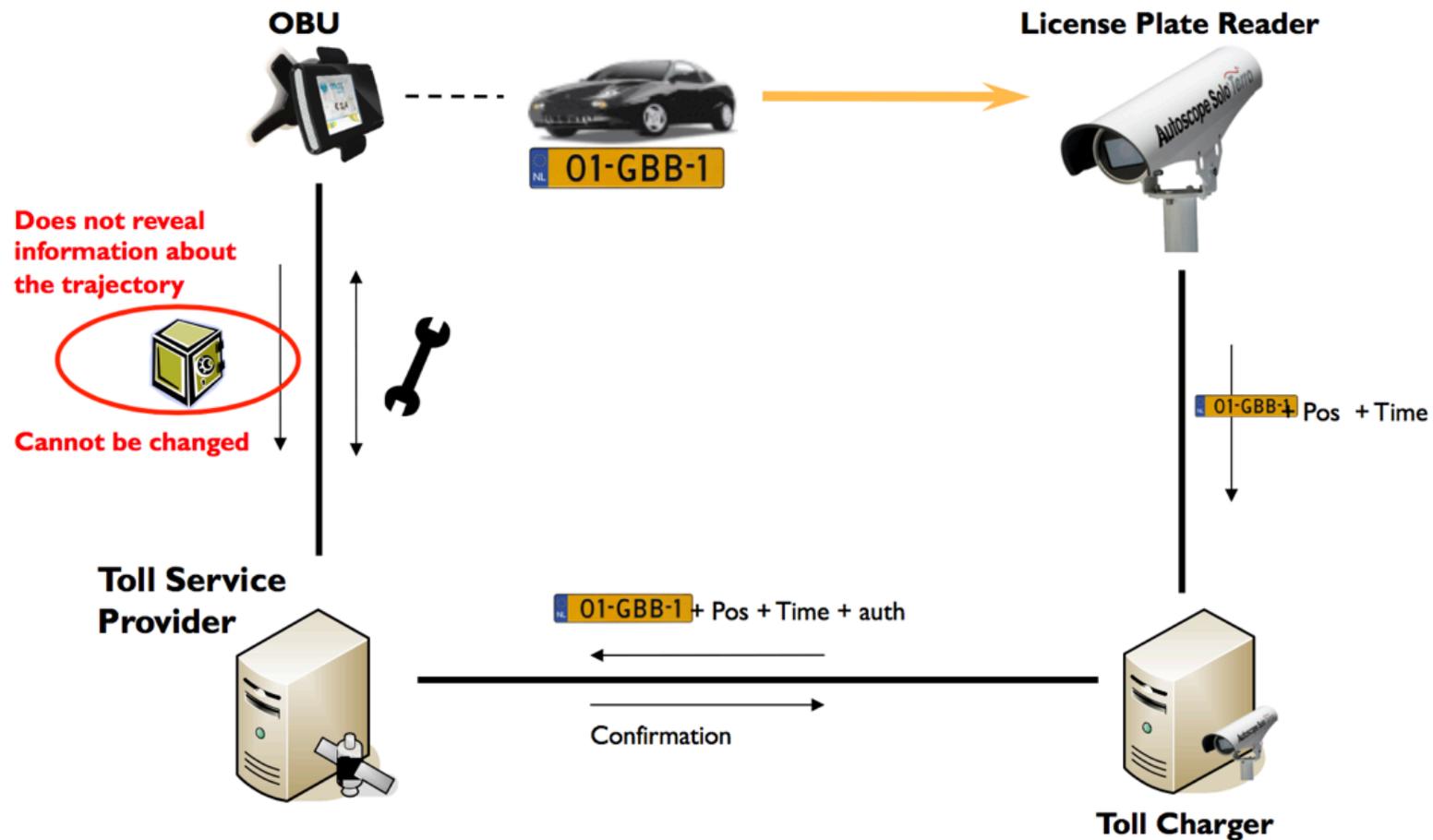
# data minimization

## EETS straightforward implementation



# data minimization

## How does it work?



# Unpacking Data Minimization: Privacy By Design Strategies

minimizing privacy **risks** and **trust** assumptions placed on other entities

Overarching  
goal

Minimize  
Collection

Minimize  
Disclosure

Minimize Linkability

strategies

Minimize  
Centralization

Minimize Replication

Minimize Retention

# PRIVACY RESEARCH PARADIGMS

privacy as control

“right of the individual to decide what information about himself should be communicated to others and under what circumstances” Westin

transparency and accountability

FIPPS/GDPR compliance

individual participation and control

control sharing of picture with managers  
and 3rd parties

FB and CambridgeAnalytica

# PRIVACY RESEARCH PARADIGMS

privacy as  
control

privacy policy  
languages

purpose based  
access control

Attribute Based  
Credentials

# Bell Group

## information we collect

## ways we use your information

## information sharing

	ways we use your information				information sharing	
	to provide service and maintain site	marketing	telemarketing	profiling	other companies	public forums
contact information		opt in			opt out	
cookies						
demographic information		opt in			opt out	
financial information						
health information						
preferences						
purchasing information		opt in			opt out	
social security number & gov't ID						
your activity on this site		opt in			opt out	
your location						

### Access to your information

This site gives you access to your contact data and some of its other data identified with you

**How to resolve privacy-related disputes with this site**  
Please email our customer service department

bell.com

5000 Forbes Avenue  
Pittsburgh, PA 15213 United States  
Phone: 800-555-5555  
help@bell.com

Eddy is a privacy requirements specification language that privacy analysts can use to express requirements over acts to collect, use, transfer and retain personal and technical information. The language uses a simple SQL-like syntax to express whether an action is permitted or prohibited, and to restrict those statements to particular data subjects and purposes. The Eddy specifications are compiled into Description Logic to automatically detect conflicting requirements and to trace data flows within and across specifications. Each specification can describe an organization's data practices, or the data practices of specific components in a software architecture.

For further technical details on Eddy, please see our relevant publications:

**1. Detecting Repurposing and Over-collection in Multi-party Privacy Requirements Specifications**

Travis D. Breaux, Daniel Smullen, Hanan Hibshi. To Appear: *23rd IEEE International Requirements Engineering Conference*, Ottawa, Canada, 2015. ([pdf](#))

**2. Eddy, A Formal Language for Specifying and Analyzing Data Flow Specifications for Conflicting Privacy Requirements**

Travis D. Breaux, Hanan Hibshi, Ashwini Rao. *Requirements Engineering Journal*, 19(3): 281-307, 2014. ([doi](#)). This an extended journal version of our conference paper ([doi](#)) that was nominated for best paper and presented at IEEE RE'13 ([slides](#))

We provide interactive examples below to demonstrate the Eddy language, and the Java source code is available on GitHub ([source](#)) under GPLv2.

**View and analyze an existing example**

[Example specification to illustrate conflict analysis](#)

[Example specification to illustrate flow analysis](#)

[Example specification to illustrate use limitation analysis](#)

# Android Permissions Remystified: A field study of Contextual Integrity (Wijesekera et al. 2015)

## When to actually prompt



Privacy violations occur when sensitive information is used in ways defying users' expectations.

# Android Permissions Remystified: A field study of Contextual Integrity (Wijesekera et al.)

## The experiment

**36** Android smartphone users

**6,048** hours of real-world use

**27 million** permission requests

Android Permissions Remystified: A field study of  
Contextual Integrity (Wijesekera et al.)

## Users want a choice

**80% of users**

would block at least one permission request.

**35% of all requests**

were deemed inappropriate.

# Android Permissions Remystified: A field study of Contextual Integrity (Wijesekera et al.)

## We are not there yet

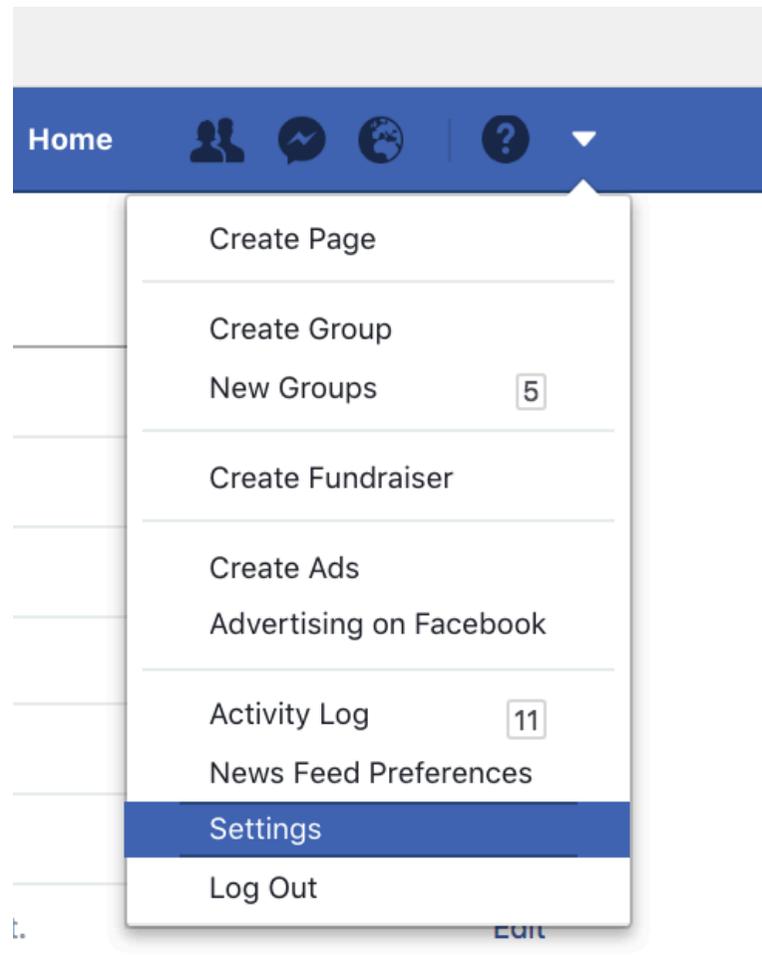
483 requests / hour  
[Permission Requests]

213 requests / hour  
[Actual Exposing Functions]

75 requests / hour  
[Users wanted to  
block]



# FB and CambridgeAnalytica



-  General
-  Security and Login

-  **Privacy**
-  Timeline and Tagging
-  Blocking
-  Language

-  Notifications
-  Mobile
-  Public Posts

-  Apps
-  Ads
-  Payments
-  Support Inbox
-  Videos

## Privacy Settings and Tools

<b>Your Activity</b>	Who can see your future posts?	Close Friends	Edit
	Review all your posts and things you're tagged in		Use Activity Log
	Limit the audience for posts you've shared with friends of friends or Public?		Limit Past Posts
<b>How People Find and Contact You</b>	Who can send you friend requests?	Everyone	Edit
	Who can see your friends list?	friendsfriends	Edit
	Who can look you up using the email address you provided?	Friends	Edit
	Who can look you up using the phone number you provided?	Friends	Edit
	Do you want search engines outside of Facebook to link to your profile?	No	Edit

- General
- Security and Login

- Privacy
- Timeline and Tagging
- Blocking
- Language

- Notifications
- Mobile
- Public Posts

- Apps**
- Ads
- Payments
- Support Inbox
- Videos

## App Settings

### Logged in with Facebook

On Facebook, your name, profile picture, cover photo, gender, networks, username, and user id are always publicly available to both people and apps. [Learn why](#). Apps also have access to your friends list and any information you choose to make public.

You haven't logged into any apps with Facebook. [Learn More](#) about Facebook Login.

### Apps, Websites and Plugins

Lets you use apps, plugins, games and websites on Facebook and elsewhere.

Disabled.

### Apps Others Use

People who can see your info can bring it with them when they use apps. Use this setting to control the categories of information people can bring with them.

### Old Versions of Facebook for Mobile

This setting controls the privacy of things you post using old Facebook mobile apps that do not have the inline audience selector, such as outdated versions of Facebook for BlackBerry.

- General
- Security and Login

- Privacy
- Timeline and Tagging
- Blocking
- Language

- Notifications
- Mobile
- Public Posts

### Apps

- Ads
- Payments
- Support Inbox
- Videos

## App Settings

### Logged in with Facebook

On Facebook, your name, profile picture, and cover photo are publicly available to both people and apps. Learn more

You haven't logged into any apps.

### Apps Others Use

People on Facebook who can see your info can bring it with them when they use apps. This makes their experience better and more social. Use the settings below to control the categories of information that people can bring with them when they use apps, games and websites.

<input type="checkbox"/> Bio	<input type="checkbox"/> Posts on my timeline
<input type="checkbox"/> Birthday	<input type="checkbox"/> Hometown
<input type="checkbox"/> Family and relationships	<input type="checkbox"/> Current city
<input type="checkbox"/> Interested in	<input type="checkbox"/> Education and work
<input type="checkbox"/> Religious and political views	<input type="checkbox"/> Activities, interests, things I like
<input type="checkbox"/> My website	<input type="checkbox"/> My app activity
<input type="checkbox"/> If I'm online	

If you don't want apps and websites to access other [categories of information](#) (like your friend list, gender or info you've made public), you can turn off all Platform apps. But remember, you will not be able to use any games or apps yourself.

### Apps, Websites

Lets you use apps, plus websites, to share info on Facebook

### Old Versions

This setting controls the privacy of things you post using old Facebook mobile apps that do not have the inline audience selector, such as outdated versions of Facebook for BlackBerry.

friendsfriends ▼

# DARK PATTERNS

## Friend Spam ›

The product asks for your email or social media permissions under the pretence it will be used for a desirable outcome (e.g. finding friends), but then spams all your contacts in a message that claims to be from you.

## Hidden Costs ›

You get to the last step of the checkout process, only to discover some unexpected charges have appeared, e.g. delivery charges, tax, etc.

## Misdirection ›

The design purposefully focuses your attention on one thing in order to distract you attention from another.

## Price Comparison Prevention ›

The retailer makes it hard for you to compare the price of an item with another item, so you cannot make an informed decision.

## Privacy Zuckering ›

You are tricked into publicly sharing more information about yourself than you

## Dark Patterns invoked in a case by the Norwegian Consumer Council

77. In particular, we request that Datatilsynet investigates and determines:

- i. whether Google has a lawful legal basis to process the complainant's location data, particularly for those purposes related to advertising; and whether Google is properly informing the complainant about which legal basis the company uses to process her location data and for which purposes it is doing so,
- ii. whether the conditions set out in Article 7 of the GDPR for valid consent are met, notably in those cases where Google may rely on consent as a legal basis for processing location data for advertising purposes;
- iii. whether 'legitimate interests' constitutes an appropriate legal basis for the processing of location data carried out by Google in the context of the processing operations addressed by this complaint, notably in relation to advertising purposes.
- iv. whether the design patterns and tricks used by Google to push consumers to share location data are compatible with the principles set forth in Articles 5.1 (a) and Article 25 of the GDPR regarding the fairness and transparency of processing and data protection by design and by default.

# CNIL (French Data Protection Authority) already fined Google \$50million Euros

## Invalid Transparency and Information

The GDPR places much importance on companies informing users about how their data is used and what rights they have to intervene in the processing. [Article 13](#) specifies information that must be disclosed to the user before any processing takes place, such as the nature and purpose of collection, and how long the data will be retained. [Article 12](#) requires that this information be conveyed “in a concise, transparent, intelligible and easily accessible form.” The aim is to ensure that users have control over what data is taken from them, and how it is used and shared.

The CNIL found that Google violated its duties of transparency and information. Specifically, Google obfuscated “essential information” about data processing purposes, data storage periods, and categories of personal information used for ads personalization. For example, the relevant information was “excessively disseminated” over multiple documents, and required users to click through five or six pages. Moreover, information was “not always clear” due to “generic and vague” verbiage. Yet the “massive and intrusive” scope and detail of the data collected by Google from its array of services and sources placed an increased obligation on the company to make its practices clear and comprehensible to users.

# PRIVACY RESEARCH PARADIGMS

privacy as  
practice

“the freedom from unreasonable constraints on the construction of one’s identity” Agre

improve user agency in negotiating privacy

privacy integral to collective info practices

aid in privacy decision making

transparency of social impact

# PRIVACY RESEARCH PARADIGMS

privacy as practice

“the freedom from unreasonable constraints on the construction of one’s identity” Agre

enhance design of collective info practices

appropriate way to tag your colleagues?

try different designs for tagging/  
permissions/confirmations/removal

# PRIVACY RESEARCH PARADIGMS

privacy as  
practice

feedback &  
awareness design

privacy nudges

 Update Status  Add Photo / Video  Ask Question

heat in the moment|



Friends ▼

Post

You will have 10 seconds to cancel after you post the update

 Update Status  Add Photo / Video  Ask Question

heat in the moment



Friends ▼

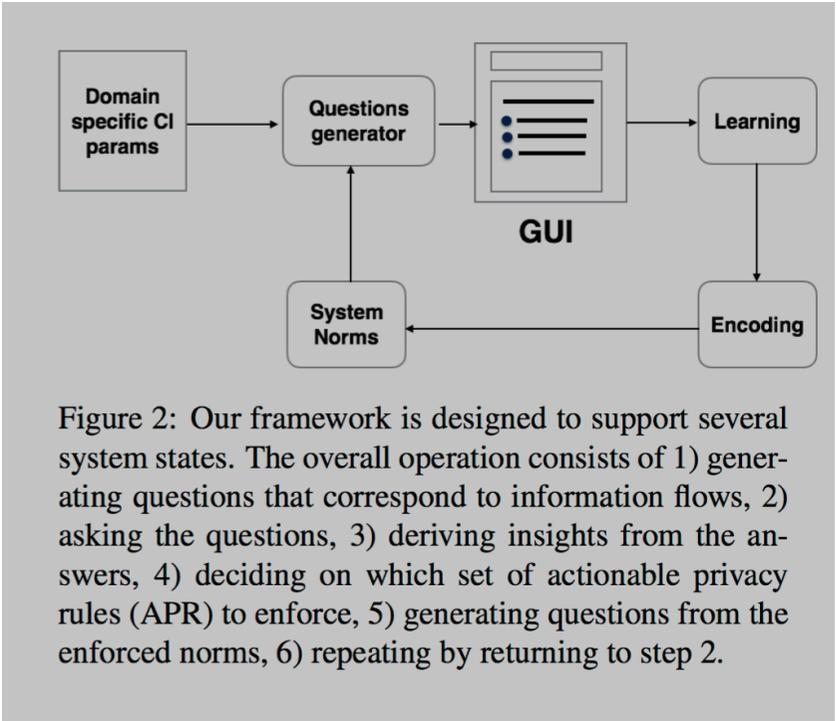
Post

Your post will be published in **3 seconds**. [Post Now](#) | [Edit It](#) | [Cancel](#)

slide: Lorrie Cranor

Shvartzshnaider et al., Crowdsourced, Actionable and Verifiable Contextual Informational Norms, Arxiv 2016.

**Contextual Integrity:**  
actors  
type of information  
transmission principles



Liu et al., Follow My Recommendations: A Personalized Privacy Assistant for Mobile App Permission, USENIX, 2016.

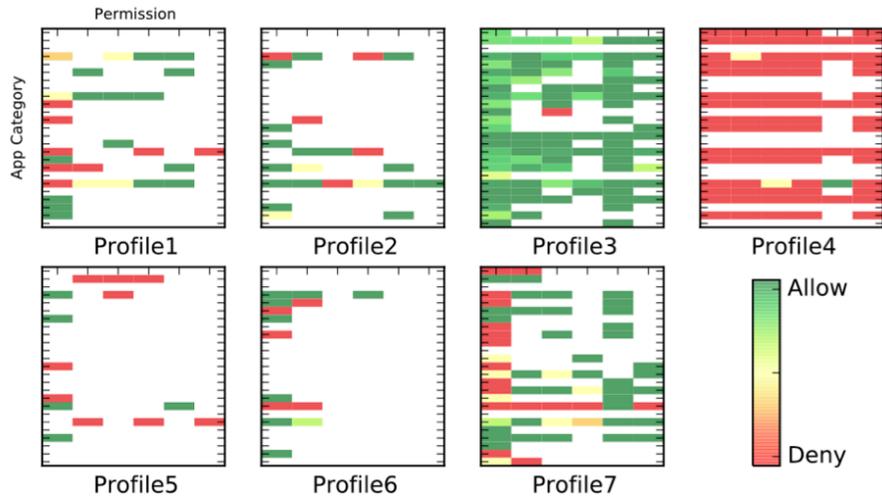
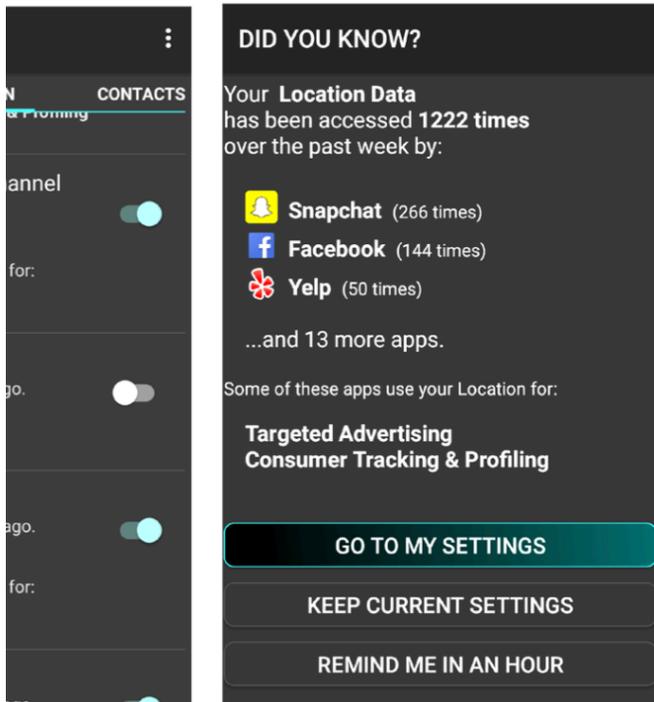


Figure 2: Privacy profiles learned from collected app privacy settings. Profile 1 is more protective on Location and Productivity apps than other profiles. Profile 2 denies phone call log permission more. Profile 3 is generally permissive. Profile 4 denies most permission requests. Profile 5 generally denies contacts, message, phone call log and calendar access, with only location and camera allowed for some apps. Profile 6 denies location and contact access of Social apps and Finance apps. Profile 7 is stricter regarding Social apps and location access in general.

# PRIVACY RESEARCH PARADIGMS

privacy as  
confidentiality

privacy as  
control

privacy as  
practice

**the paradigms are the basis of engineering privacy**

**privacy as confidentiality: especially valuable in current data practices**

**privacy as control: personal data-centric, likely to have great traction with GDPR**

**privacy as practice: fundamental to smart environment and understanding user needs**

**privacy engineering requires rethinking software engineering**

**ideally, all three approaches ought to be considered together**

**good systems engineering includes privacy engineering**

**privacy engineering will be important for GDPR compliance, too**

thank you!

- Please contact me for further references
- [f.s.gurses@tudelft.nl](mailto:f.s.gurses@tudelft.nl)
- Interdisciplinary Summer School on Privacy
  - Theme: Dark Patterns
  - September 2.-6., 2019 Nijmegen, The Netherlands