

Resolution

on profiling



Having discussed the issue of profiling during the Closed Session of their 34th International Conference in Uruguay and having heard the views of various experts from both the public and private sector during that Closed Session;

Recognising the many useful applications of big data and the advantages large data collections could bring to various parts of society, both for business, governments and non-profit organisations;

Considering at the same time that the collection of personal information into large databases and the subsequent use presents risks to the protection of personal data and privacy;

Bearing in mind that the risks become more pertinent if various datasets are combined without taking due account of the protection of those data and the purposes for which they were first collected;

Recalling the general data protection and privacy principles;

Reaffirming the Uruguay Declaration on Profiling of 2012;

The 35th International Conference of Data Protection and Privacy Commissioners calls upon all parties making use of profiling:

1. To clearly determine the need and the practical use of a specific profiling operation and to ensure appropriate safeguards, before starting with profiling.
2. To limit, consistent with privacy by design principles, the assumptions and the amount of data collected to the level that is necessary for the intended lawful purpose and to ensure that, where appropriate, the data is sufficiently up to date and accurate for its intended purpose.
3. To ensure that the profiles and the underlying algorithms are subject to continuous validation, in order to allow for the improvement of the results and the reduction of false positive or false negative results;
4. To inform society about profiling operations to the maximum extent possible, including the way profiles are assembled and the purposes for which profiles are used, to ensure that individuals are able to maintain control over their own personal data to the maximum extent possible and appropriate.

5. To ensure, in particular with respect to decisions that have significant legal effects on individuals or that affect benefits or status, that individuals are informed about their right to access and correction and that human intervention is provided where appropriate, especially as the predictive power of profiling due to more effective algorithms increases.

6. To ensure that all profiling operations are subject to appropriate oversight.

The Commissioners furthermore call upon governments around the world to ensure openness and the opportunity for public comment and input by stakeholders in any legislative process concerning laws that would implement profiling operations.