

Šćekić Draško, MSc, PhD student, Faculty of Business and Industrial Management of the “Union – Nikola Tesla” University in Belgrade, Belgrade, Serbia

Zoran Čekerevac, DSc, full professor, Faculty of Business and Industrial Management of the “Union – Nikola Tesla” University in Belgrade, Belgrade, Serbia

Privacy by Design – Possible Solution in The Protection of Privacy and Personal Data

Violation of the right to privacy and weak protection of personal data represent a phenomenon whose frequency is constantly growing thanks mainly to the faster development of information and communication technologies (ICT) and information and communication systems as their product. A sensitivity of matter, such as the right to privacy and protection of personal data, very seriously imposes the need to respond appropriately and these phenomena suppress or reduce to the level that can be tolerated. It is extremely difficult and strenuous task to continually find adequate answers to such challenging demands. The question is whether the appearance and spread of social networks brings the culmination or is it, what is much more likely, just a passing phase in this unstoppable process that has affected the whole world.

The application of traditional methods and procedures can undoubtedly provide results which are not guaranteed to significantly raise the current level of protection and bring easily recognized changes. Each average Internet user surely knows that the traditional concept of the right to privacy is a thing of the past. Therefore, it is necessary to find a quite different concept that would bring innovations. From the newer concepts imposes Privacy by Design (PbD). The choice of this concept was influenced by several factors but we cite as the predominant, its wide application and achieved results. The history of the concept is not long but due to the rapid changes in the field related to privacy and protection of personal data is quite respectable. During this period, this concept has had more transformations with a goal to its improvement and advancement. During the time, beside the technology, there appeared approaches which enable more comprehensive achievements. PETs Plus approach is created with features that give only positive result. Thereby, scope of application greatly expanded, so, unless already implied IT systems and responsible business practices, includes the physical design and networked infrastructure.

When it comes to personal data, this concept reached the level of general application to all forms but, especially, it is recommended the application to very sensitive information such as medical and financial. PbD concept is based on seven fundamental principles whose consistent application leads to the successful implementation of the concept and consequently the results that satisfy the set targets. The application of this concept in the developed world, mostly in Canada and then in the United States, gave good results. We assume that this tendency will take place also in other countries and we will try to prove this hypothesis.

PbD as a new concept is a comprehensive approach to policy whose comprehensiveness arises from the consistent application all of the seven basic principles on which it is based.

The first principle refers to measures that can predict and prevent events with adverse impacts on privacy. They do not offer the solutions for solving existing problems but to prevent their occurrence. This principle is known as proactivity nonreactivity or prevention non-repairing. By using appropriate measures, is possible to improve state of affairs. First of all, it is to educate citizens about the importance of privacy and personal data which would affect not only at raising the level of knowledge, but, also, in the changing of awareness about such important issues.

Privacy as the default setting is the second basic principle which is the essence of the high level of privacy that is achieved by providing automatic data protection in any IT system and business practices. For something like that, it does not need any activity of an individual, or any factors, but everything is pre-installed in the system.

The third basic principle, called "Privacy incorporated into the design" is quite similar to the previous but it has big difference with regard to the width with which it wants to encompass the subject matter. For this reason, it simply becomes a matter of culture. High public awareness on the issue of privacy and personal data, as well as everything else, is very difficult to achieve and it needs much of the time.

The concept of PbD, thanks to the principle called full functionality, never opposes privacy and security, and makes no compromise between them. This concept simply accepts both in the full scope what in the end always gives a positive result and eliminates zero as a possible outcome of their confrontation. So treat all other factors-categories that

can be associated with privacy. Collecting, processing, storage and deletion are phases which all together make up the lifecycle of data. PbD is such concept in which none of the above phases can not be ignored, what means that great attention is devoted to the entire life cycle.

Visibility and transparency is the next principle of the concept and has a duty to ensure complete openness for all integral parts of applied practices or technologies. This is achieved by fulfilling the obligations relating to the selected goals and the promises made during the data collection and establishment of appropriate collections.

The last principle of the PbD concept refers to the respect of privacy of user by placing them in the center. Architects, designers, managers, and engineers, on the one hand, and operators, service providers and the other owners of data collections, on the other hand, they always must have this in their minds, and act in that direction. Implementation and respect of this principle in business practices can have far-reaching consequences given that very often is the cause or initiator for the achievement of competitive advantages.

CONCLUSIONS

By analyzing the possibilities for the application, individually, of all principles which constitute essence of the concept PbD, it can be seen that in this direction no limiting barriers could not be overcome. By creating, in the first place, adequate legislation, and the engagement and participation of representative government institutions, implementation of advanced technologies, raising of the level of education and culture, democratization of the society etc., what all represent tasks that otherwise each country in the coming period must intensively engage in, will create favorable conditions for the application of the concept PbD.