



Privacy Policy Evaluation

NBIP

Date	Classification	Page	Contact
20 December 2019	Public	1/4	T +31 26 352 5500
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Policy

Title of policy	NBIP collaboration on DDoS research
Policy start date	8 April 2019
Date of evaluation	20 December 2019

Purpose limitation

GDPR applicable? Will any personal data be processed? Will personal data be processed on an automated or semi-automated basis, or will personal data contained in a file be processed manually?

Yes No

NBIP supplies SIDN with IP address data. The Privacy Board believes that a proportion of IP addresses can be traced back to natural persons. Hence IP address data can sometimes include information regarding identifiable natural persons. The Privacy Board accordingly recommends that the data be treated as including personal data.

The IP address data is enriched with data from DMAP, Entrada and the DRS. See the relevant privacy policies for details of the personal data processed in that context.

Automated processing of personal data included in a file is also carried out. Hence, the GDPR may be deemed applicable.

Purpose The purpose must be specific, explicitly defined and legitimate.



Is the purpose specific, explicitly defined and legitimate?

- Yes
 No, insofar as

The Privacy Policy states that the purpose of the data processing is to increase understanding of DDoS attack patterns and their potential impact, with the ultimate aim of increasing the security of the .nl zone.

The Privacy Board believes that the privacy policy defines the purposes of the processing in specific and explicit terms. The Privacy Board also believes that increasing the security of the .nl zone is a legitimate purpose consistent with SIDN's mission and strategy.

Legitimate basis

The evaluation must address the proportionality and subsidiarity of the processing (i.e. whether the interest served by processing is important enough to justify any resulting loss of privacy, and whether the purpose could be served by any other, less intrusive means).

Is the legitimate basis clear?

- Yes
 No

The Privacy Board believes that a reasonable interest is served in connection with SIDN's commitment to the security and trustworthiness of the .nl domain. The interests of the data subjects are not affected to an extent sufficient to warrant giving precedence to those interests. Hence, it is reasonable to conclude that there is a legitimate basis for the data processing.

Safeguards and control measures

Purpose limitation

Are there adequate safeguards to ensure that personal data is not used for purposes other than that for which it was obtained?

- Yes
 No

A contract has been made with NBIP, which stipulates that the data must be used exclusively for the study defined in the policy.

Retention period

Is personal data retained for any longer than necessary for the defined purpose?

- Yes, data is retained for longer than necessary; corrective measures required.



Date
20 December 2019

Classification
Public

Page
3/4

No

The data is retained for two years so that it is available for subsequent analysis to track developments over the period covered. The Privacy Board therefore believes that the data retention arrangements are consistent with the GDPR.

Data set limitation

Is the entire data set necessary for the defined purpose, or could a more limited data set be used?

Yes

No; corrective measures required.

The Privacy Board believes that the data set used is the minimum required for the fulfilment of the defined purpose of the processing. NBIP provides details of IP addresses that have come under DDoS attack, plus the associated attack dates and durations. The IP address data is subsequently enriched with data from DMAP, Entrada and the DRS, with a view to revealing attack patterns.

Data reliability

What is done to ensure that the gathered data is accurate?

Given that the research is based on IP address data provided by NBIP, the accuracy of that data cannot be guaranteed by SIDN. However, the nature and focus of the research are such that any inaccuracies in the collected data are not expected to have adverse consequences for the data subjects. Moreover, the abstraction level of the information returned to NBIP and potentially released for publication may be expected to exclude the possibility of adverse consequences.

Data processors

Who processes the data? Who else has access to the data?

In keeping with the GDPR, data is processed by SIDN Labs staff, i.e. employees of the data controller who require access in order to carry out their duties.

Data security

How is the data protected against loss and unauthorised processing?

The data is processed within SIDN, in accordance with the generally applicable security policies, under which only authorised personnel have access. The Privacy Board considers the security of the systems involved to be adequate.

Other

Special personal data

Is any special personal data processed?

Yes

No



Date
20 December 2019

Classification
Public

Page
4/4

The Privacy Board has taken external professional advice and is of the opinion that no special personal data is processed.

Inclusion in register

Is the processing recorded in the Processing Register?

- Yes
 No

The research in question is covered by the register entries relating to the processing of DMAP, Entrada and .nl registration data.

Subjects' rights

If the personal data is not obtained from the subjects, but by other means, is the origin recorded?

- Yes
 No

The IP address data is provided by NBIP; the supplementary data from DMAP and Entrada is covered by Article 14 of the GDPR.

Retention within EU

Is any data transferred to a country outside the EU?

- Yes
 No

Data is exchanged exclusively with NBIP, which is based in the Netherlands.

Conclusion

Evaluation

What is the conclusion of the Privacy Board's evaluation?

The Privacy Board approves the privacy policy for NBIP collaboration on DDoS research subject to the condition that a contract is closed with NBIP, stipulating that the data may be used only for the purposes referred to in the privacy policy.