

MARITIME INDUSTRY STEPS TOWARDS APPROPRIATE DATA PROTECTION

THE NATIONAL PRIVACY COMMISSION

Raymund Enriquez Liboro

Privacy Commissioner and Chairman

12 July 2018



FOR MARITIME SECTOR

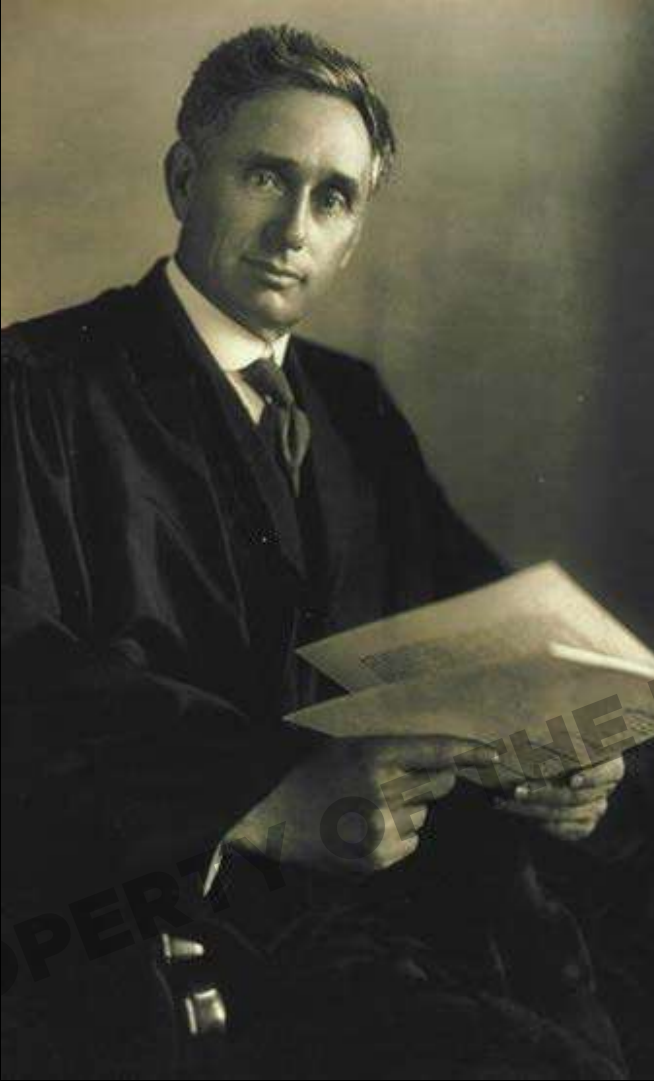


What the **law**
is all about



How it will
affect **you**

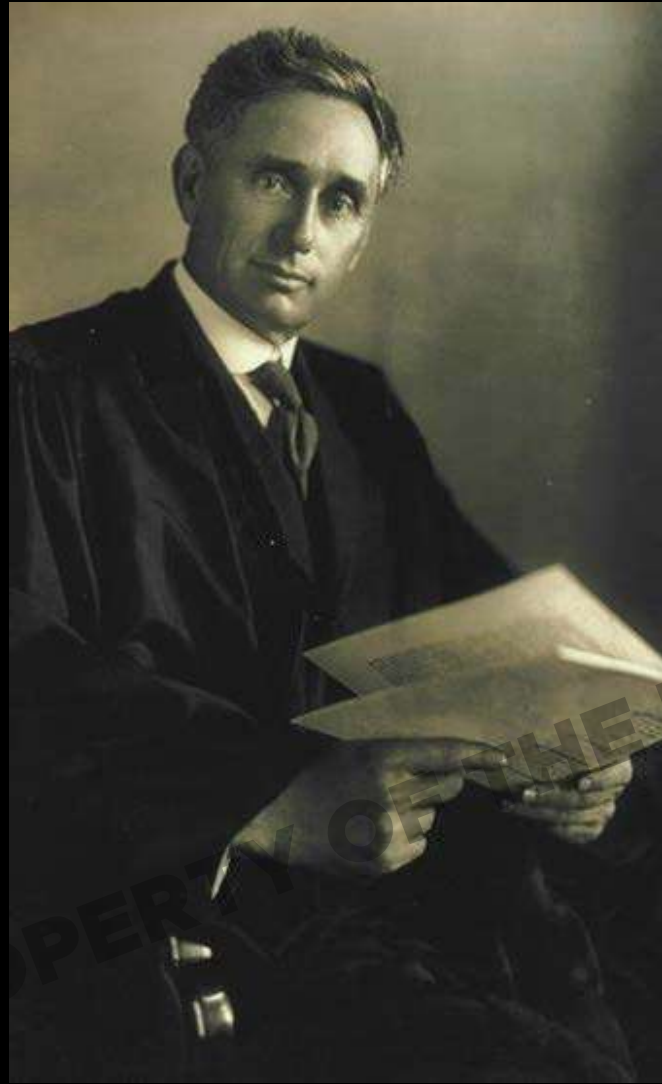
PROPERTY OF THE NATIONAL PRIVACY COMMISSION



<https://timeline.com/how-the-first-mass-market-camera-led-to-the-right-to-privacy-and-roe-v-wade-41b4cd87d7a>



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RIGHT TO PRIVACY



“the right to be let alone
- the most
comprehensive of rights
and the right most
valued by civilized men”

[Brandeis J, dissenting in *Olmstead v. United States*, 277 U.S. 438 (1928)].

1995



2015



Forbes Most Valuable Brands

2007



Exxon Mobil



Petrochina



General Electric



China Mobile



ICBC



Microsoft



Royal Dutch



GazProm



AT&T

2017



Apple



Google



Microsoft



Facebook



Coca Cola



Amazon



Disney



Toyota



McDonalds



Samsung

Browsing History

Diary

Credit Card Billing Statement

Which of the following will you share with a stranger?

Home Address

Phone Messages

Facebook Password

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DISRUPTION



the displacement of
established technology
by being replaced with
a new one

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1998: Yahoo refuses to buy Google for \$1 million.

2002: Yahoo realizes its mistake and tries to buy Google for \$3 billion. Google says “Give us \$5 billion”, Yahoo says no.

2008: Yahoo refuses to be sold to Microsoft for \$40 billion dollars.

2016: Yahoo sold for \$4.6 billion to Verizon.

ASHLEY MADISON®

Life is short. Have an affair.®

Get started by telling us your relationship status:

Please Select ▾

[See Your Matches »](#)

Over **37,565,000** anonymous members!

★★★★★
100%
Like-minded
People

As seen on: Hannity, Howard Stern, TIME, BusinessWeek, Sports Illustrated, Maxim, USA Today

Ashley Madison is the world's leading married dating service for *discreet* encounters



Trusted
Security
Award



SSL
Secure
Site

Over **39,470,000** anonymous members!

ASHLEY MADISON®

Life is short. Have an affair.®

Get started by telling us your relationship status:

Please Select

See your Match

Over 37,000,000 anonymous members!

HACKED

SHUT DOWN BY THE PRIVACY COMMISSION

PROV

Target CEO resigns after massive data breach

By Danielle Douglas

Target's president and CEO Brian Cornell resigned Monday, the first major executive departure since the massive data breach last year.



eSecurity Planet

eSecurityPlanet > Network Security > Avid Life Media CEO Resigns Following Data Breach

Avid Life Media CEO Resigns Following Data Breach

<https://www.npr.org/2017/09/26/553799200/equifax-ceo-richard-smith-resigns-after-backlash-over-massive-data-breach>

<https://www.esecurityplanet.com/network-security/avid-life-media-ceo-resigns-following-data-breach.html>

Equifax CEO Richard Smith Resigns After Backlash Over Massive Data Breach

September 26, 2017 · 4:29 PM ET
Heard on All Things Considered



Equifax's CEO Richard Smith is resigning after a massive data breach at the company that compromised the personal information of 143 million Americans.

He joins several other executives who have left the company over the scandal. Smith will continue to advise the company on an unpaid basis. It's not known yet whether he will appear at a congressional hearing next week about the massive breach.



Following the high-profile publication of 10 GB of data stolen from the adultery website AshleyMadison.com, parent company Avid Life Media has announced that its CEO Noel Biderman is resigning "in mutual agreement with the company."

PERSONNEL Cambridge Analytica's Interim CEO Resigns

By PYMNTS
Posted on April 12, 2018

"We would like to thank Dr. Tayler for his service in what has been a challenging time for the company," Cambridge Analytica's board of directors said in a statement, according to Politico.

Taylor took over after CEO Alexander Nix's suspension last month while the company conducted a full investigation of his actions regarding the Facebook data scandal, where 87 million of the social media site's users had their data shared with the controversial reseller.

The company's board of directors said in a statement that Nix's firm played a role in the 2016 presidential election.

Nix also said the company would continue to make its role in the election clear.



DISCRIMINATION

People are discriminated because of their race, color or ethnic origin

Stigmatization



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Identity Theft

Access to personal information such as name, date of birth, address, or email address can result to fraudsters victimizing individuals.



1004



30



2



0



Public school teacher in debt because of identity theft

Published February 26, 2016 10:48pm

A public school teacher may be a victim of identity theft as he owes three banks P800,000 for loans he did not apply for, according to a report by John Consulta on GMA-7's "24 Oras" on Friday.

[REDACTED] said he received notifications from three banks saying that he borrowed a total of P800,000 in salary loans. He denied applying for the loans.

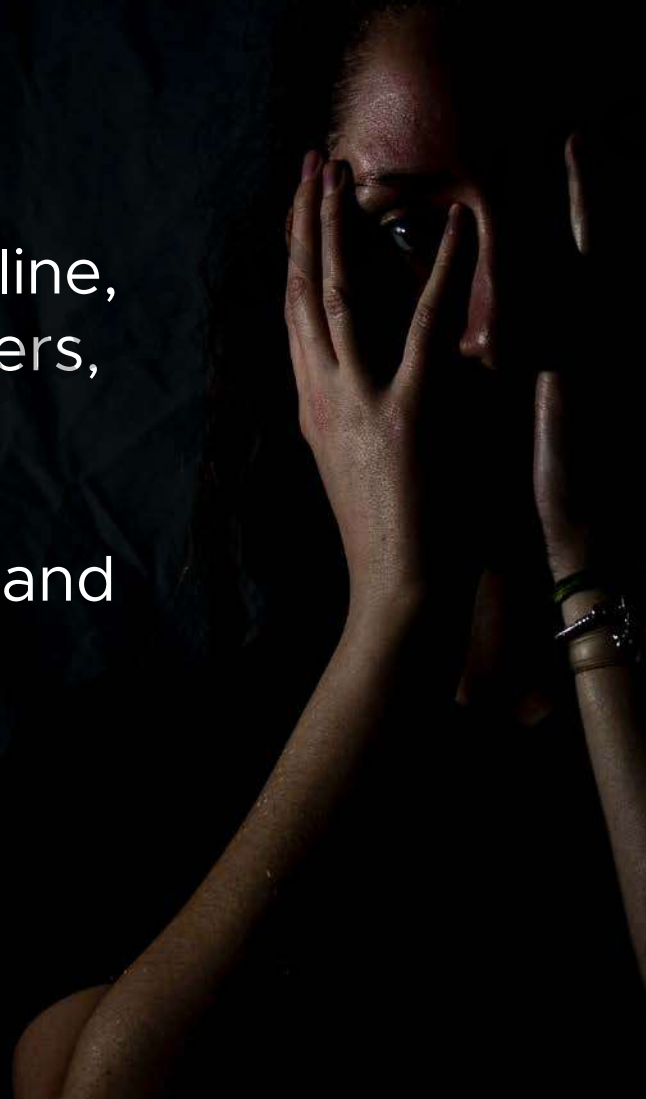
However, **[REDACTED]** remembered posting a photo of his Professional Regulation Commission (PRC) ID online.

(Facebook) sa sobrang tuwa ko po," he said.

"Wala naman akong ginagawang masama," he added.

Loss of Reputation

People have experienced stalking or harassment online, trouble with family members, lost a job or educational opportunity because of something posted online, and even as grave as physical danger.





CANISTER SCANDAL: 90-day suspension of 2 docs, nurse ends



- Helen Flores, Ghio Ong () - September 6, 2008 - 12:00am

<https://www.philstar.com/nation/2008/09/06/398622/canister-scandal-90-day-suspension-2-docs-nurse-ends>

Health Undersecretary Alexander Padilla said yesterday the three medical practitioners who were linked to the "canister scandal" at a Cebu hospital were allowed to go back to work after serving the three-month suspension imposed on them by the Department of Health (DOH).

Dr. Philipps Leo Arias, Dr. Joseph Montecillo and nurse Carmenia Sapio reported for duty at the government-run Vicente Sotto Memorial Medical Center sometime last month.

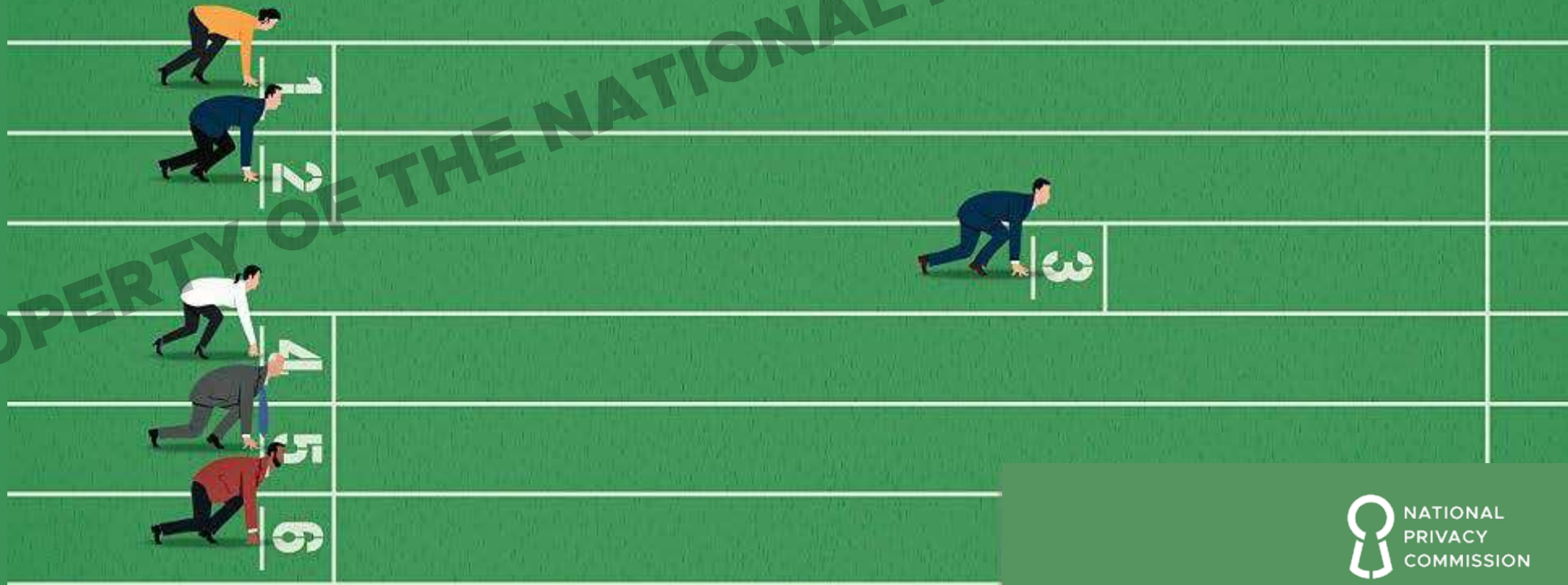
Padilla said the DOH has already imposed enough sanctions on the three and that the matter is already in the hands of the Ombudsman.

Unfair Decision-Making

Based on Profiling

Personal information such as **marital status, religious or political affiliations** affects the decision-making of companies in various cases.

In employment, some experience difficulties in getting hired while others are unfairly dismissed.



Loss of Autonomy

ABS-CBN NEWS

Top Gear sorry for identifying wrong suspect in road rage


MANILA - The editor of Top Gear Philippines has **apologized** for posting on its Facebook page a link to the social media account of the wrong person being linked to a **fatal road rage incident** in Quiapo, Manila last Monday.

Top Gear editor Vernon Sarne took full responsibility for posting the link to the Facebook profile of Nelson Punzalan, who had been apparently falsely accused as the killer of cyclist Mark Vincent Geralde. Top Gear also posted a photo of Punzalan's car, which was coincidentally a Hyundai Eon model, similar to the car in the incident.

"I was responsible for posting the photo of Mr. Punzalan's vehicle, and I realize now that I shouldn't have done so. I accept full responsibility. This is all on me," Sarne said.

"The buck stops here. This is all my fault," he added.



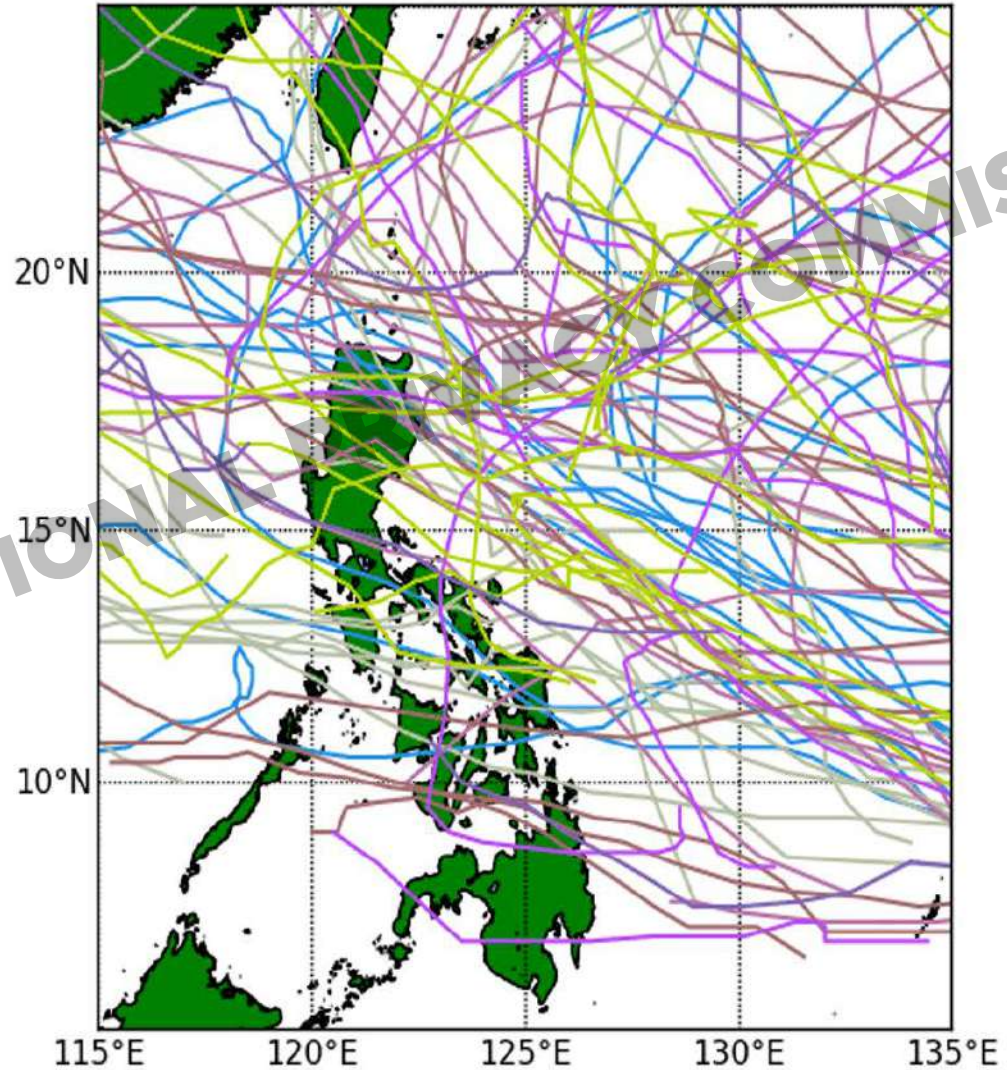
July 25, 2016 –A jostle in the road between a car driver and cyclist led to a fist fight ended into a gun shooting, leaving the cyclist dead at P. Casal Street in Quiapo, Manila. Suspect left the scene of the crime leaving the dead victim lying on the street.  Nikon Celis, ABS-CBN News

<http://news.abs-cbn.com/trending/07/27/16/top-gear-sorry-for-identifying-wrong-suspect-in-road-rage>

Southeastern Asia, Archipelago

- Capital City: Manila
- 7,100 islands (high tide)
- 7,107 islands (low tide)

1957



Superimposed tracks of typhoons that entered PAR
from 1951-2013

RESILIENCE AND THE FILIPINO SPIRIT



RESILIENCE AND THE FILIPINO SPIRIT

May 27, 2010

REPUBLIC ACT NO. 10121



AN ACT STRENGTHENING THE PHILIPPINE DISASTER RISK REDUCTION AND MANAGEMENT SYSTEM, PROVIDING FOR THE NATIONAL DISASTER RISK REDUCTION AND MANAGEMENT FRAMEWORK AND INSTITUTIONALIZING THE NATIONAL DISASTER RISK REDUCTION AND MANAGEMENT PLAN, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

SECTION 1. *Title.* — This Act shall be known as the "Philippine Disaster Risk Reduction and Management Act of 2010".

SECTION 2. *Declaration of Policy.* — It shall be the policy of the State to:

- (a) Uphold the people's constitutional rights to life and property by addressing the root causes of vulnerabilities to disasters, strengthening the country's institutional capacity for disaster risk reduction and management and building the resilience of local communities to disasters including climate change impacts;

21st Century Hazards and Risks



Norse – Superior Attack Intelligence

Norse maintains the world's largest dedicated threat intelligence network. With over eight million sensors that emulate over six thousand applications – from Apple laptops, to ATM machines, to critical infrastructure systems, to closed-circuit TV cameras – the Norse Intelligence Network gathers data on who the attackers are and what they're after. Norse delivers that data through the Norse Appliance, which pre-emptively blocks attacks and improves your overall security ROI, and the Norse Intelligence Service, which provides professional continuous threat monitoring for large networks.

TIMESTAMP	ATTACKER	ATTACKER IP	ATTACKER GEO	TARGET GEO	ATTACK TYPE	PORT
20-41:52:883	ChinaNet-ZJ Taizhou Node Network	183.148.18.191	Hangzhou, CN	Lynnwood, US	ssan-filesystem	50854
20-41:52:490	Microsoft Corporation	207.46.100.245	Redmond, US	De Kalb Junction, US	smtp	25
20-41:52:061	Microsoft Corporation	207.46.100.251	Redmond, US	De Kalb Junction, US	smtp	25
20-41:51:778	Microsoft Corporation	207.46.100.249	Redmond, US	De Kalb Junction, US	smtp	25
20-41:51:392						
20-41:51:417						
14:56:21.719	Microsoft Corporation	207.46.100.252	Redmond, US	De Kalb Junction, US	smtp	25
14:56:21.284	This Ip Network Is Used For Internet Security Research. Int	185.35.62.250	Geneve, CH	Dubai, AE	ftp	123
14:56:20.770	Philippine Long Distance Telephone Company	122.3.47.120	Paranaque, PH	Lynnwood, US	telnet	23
14:56:20.580	Microsoft Corporation	65.55.169.249	Washington, US	De Kalb Junction, US	smtp	25
15:05:41.557	Philippine Long Distance Telephone Company	122.54.132.220	Makati, PH	Dubai, AE	telnet	23
15:04:02.333	Philippine Long Distance Telephone Company	122.3.47.120	Paranaque, PH	Lynnwood, US	telnet	23

The Data Privacy Act of 2012



A 21st Century **Law**

**For 21st Century
concerns...**



ATTACK ORIGINS		ATTACK TYPES		ATTACK TARGETS		LIVE ATTACKS				
#	COUNTRY	#	TYPE	#	EDUCATOR	ATTACKER	ATTACKER IP	TARGET URL	ATTACK TYPE	PROB
100	United States	448	23	0	0	0	143.140.143.191	Washington, DC	Exploit/Rootkit	100%
201	China	398	23	0	0	0	202.46.170.151	Beijing, CN	Denial of Service	25%
202	Netherlands	116	0	0	0	0	207.46.170.151	Beijing, CN	Denial of Service	25%
203	Iran	85	0	0	0	0	207.46.170.151	Beijing, CN	Denial of Service	25%
204	South Korea	45	0	0	0	0	157.140.111.220	Beijing, CN	Denial of Service	25%
205	Columbia	38	0	0	0	0	65.05.140.200	Washington, DC	Denial of Service	25%
206	South Korea	35	0	0	0	0	157.140.111.220	Beijing, CN	Denial of Service	25%
207	France	32	0	0	0	0	157.140.111.220	Beijing, CN	Denial of Service	25%
208	Turkey	32	0	0	0	0	128.210.55.55	New Lafayette, LA	Denial of Service	25%
209	Poland	25	0	0	0	0	193.230.130.101	Lodz, PL	Denial of Service	25%

Photo from Norse Website Real-time Cyber Attacks

The Data Privacy Act of 2012



DATA PRIVACY ACT OF 2012

Republic of the Philippines
Congress of the Philippines
Metro Manila
Fifteenth Congress
Second Regular Session

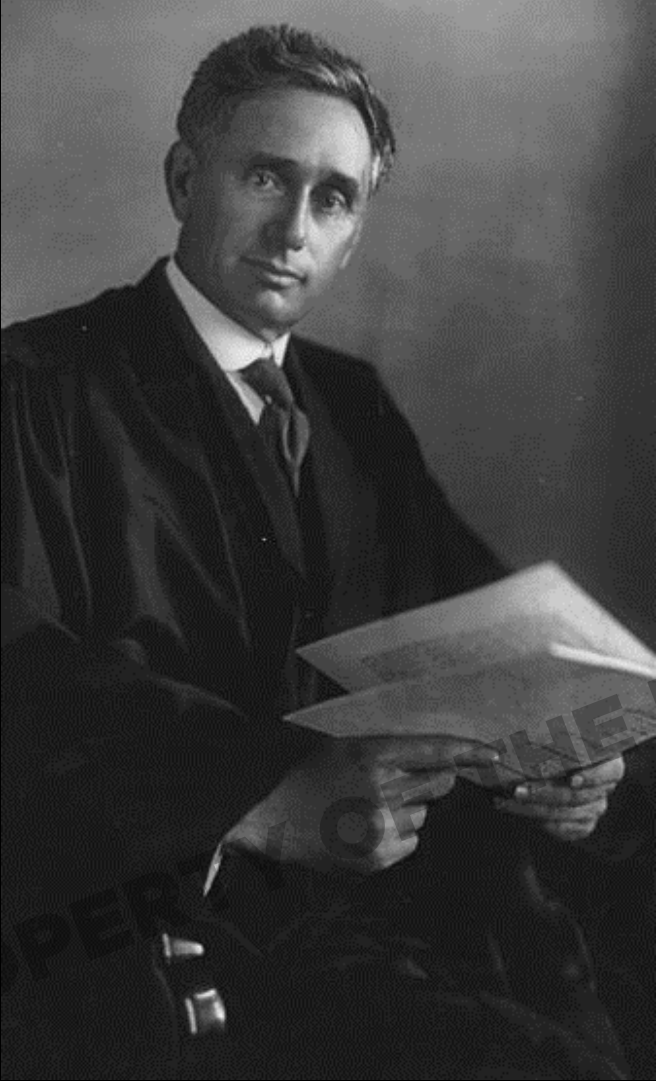


enacted in Metro Manila, on Monday, the twenty-fifth day of July, two thousand eleven.

REPUBLIC ACT NO. 10173

AN ACT PROTECTING INDIVIDUAL PERSONAL INFORMATION IN INFORMATION AND COMMUNICATIONS SYSTEMS IN THE GOVERNMENT AND THE PRIVATE SECTOR, CREATING FOR THIS PURPOSE A NATIONAL PRIVACY COMMISSION, AND FOR OTHER PURPOSES

Be it enacted, by the Senate and House of Representatives of the Philippines in Congress assembled:





The Data Privacy Act makes it mandatory for all data collectors — whether public or private — to protect the security, integrity and confidentiality of all the personal information they collect. **By doing this, we help usher in a truly knowledge-driven economy.**

SENATOR EDGARDO ANGARA

Philippine Constitution

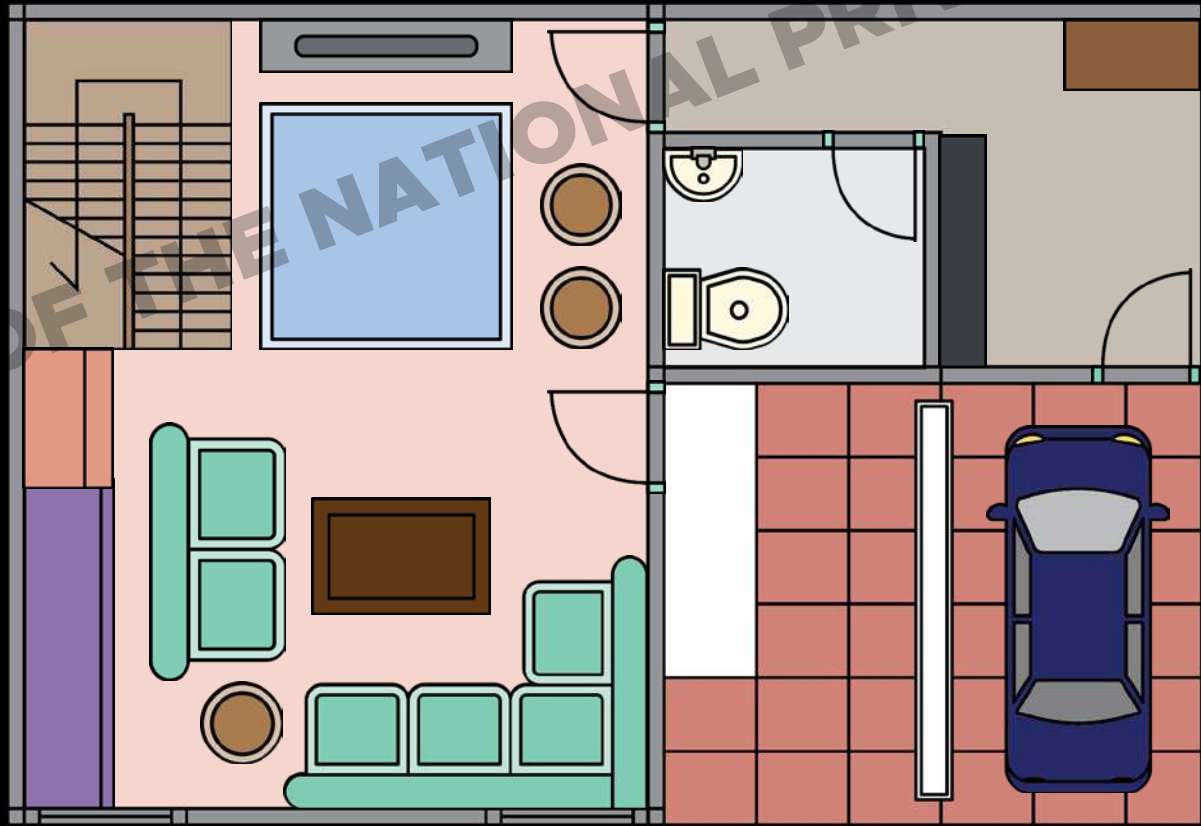
Article 3, Bill of Rights

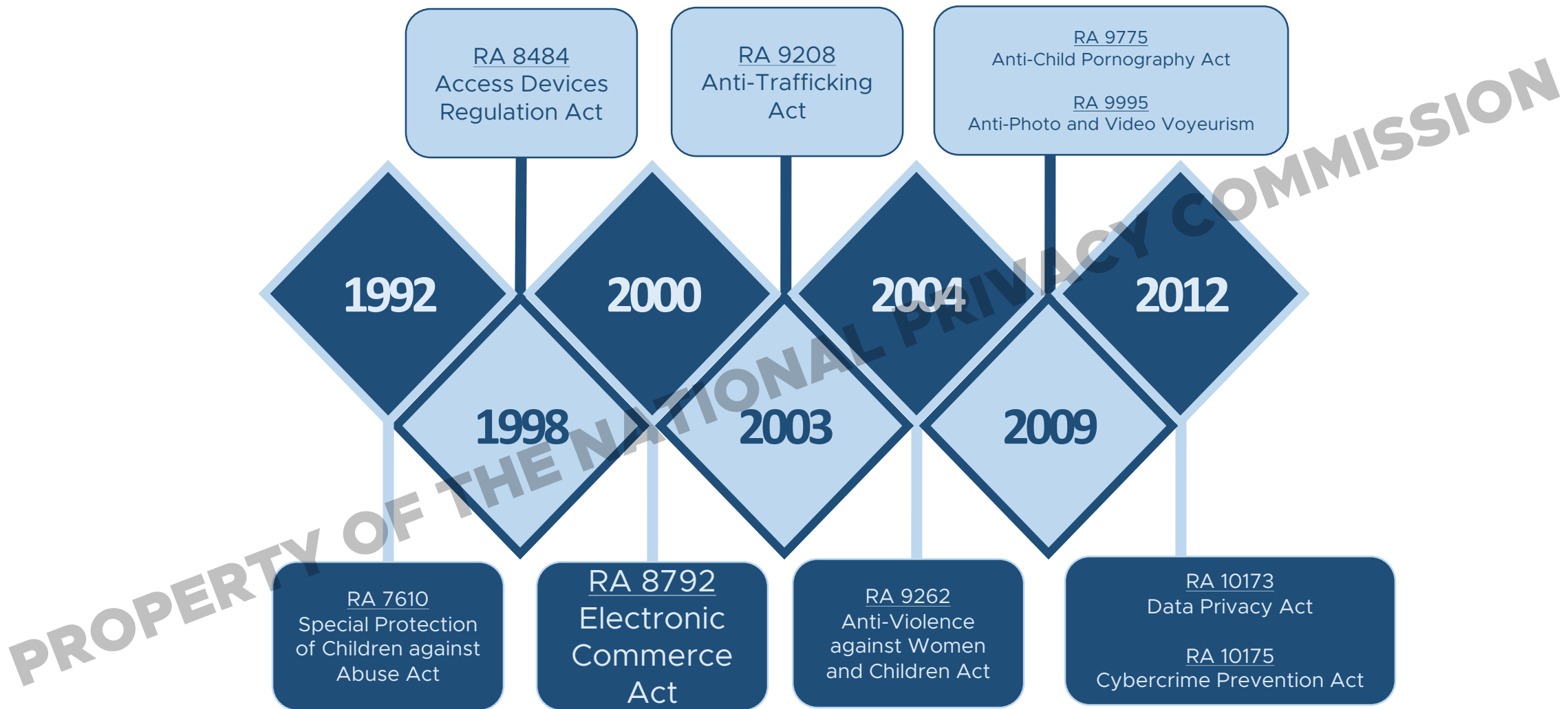


- **Section 2.** Right to be secure in their persons, houses, papers, and effects against unreasonable searches
- **Section 3.** Privacy of communication and correspondence
- **Section 5.** Free exercise and enjoyment of religious profession and worship
- **Section 6.** Liberty of abode and the right to travel
- **Section 8.** Right to information, and access to official records

What is private then

was what was found within the four corners
of your **home** and within the
confidentiality of communication.





The Data Privacy Act (“DPA”) of 2012

Data privacy - acknowledging the rights of Data Subjects over their data and enforcing the responsibilities of entities who process them

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- TRANSPARENCY
- LEGITIMATE PURPOSE
- PROPORTIONALITY

- SECURITY
- ACCOUNTABILITY

- CHOICE
- NOTICE
- ACCESS
- REMEDY

Transparency, Legitimate Purpose and Proportionality

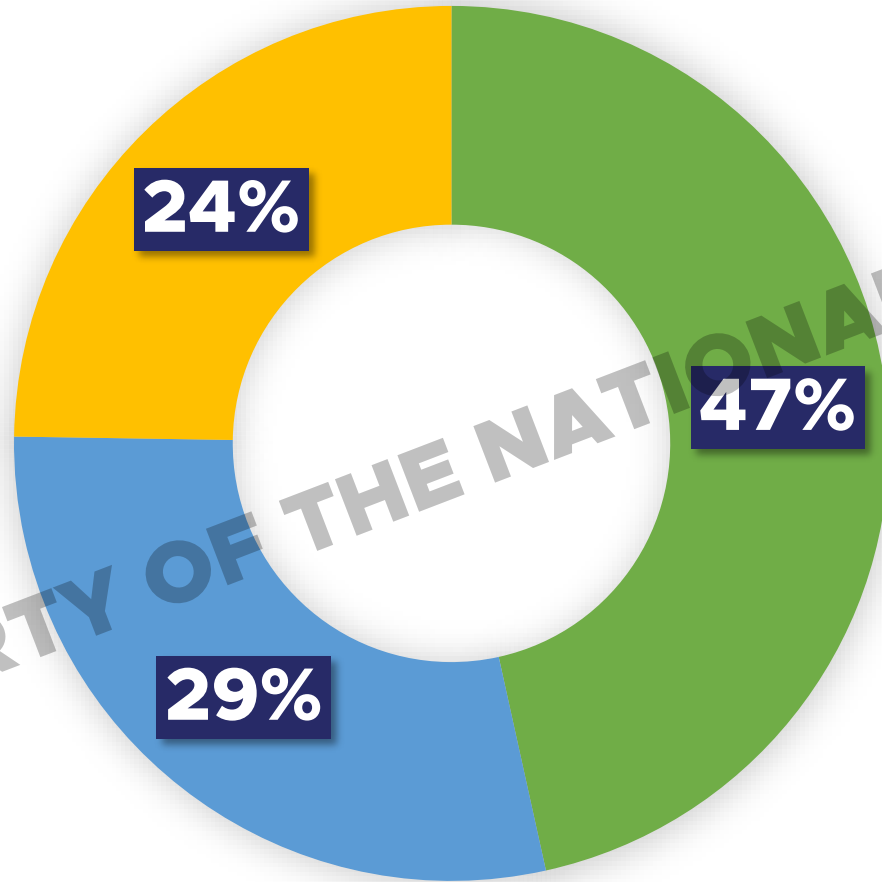
- a. Transparency** – The data subject must be aware of the nature, purpose, and extent of the processing of his or her personal data, including the risks and safeguards involved, the identity of personal information controller, his or her rights as data subjects, and how these can be exercised. Any information and communication relating to the processing of personal data should be easy to access and understand, using clear and plain language.
- b. Legitimate Purpose** – The processing of information shall be compatible with a declared and specific purpose which must not be contrary to law, morals, or public policy.
- c. Proportionality** – the processing of information shall be adequate, relevant, suitable, necessary, and not excessive in relation to a declared and specified purpose. Personal data shall be processed only if the purpose of the processing could not reasonably be fulfilled by other means.

PARA MAKAUTANG..

(PLEASE BRING THIS REQUIREMENTS)

- 6pcs 2x2 PICTURE
- 4pcs 1x1 PICTURE (WHOLE BODY)
- 3 VALID ID'S
- BRGY. CLEARANCE
- NBI CLEARANCE
- MAYORS PERMIT
- MEDICAL
- CEDULA
- BIRTH CERTIFICATE (NSO)
- SSS TIN
- CO-MAKER
- X-RAY (WHOLE BODY)
- POLICE CLEARANCE
- PROOF OF BILLING
- FORM 137

ROOT CAUSES OF BREACH



■ **Malicious or criminal attack**

■ **System Glitch**

■ **Human Error**

HOW DO PRIVACY BREACHES OCCUR?

- **lost or stolen laptops**, removable storage devices, or paper records containing personal information
- **hard disk drives and other digital storage** media (integrated in other devices, for example, multifunction printers, or otherwise) being disposed of or returned to equipment lessors without the contents first being erased
- **databases containing personal information** being ‘hacked’ into or otherwise illegally accessed by individuals outside of the agency or organization

HOW DO PRIVACY BREACHES OCCUR?

- **employees accessing** or disclosing personal information outside the requirements or authorization of their employment
- **paper records stolen** from insecure recycling or garbage bins
- an agency or organization **mistakenly providing personal information** to the wrong person, for example by sending details out to the wrong address, and
- an **individual deceiving an agency** or organization into improperly releasing the personal information of another person.

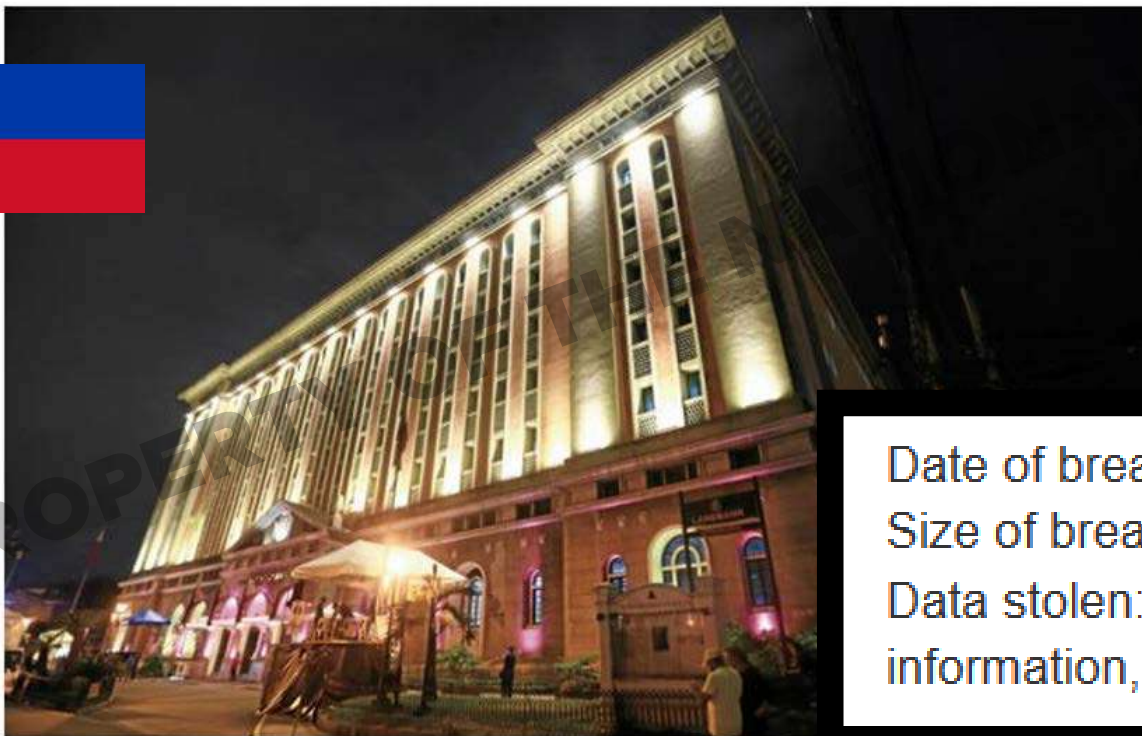
HOW DO PRIVACY BREACHES OCCUR

SECTIONS Tuesday, January 3, 2017

INQUIRER.NET

55M at risk in 'Comeleak'

By: Tina G. Santos - Reporter / @santostinaINQ Philippine Daily Inquirer / 12:44 AM April 23, 2016



Databases containing personal information being '**hacked**' into or otherwise illegally accessed by individuals outside of the agency or organization

Date of breach: March 2016

Size of breach: 55 million

Data stolen: Personal information, passport information, fingerprint data

DECEPTIVE CALM The Comelec office at Palacio del Gobernador in Intramuros, Manila, after office hours. The Comelec says the hacking of its website will not compromise the integrity of national elections on May 9.
EDWIN BACASMAS



SECURITY

A **Breach** is the unauthorized acquisition, access, use, or disclosure of protected information, which compromises the security or privacy of such information



PRIVACY

A **Personal data breach** refers to a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorized disclosure of, or access to, personal data transmitted, stored, or otherwise processed

Personal Information

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SECURITY

Impact on Data

- ❖ Confidentiality
- ❖ Integrity
- ❖ Availability

Governance of the unauthorized



PRIVACY

Impact on people

- ❖ Collection
- ❖ Use
- ❖ Storage
- ❖ Sharing
- ❖ Disposal

Governance of the authorized

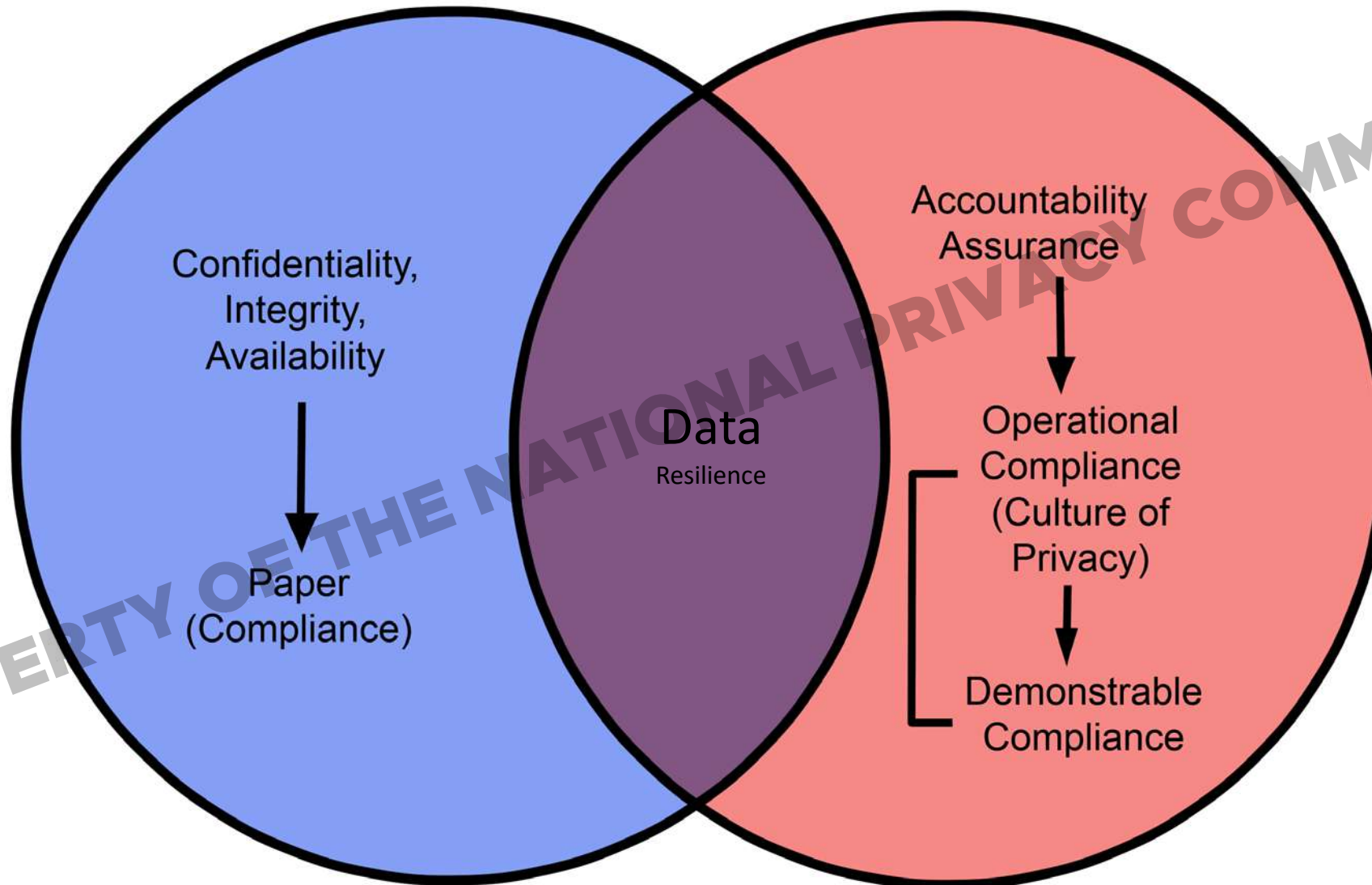
Personal Information

Sensitive Personal Information

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Data Security

Data Privacy



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Building a Culture of Privacy



- 1. Privacy management is a top to bottom approach;**
- 2. You should appoint a data protection officer and be sure to listen to them;**
- 3. Conduct a privacy impact assessment on your organization;**
- 4. Develop privacy policies within your organization and Construct your privacy management program to guide your organization**
- 5. Start building a culture of privacy within your organizations by implementing organizational, Technical and physical measures to protect personal data;**
- 6. Build capacity among your staff.**
- 7. Be prepared for breach.**



Risk management approach | Prevention and mitigation | Building the culture of data privacy and protection



Beyond Compliance



Data Protection and Regulation is aiming for a digital world **where people flourish** with **dignity** as autonomous individuals

Compliance as part of **corporate responsibility** and **sustainability**

2018 Road to Data Privacy Resilience



DPO Registration

- The DPO as NPC's conduit



Privacy Management Program

- Risk-based Privacy Policies
- Corporate code of Conduct

Binding Corporate Rules




Certification And Seals

5 Star ★★★★★ Compliance



Global Certification

- CBPR
- GDPR adequacy



Sectoral Code of Conduct

- BPO Privacy code of conduct



Thank you for listening!

facebook.com/privacy.gov.ph
twitter.com/privacyPH
info@privacy.gov.ph



**NATIONAL
PRIVACY
COMMISSION**

Photo from <http://makambaonline.com/index.php/2017/09/20/bring-african-countries-digital-economy/>

Raymund Enriquez Liboro
Privacy Commissioner and Chairman
12 July 2018