



standard can be used as a very valuable tool to force compliance with data protection principles. Environmental standards (in the ISO 14000 series), for example, are already used to enforce court judgements. *I would like to see privacy and data protection authorities in Canada given explicit authority to order registration to the standard, and thus to relieve them of expensive and time-consuming compliance auditing work.*

Standard could assure enforcement

On the international level, I would also contend that the use of a standard offers the *only* possible way that Article 25 of the Directive can be enforced. The scrutiny of contracts provides no assurances to European data protection agencies that those rules are complied with in the receiving jurisdiction. There is no reason why these authorities cannot currently use the CSA standard in this way. Moreover, organisations in any country can adopt the CSA standard. Standards registration bodies outside Canada can offer their own registration schemes to the CSA model.

Full ISO standard would be better

It would be better for all, of course, if the CSA standard could be elevated to the status of a full ISO standard. This would provide a truly international instrument and would carry far

greater weight and credibility than the current Canadian version. The process for the development of an ISO standard has begun through the international organisation of consumer representatives within ISO (COPOLCO). But it needs greater impetus. A technical committee within ISO needs to be convened to negotiate an international standard that is consistent with the CSA model, "adequate" to meet the stipulations of the EU Directive, and fully certifiable by national standards bodies.

The value of a standards approach

Standards are not sufficient to protect privacy, but they will be increasingly necessary in the more fluid, decentralised and globalised communications environment of the 21st century. Data protectors in all countries should consider the potential value of an ISO standard, and place the appropriate pressure on ISO and on their own standards organisations to take personal data protection as seriously as they do "quality management."

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