



Integritet och molnet

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De juridiska aspekterna



Ägande/
inlåsnig

Integritet
/PUL

SLAs

Ansvars-
begränsning

Gällande
lag

Utlämnande
av data till
myndighet

Upphandling

Special-
lagstiftning

Subjekt

Den vars data
behandlas

Ansvarig

Beslutar om syftet och
hur personuppgifter
behandlas

Ansvarig för
regelefterlevnad

Biträde

Behandlar efter ansvariges
instruktion.

Implementera tekniska och
organisatoriska
säkerhetsåtgärder.

Vad erbjuder vi?

Personuppgifts-
biträdesavtal

EU Model Clauses

Säkerhetscenter

Microsofts Säkerhetscenter

Säkerhet

Integritet

Pålitlighet

The image displays four overlapping screenshots of Microsoft Trust Center pages:

- Office 365 Säkerhetscenter:** Features a video with Julia White, G.M., Office 365. Text includes: "Dina personer och dina data är dina viktigaste tillgångar... Office 365 Säkerhetscenter... Inbyggd säkerhet".
- Microsoft Azure Säkerhetscenter:** Text includes: "Som Azure-kund har du gett Microsoft förtroendet att bidra till att skydda ditt företag... Microsoft strävar efter att vara ledande i branschen när det gäller efterlevnadsmetoder." It also lists "Säkerhetscenterresurser: Översikt | Säkerhet | Sekretess | Efterlevnad".
- Microsoft Dynamics CRM Trust Center:** Text includes: "Dra nytta av metoder för sekretess, säkerhet och regelbunden efterlevnad som du kan lita på... Microsoft Dynamics CRM Trust Center... Din sekretess spelar roll".
- Microsoft Intune Trust Center:** Text includes: "Microsoft Intune Trust Center... Last updated: October 2014... As a Microsoft Intune customer, you have entrusted Microsoft to help protect your data... Focused on Security... Excellence in cutting edge security practices".

Datalagringsplats och överföring

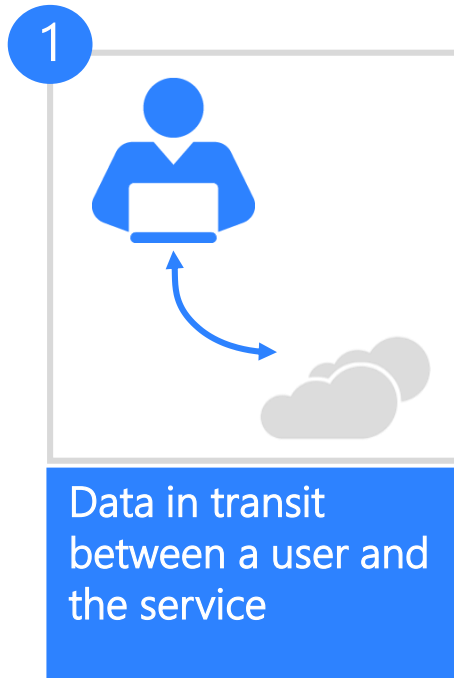
Överföring av personuppgifter till tredje land är förbjudet om det inte finns "tillräckligt skydd".

EUs Standardavtalsklausuler

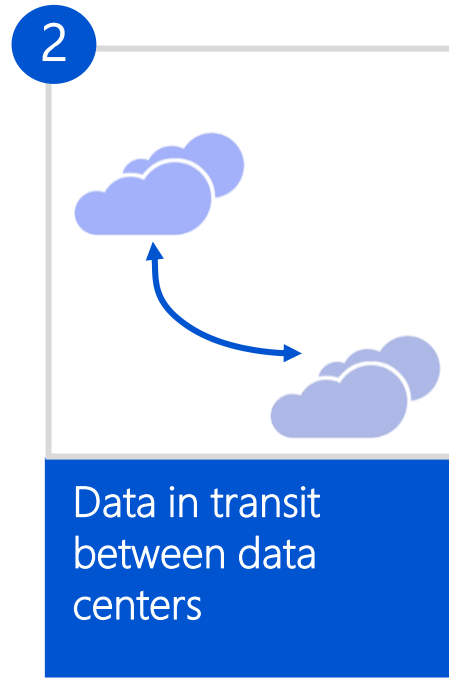
Avtalsklausuler som i förväg godkänts av EU:s lagstiftandeorgan och som undertecknats mellan (EU) personuppgiftsansvarig och (tredjeland) personuppgiftsbiträde

Krypteringen

Arbetet med att skydda kundens data vid varje steg i kommunikationen.



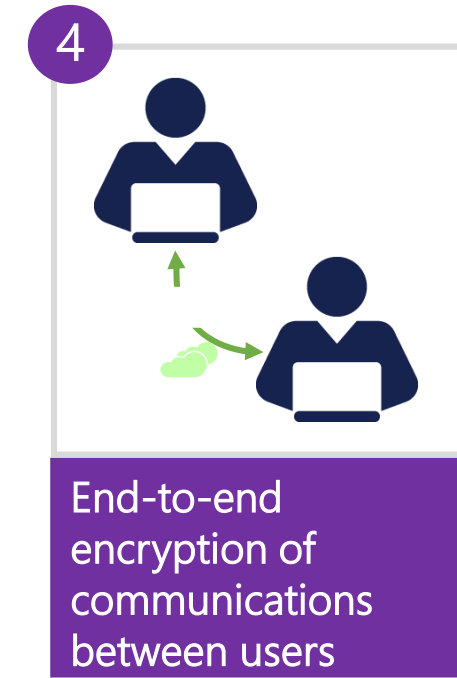
Protects user from interception of their communication and helps ensure transaction integrity



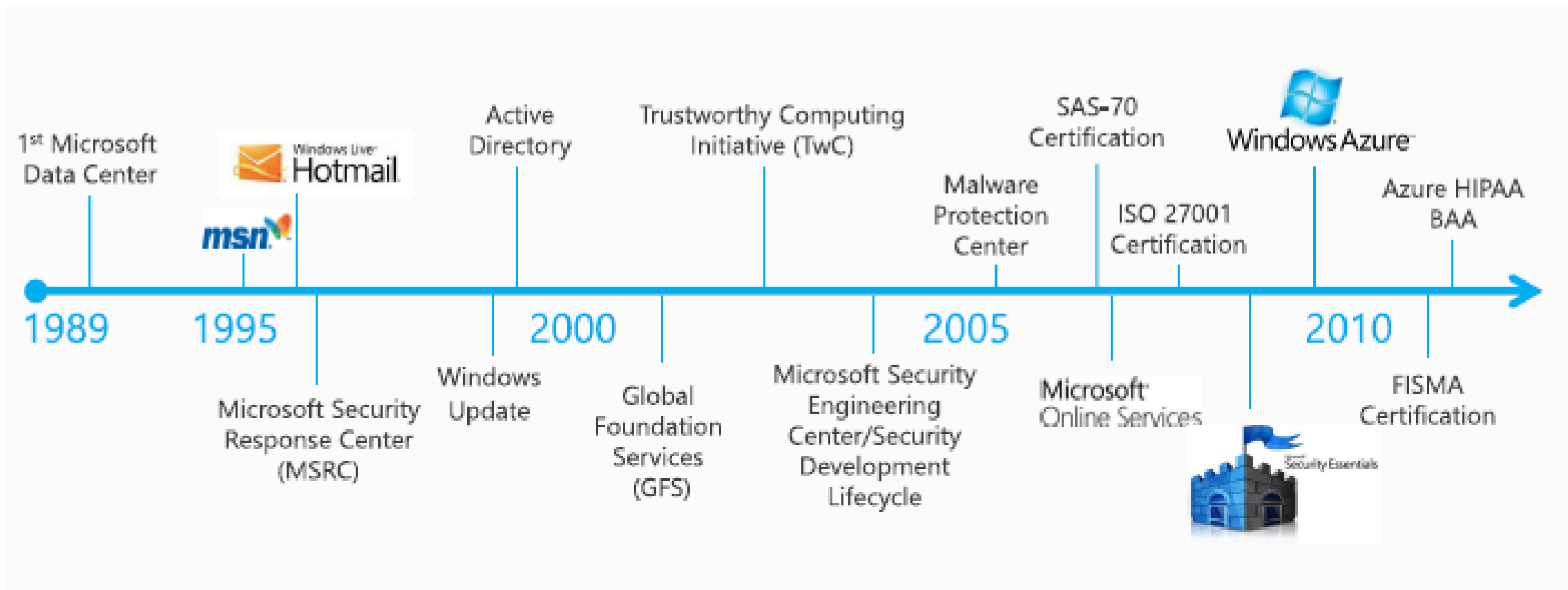
Protects from bulk interception of data



Protects from removal of physical media



Protects from interception or loss of data in transit between users



Datainspektionen och EUs Artikel 29-grupp

Personuppgiftsbiträdesavtalet

EUs Standardkontraktsklausuler

- Avtal med underleverantörer
- Revisioner

ARTICLE 29 Data Protection Working Party



Brussels, 2 April 2014

Ms Dorothee Belz
Associate General Counsel
Legal and Corporate Affairs
Microsoft EMEA

By email: Dorothee.Belz@Microsoft.com

Dear Ms Dorothee Belz,

The EU Data Protection Authorities have analyzed the reply of Microsoft (email sent by Jean Gonié on 6th February 2014) relating to a new version of the *Enterprise Enrollment Addendum Microsoft Online Services Data Processing Agreement* (hereinafter, “MS Agreement”) and its Annex 1 “*Standard Contractual Clauses (processors)*” (Commission Decision 2010/87/EU).

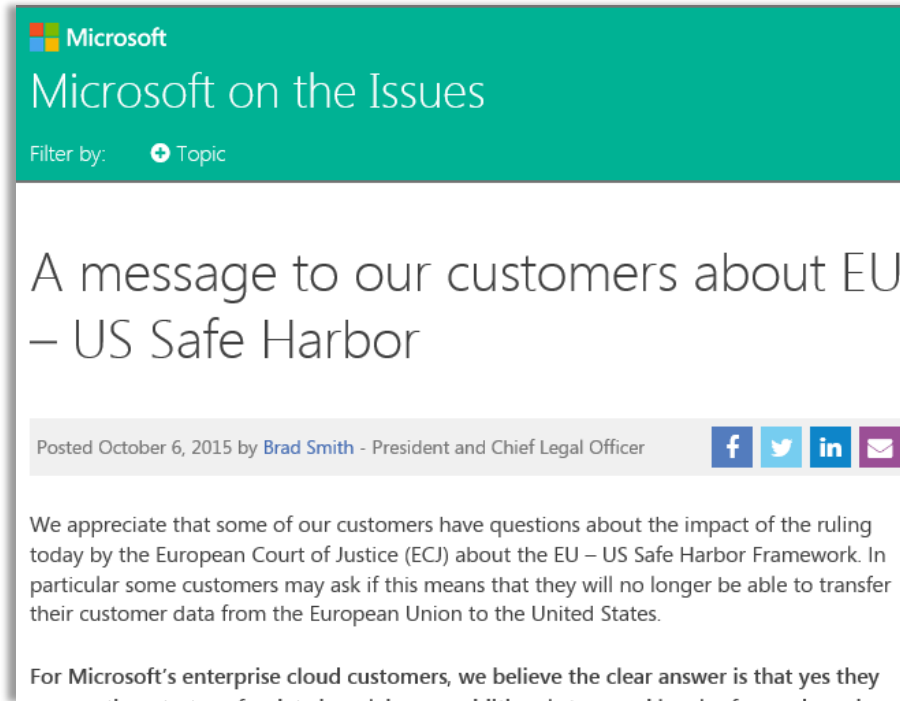
They concluded that the MS Agreement, as it will be modified by Microsoft, will be in line with Standard Contractual Clause 2010/87/EU, and should therefore not be considered as “ad hoc” clauses. In practice, this will reduce the number of national authorizations required to allow the international transfer of data (depending on the national legislation).

The analysis covers the engagements reflected in the model clauses 2010/87/EU but not its Appendixes (description of the transfers of data and of the technical and organizational security measures implemented by the data importer). According to usual implementation of the model clauses, these Appendixes need to be completed by Microsoft and its clients when signing the contract and may be analyzed separately by the Data Protection Authorities.

The Working Party thanks Microsoft for the constructive collaboration that leads to these positive conclusions.

Safe Harbor 1.0

Inte längre
möjligt som stöd
för tredjelands-
överföring



The screenshot shows a Microsoft blog post. At the top is the Microsoft logo and the text 'Microsoft on the Issues'. Below that is a filter option 'Filter by: + Topic'. The main title of the post is 'A message to our customers about EU – US Safe Harbor'. The author is 'Brad Smith - President and Chief Legal Officer', dated 'October 6, 2015'. There are social media icons for Facebook, Twitter, LinkedIn, and Email. The main text of the post reads: 'We appreciate that some of our customers have questions about the impact of the ruling today by the European Court of Justice (ECJ) about the EU – US Safe Harbor Framework. In particular some customers may ask if this means that they will no longer be able to transfer their customer data from the European Union to the United States.' The post begins with the sentence: 'For Microsoft's enterprise cloud customers, we believe the clear answer is that yes they'.

EU Model
Clauses behövs

Safe Harbor 2.0 - nuläget

Pågående
förhandlingar

Målsättning
Februari 2016

Krav på lagändring



Microsoft on the Issues

Filter by: [+ Topic](#)

The collapse of the US-EU Safe Harbor: Solving the new privacy Rubik's Cube

Posted October 20, 2015 by [Brad Smith](#) - President and Chief Legal Officer



When people who care about technology look back at the year 2015, they will remember October as the month when the EU-U.S. Safe Harbor collapsed. An international legal agreement that has been in place for 15 years was invalidated in a single day. On Oct. 6, the Court of Justice of the European Union struck down an international legal regime that over 4,000 companies have been relying upon not just to move data across the Atlantic, but to do business and serve consumers on two continents with over 800 million people.

ISO 27018 – en molnstandard



Nyckelprinciper för leverantören

Inte använda data för reklam eller marknadsföring om det inte uttryckligt medgivits.

Ansvarig för att avgöra om kund har drabbats av informations säkerhets intrång.

Transparens kring dataplacering och hantering av data.

Kommunicera till kunder och tillsynsmyndighet om intrång sker.

Ge kuderne kontroll över hur deras data används.

Låta tjänsterna genomgå oberoende granskning kring regelefterlevnad.

Utlämnande av data till myndigheter

<http://www.microsoft.com/about/corporatecitizenship/en-us/reporting/transparency>

Microsoft Transparency Hub

Our Commitment to Transparency

Microsoft provides a number of disclosures to help stakeholders evaluate how we are meeting our citizenship commitments.

Law Enforcement Requests Report

U.S. National Security Orders

Corporate Records

Global

Requests

Total number of requests

35,228

Accounts/users specified in request

62,750

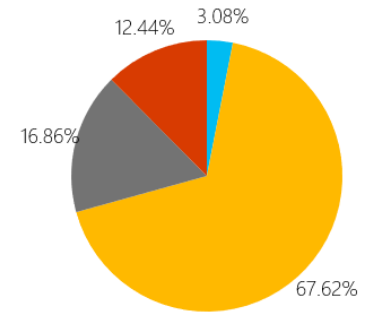
Disclosures

% Disclosed content

% Only subscriber/transactional data

% No data found

% Rejected



Sweden

Requests

Total number of requests

262

Accounts/users specified in request

584

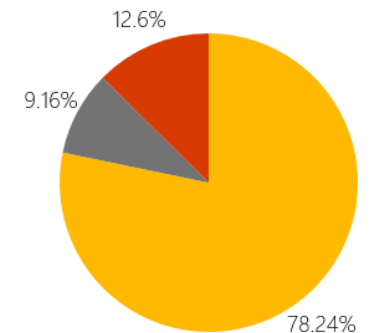
Disclosures

% Disclosed content

% Only subscriber/transactional data

% No data found

% Rejected



Processen:

Myndighetsbegäran om utlämnade av kunds data



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OUR LEGAL CHALLENGE TO A U.S. GOVERNMENT SEARCH WARRANT

On September 9, 2015 the Second Circuit Court will hear oral arguments in our case challenging a U.S. search warrant for customer email in our Irish data center. Our brief argues the warrant puts U.S. citizens' privacy at risk, improperly expands extraterritorial authority and circumvents local authorities in Ireland.

[MORE](#)

- Our Brief
- Amicus Filers Raise Concerns
- Balancing Rights in a Global Cloud
- Reforming Outdated Privacy Laws

☰ | The Washington Post | ⚙️

National Security

U.S. battle over Microsoft e-mails could result in 'global free-for-all'

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By **Ellen Nakashima** September 9  [Follow @nakashimae](#)

