

Application of Data Protection Concepts to Cloud Computing

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Abstract:

The fast technological development and growing use of cloud computing services require implementation of effective legal infrastructure in order to deal with the privacy and data security implications that are raised.

The paper provides an analysis of the application of the data protection principles and concepts, adopted in the international regulatory frameworks, to cloud computing services, starting from the point that the main aim of data protection regulation is to protect personal sphere of individuals, from one side, and to support the free flow of information and data, from the other side. The current proposals and regulatory decisions in the field of cloud computing in EU are explored, focusing on the allocation of roles and responsibilities in client – service provider relationships and the application of the concepts for data controller and data processor. The paper also analyses the legal basis for lawful processing of personal data and safeguarding the rights of data subjects in cloud computing services. The issues are discussed and conclusions are drawn in the light of the need to ensure globally consistent regulatory framework in order to protect effectively the rights of the parties concerned.

Keywords:

Data controller, data processor, data protection legislation, cloud economy, cloud computing