

## **The impact of the pandemic on our digital life**

Firstly, I would like to thank the organizers and in particular Dr. Kouroupis, for inviting me to address this forum.

Due to the Covid-19 Pandemic health care systems, all over the world faced a unique challenge that called for urgent measures. Without doubt, there was an imperative need for limiting the spread of the disease. Mandatory measures were taken that have changed our lives and the way we socialize and work, both in the real and the digital world.

Digital Technologies helped Governments gather necessary data for planning their strategies to combat the pandemic, enforce measures and monitor their implementation. In every case these measures, ought to be lawful, fair, necessary and proportional in relation to the purposes they served.

The General Data Protection Regulation, the GDPR, requires that such measures comply with principles such as transparency, purpose limitation and data minimization. Processing activities are justified when they are necessary for the compliance with a legal obligation, or when they are necessary for reasons of public interest in the area of public health. However, these activities must have a legal basis.

The European Union, adopted the EU Digital COVID Certificate Regulation (EUDCC) to facilitate people's free movement across Member States. At national level, the various measures enacted by the Cyprus Government, were adopted by Decrees of the Minister of Health.

The European Data Protection Board (EDPB), the EU Institutional Body, composed of the 27 national Supervisory Authorities and the European Data Protection Supervisor (EDPS), issued two Guidelines in relation to such measures: *Guidelines 03/2020 on the processing of data concerning health for the purpose of scientific research in the context of the COVID-19 outbreak*. In addition, the EDPB and the EDPS issued a *joint opinion on the draft proposal for the EUDCC Regulation* and *Guidelines 04/2021 on the use of location data and contact tracing tools in the context of the COVID-19 outbreak*.

My Office was consulted with, for all the measures taken during the pandemic. In the frame of our supervisory role, we provided legal and technical guidance to controllers and processors and we issued several recommendations and directions. Also, we issued several press releases and carried out inspections for ensuring compliance. In every case, our goal was to strike the right balance between public interest and individual rights. In the following minutes, I will describe some of the measures introduced during the pandemic, and explain how this balance was achieved.

SMS Authorization: During quarantines, persons were permitted to exit their houses only for specific purposes and for a limited time. They had to send a request via SMS and receive an automatic reply for authorization. SMSs were sent to, and received from the person's telecommunications service provider. The provider retained the messages for 72 hours after their receipt. When this measure was waived, we verified that all the SMSs had been deleted.

Cyprus Flight Pass platform: The Cyprus Flight Pass was a platform developed for ensuring that all passengers flying to Cyprus had the required health certificates. Requirements differed for countries of high, medium and low risk. Inbound passengers, in order to issue their pass, had to enter their personal information, their flight details and details of the health certificate they held. My Office ensured that access to these data was given only to competent authorities in line with the relevant legislation and Decrees.

Also, we examined two data protection contracts. One for the processor/contractor that developed the platform and one for the labs that performed covid tests to inbound passengers. In addition, upon our instructions, an agreement was signed between the joint controllers (the Ministry of Health and the Ministry of Transport, Communications and Works) specifying their respective responsibilities.

Remote Education: Following various concerns that were expressed by students, parents, teachers and other organizations regarding the implementation of remote education, my Office conducted a series of on-site inspections at schools. Based on our findings, we instructed the Ministry of Education and Culture to: a) prepare policies for the uniform implementation of the remote education in all schools, b) provide proper information to students and teachers regarding the processing of their personal data, c) provide information to all users about the secure usage

of the platform and d) prepare and submit to my Office a Data Protection Impact Assessment. In addition and following our recommendation, a legislation was adopted to regulate remote education in primary and secondary schools. As regards higher education institutions, we issued an Opinion for monitoring on-line/ remote exams.

#### European Digital Covid Certificate (EUDCC)

The EUDCC platform was developed to implement the EU Digital COVID Certificate Regulation, that was adopted to facilitate people's free movement across Member States. My Office ensured that this technical solution complied with the EUDCC Regulation and the GDPR. Several safeguards were embedded for ensuring the availability and accuracy of the data.

When the Government decided to use EUDCC as national "safe pass", we advised that this required a separate legal basis and the Council of Ministers adopted a relevant Decision. The draft Decision was consulted with my Office, before the implementation of the measure.

The COVSCAN App: The COVSCAN application was developed for validating the authenticity of EUDCC Certificates, using QR Codes. My Office ensured that only necessary data (name and date of birth) were presented on the scanning device.

My Office was consulted with for various other measures such as the setting up of the vaccination portal and the procedures for checking employees' certificates at the workplace.

As I have explained, our goal was to ensure that all measures adopted were proportional to the epidemiological condition and that, in every case, there was a balance, between public interest and individual rights.

In conclusion, I would like to underline one more time, that when the pandemic comes to an end, all existing measures must be waived. After the waiving of each measure, the data collected must be deleted within a justified period. My Office will keep working to ensure that this obligation is fulfilled.

Thank you for your attention.