

# Introduction and Welcome

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Mesdames et Messieurs, Dames en heren, Meine Damen und Herren,

Ladies and Gentlemen, Dear colleagues, Good morning everyone. It is a great pleasure for me to welcome you in our Federal Parliament.

**Today** we will talk about **data protection in smart cities** with a focus on smart **mobility**.

Let me first thank our distinguished speakers – experts and practitioners in privacy and smart cities who accepted our invitation, as well as all the participants who have joined us.

My warmest thanks also to Prof. Yves-Alexandre de Montjoye of the Imperial College of London and to Prof. Bart Preneel of KU Leuven, for their contribution as **speakers** and as **scientific advisors** of our conference.

They are both external members of the Knowledge Center of the Belgian DPA, of which I am the director and that has organized this study day.

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Today, we will explore how smart city and smart mobility actors can use data to provide innovative solutions for issues such as road congestion, pollution, parking, and access to the city: how to collect data, anonymize it, extract insights and make it available to relevant stakeholders.

What is the impact on the data protection rights and privacy of citizens? How can we incorporate the right level of protection into those projects?

Our journey through smart cities and smart mobility will lead us into various local smart city projects, with perspectives from Germany and Switzerland.

We are well aware that the different use cases and topics presented today encompass a **rich and evolving regulatory landscape**. The recently adopted **Data Act** and forthcoming **AI Act** are but two examples.

Depending on the origin of the data, projects will also trigger **federal or regional rules on open data and the re-use of public sector information**.

It would not be possible and it is not our aim to present in detail all the legal rules and technicalities of the various projects we will discuss today. Our ambition is to provide

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<sup>1</sup> Authorisation and Opinion Service since the 1<sup>st</sup> of June 2024 - following the entry into force of the law of 25 December 2023 amending the law of 3 December 2017 establishing the Belgian Data Protection Authority, M.B/B.S, 1<sup>st</sup> of March 2024

introductory food for thought to today's mixed audience of legal and technical experts.

Let me just mention that traffic and location data processed by telecom operators benefit from specific protection to limit intrusions into our private life. The ePrivacy Directive also provides specific protection for our private correspondence. The protection encompasses content data and communications metadata. The data controller will have to collect the consent of the citizen under the conditions of the ePrivacy Directive.

It is my assumption that location data collected and processed by mere geolocation applications also deserve an enhanced protection under the GDPR.

Be it generated by vehicles, by the city's cameras and sensors, or by the citizen himself using geolocation applications, mobility data such as journeys enable to infer the place of work and of residence, as well as a citizen's centres of interest. It may possibly reveal sensitive information such as religious preference or health status through the places visited. Any disproportionate collection of mobility data could also create a sentiment of general surveillance from the viewpoint of the right to privacy.

**Should mobility data be treated differently and with more caution than other smart city data? And if so, how ?**

**How are smart city and smart mobility data structured and how can access be safely gained to them? What about data pods and EU data spaces, and how to put suitable data protection and privacy safeguards in place?**

The GDPR will be our main compass and we will hear contributions on **tools** that may be instrumental in **maintaining the trust of citizens in smart cities** such as, **rules on access to data, data portability and data protection impact assessments**.

With those challenges and remedies in mind, we hope today's presentations will trigger insightful debates on whether and **to which extent cities can be smart** while preserving privacy.

The **aim of today's conference** is to approach smart city projects from a **preventive viewpoint**, and from the perspective of the Knowledge Center whose role is to contribute to guidance toward private and public actors, including legislative advice. [...]<sup>2</sup>

Our intent is not to assess, nor endorse or criticize any particular project, but to increase our general understanding of the challenges faced by smart city actors and by the citizens.

The Knowledge Center will then draw general conclusions and will publish a summary of today's contributions, some of which will be posted on our website.

Our questions and your questions on smart city projects will not be answered in one day. We can only hope that today's conference will provide some more clarity and direction on how smart cities and privacy protection need to be looked at and further developed.

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<sup>2</sup> The remainder of the Keynote has been integrated in the Smart Cities report.