

The use of pseudonymization to achieve data minimization

Privacy Enhancing Techniques - Pseudonymization under the GDPR

Less is more, more or less

Pseudonymization of personal data is a privacy enhancing technique, meant to encourage and improve security and protection of personal data.

The principle of “data minimization” (article 5(1)(c) of the General Data Protection Regulation) means that a data controller should limit the collection of personal information to what is directly relevant and necessary to accomplish a specified purpose.

While these concepts do not seem to have a direct relationship with each other except for the fact that they both enhance privacy and protection of personal data, article 25 of the General Data Protection Regulation (GDPR) says the following:

*“Taking into account the state of the art, the cost of implementation and the nature, scope, context and purposes of processing as well as the risks of varying likelihood and severity for rights and freedoms of natural persons posed by the processing, the controller shall, both at the time of the determination of the means for processing and at the time of the processing itself, **implement appropriate technical and organisational measures, such as pseudonymisation, which are designed to implement data-protection principles, such as data minimisation**, in an effective manner and to integrate the necessary safeguards into the processing in order to meet the requirements of this Regulation and protect the rights of data subjects.”*

The EU legislators have thus made a connection between both concepts, triggering the question whether data minimization can indeed be achieved through the use of pseudonymization?

Essential for analyzing the research question are:

- The fact that the provisions of the GDPR are fully applicable to pseudonymized data (in contrary to anonymized data);
- What is then exactly pseudonymization?
- When is personal data qualified as pseudonymized data under the GDPR?
- Why does the GDPR stimulate this technique to achieve data minimization?