

Executive Overview
of the Mid-Atlantic Privacy Compass
[Mid-Atlantic Privacy: The Middle Way](#)

Ethics:

- Ethical behaviour should always be an organisation’s true north. An organisation’s ethics inform their sense of corporate responsibility and must be valued as much as profitability.
- Organisations should develop Deliberate Ethics, a process for considering and formalising ethics within their operations through both an ethical framework and the mechanisms to implement it, such as ethics review processes and advisory boards.
- Particularly, organisations working in advanced technology that move more quickly than laws and regulations must recognize their responsibility to engage in ethics-by-design and demonstrate their accountability.

Full post: [Ethics are your True North](#)

Responsibility:

- Organisations must reject the notion that innovation and speed require sacrificing values and embrace the possibility of “Privacy and...” not “Privacy or....”
- Innovative organisations, regulators, and other stakeholders, must work together to develop well-defined systems of collaboration to allow innovation in responsible ways that respect rights. Ideas and technology can then be tested in recognized and formalized trials and “Sandboxes” that allow for a controlled environment and due consideration of various factors.
- Restrictions on activities can be challenging, but challenges often inspire greater and more innovative creativity. Acting responsibly means that organisations cannot trample on rights simply to take the easy path.

Full post: [Responsibility, Collaboration, and Creativity + Bermuda's Pink Sandbox](#)

Oversight:

- Oversight means more than the actions of regulators. It can happen through courts, economic markets, self-regulatory schemes, and citizen action.
- Organisations should engage with regulators, civil society, and other stakeholders as trusted advisors. No party should hold a confrontational, cat-and-mouse mind-set, but should seek proactive and constructive engagement.
- Rights and privileges can only be protected if all groups work in collaboration. With the goal of providing individuals with understanding and assurance, businesses must embrace the value of oversight groups, and vice versa.

Full post: [Constructive Oversight](#)



Community:

- All parties are interconnected. We must exchange ideas and learn from each other. Too often, fear of regulatory action or negative public opinion prevents an organisation from discussing its mistakes or misfortunes.
- Both individuals and oversight groups should recognize that no one is perfect, and organisations must reward that trust by prioritizing community as highly as self-interest.
- We must develop a new Data Protection Social Contract to recognize common interests and ensure we work together effectively, not only in the use or analysis of data for the public good, but also in learning and improving.

Full post: [Our Community Needs a Data Protection Social Contract](#)

Individuals:

- Use of personal information should keep the individual at its heart, and the organisation's relationship to the individual should guide its decision-making.
- Respecting the rights and preferences of the individual builds trust and deepens the relationship.
- Tandem individual and corporate actions are needed to protect privacy, not an adversarial, oppositional approach.

Full post: [Individuals and Trust at the Forefront](#)

Stewardship:

- An organisation, and people in general, should be a steward in all things. This principle extends to communities, the natural environment, and to data.
- When individuals provide personal data to organisations, the entity must take the mind-set that the data is only temporarily in their care and they are acting on the individual's behalf, as a formal agent or otherwise.

Full post: [Stewardship in All Things](#)



Incentives:

- Incentives should be embraced at every level to ensure that persons, organisations, and economies are structured in an ethical way that encourages win-win achievements with privacy and other, complementary goals.
- *Organisations* should structure their business goals to encourage employees to seek achievements related to ethical behaviour or building individual trust. Consent-based models which only incentivise getting agreement, not necessarily giving a full disclosure or receiving true buy-in, should be avoided.
- *Oversight* should create an environment that focuses on the true issue of preventing harm, not punishing noncompliance. A focus on noncompliance may have the perverse effect of rewarding the unscrupulous who save time and effort by not trying to comply. Merely financial penalties make rights abuses a cost of doing business.
- *All parties* should collaborate to create tools and resources to help all others comply with standards and support individuals' rights, for the sake of a level playing field and to encourage a healthy market. Small enterprises should not be punished for lack of resources to implement complex compliance programs.

Full post: [Incentives that Operationalise our Ethics](#)

Interoperability:

- Thanks to the emergence of global platforms like the internet, privacy laws around the world have a kinship or descendancy, and have converged to present a consensus on international standards. Whether formally or otherwise, the regulations and guidance in foreign jurisdictions have a persuasive effect.
- Both principles- and risk-based regulation require organisations to conduct a bespoke analysis of their actions and context. While regulatory compliance floors may differ, a focus on a neutral analysis that mitigates the true harms will most benefit individuals.
- Organisations should focus on Interoperability with legal regimes, technological platforms, and even future developments. They should be encouraged to develop practices that apply regardless of jurisdiction or technology, as long as the goal is to support individuals' rights.

Full post: [Interoperability, or Why Bermuda is Not an Island](#)

