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ARTICLE 29 DATA PROTECTION WORKING PARTY

Article 29 Working Party calls for the swift adoption of the data protection reform package

Statement of the Article 29 Working Party on the state of the negotiations on the data protection reform package: the Working Party urges all parties involved to intensify their efforts to adopt the data protection package before the end of the term of the current EU legislature.

Technological development is a boost for the digital economy and can provide growth and prosperity. Likewise, globalization potentially increases international economical cooperation, leading to a more profitable internal market. These developments also pose new challenges, making an update of the existing EU data protection legislation of vital importance. To ensure a consistent and harmonized application of the rules, in both the public and the private sector, the European Commission has presented a comprehensive framework in January 2012.

The Commission proposal extends the protection of fundamental rights of European citizens by ensuring that European data protection rules also apply to companies not established in the European Union when they offer goods and services to European consumers or monitor their behavior.

In addition, revelations about national security surveillance programs have negatively impacted the trust citizens have in governments and the digital economy and may be a hindrance to achieving its full potential.

The Working Party therefore considers the vote on the General Data Protection Regulation and the Directive for the law enforcement sector by the LIBE Committee on 21 October 2013 a major step forward in the process towards a comprehensive framework on data protection in the EU.

Less progress has unfortunately been made in the Council where negotiations are still ongoing, especially on the modalities for cooperation between data protection authorities. The Working Party stresses that the swift adoption of the draft data protection package provides for an essential framework and necessary tools to ensure effective and efficient cooperation, notwithstanding the increased cooperation between data protection authorities that is already taking place, notably in enforcement.

The European Council conclusions of October 2013 state that in order to foster the trust of citizens and businesses in the digital economy, the timely adoption of a strong EU General Data Protection framework is essential for the completion of the digital single market by 2015. The Working Party urges all parties involved to intensify their efforts to ensure that an agreement on a final text is reached before the end of the term of the current EU legislature.

Background information

The Article 29 Working Party on the Protection of Individuals with regard to the Processing of Personal Data is an independent advisory body on data protection and privacy, set up under Article 29 of the Data Protection Directive 95/46/EC. It is composed of representatives from the national data protection authorities of the EU Member States, the European Data Protection Supervisor and the European Commission. Its tasks are described in Article 30 of Directive 95/46/EC and Article 15 of Directive 2002/58/EC. The Article 29 Working Party is competent to examine any question covering the application of the data protection directives in order to contribute to the uniform application of the directives. It carries out this task by issuing recommendations, opinions and working documents.