

ARTICLE 29 - DATA PROTECTION WORKING PARTY



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FIFTH ANNUAL REPORT

**ON THE SITUATION REGARDING THE PROTECTION OF INDIVIDUALS WITH
REGARD TO THE PROCESSING OF PERSONAL DATA AND PRIVACY IN THE
EUROPEAN UNION AND IN THIRD COUNTRIES**

COVERING THE YEAR 2000

PART I

Adopted on 6th March 2002

**FIFTH ANNUAL REPORT ON THE SITUATION REGARDING THE PROTECTION
OF INDIVIDUALS WITH REGARD TO THE PROCESSING OF PERSONAL DATA
AND PRIVACY IN THE COMMUNITY AND IN THIRD COUNTRIES COVERING
THE YEAR 2000**

PART I – THE ARTICLE 29 DATA PROTECTION WORKING PARTY

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FOREWORD OF MR ROMANO PRODI, PRESIDENT OF THE EUROPEAN COMMISSION

The European Union is now the area of the world which provides the most thorough and extensive protection of personal data. This is the result of a farsighted policy that was launched many years ago and led to a basic Directive - No 95/46/EC - which is now the benchmark for everyone throughout the world who is concerned with the new scope of privacy. Other measures followed, in particular Directive 97/66/EC on telecommunications, and they have further expanded the scope of the basic provisions.

But the whole plan has been rounded off by the Charter of Fundamental Rights of the European Union. It is here that the protection of personal data is in fact finally recognised as a fundamental right of the individual (Article 8), separate from the traditional right to respect for private and family life, which the Charter covers in Article 7. And it is not without significance that the Charter goes beyond simply stating the right to the protection of personal data and also mentions a vital tool for ensuring actual compliance, which is subject to control by an independent authority.

This measure reflects one of the most significant aspects of the European approach, in which individual power is supported and complemented by the existence of an official supervisory authority. Article 29 of Directive 95/46/EC in fact seeks to extend the supervisory powers beyond the national level, by setting up a European Working Party with significant powers and comprising representatives of the national authorities of each of the Member States.

For the first time, the Working Party's annual report is published in a form that ensures it will reach the widest public. It covers wide ranging activities, concerning not only the last year, and indicates what has been done in response to the most pressing problems relating to the protection of personal data, which are an essential component of every person's identity.

The report is being published at a time of special difficulty. But you only have to read it to see how ridiculous it is to oppose, often because of vested interests, privacy and security or privacy and market requirements. It is possible to achieve a balance that can satisfy the needs of security without ever forgetting that privacy is now also a fundamental right. The fact is that e-commerce becomes even easier as you actually comply with the need for secure transactions and the scrupulous safeguarding of the information that users provide.

It is no accident that the European approach to protecting personal data is nowadays most widely accepted, from the countries of Central and Eastern Europe to Canada, and from various countries in the Asia-Pacific area to Latin America, where safeguarding privacy is receiving a great deal of attention in the form of laws that make explicit reference to the systems of rules that have been adopted in Europe.

The publication of this report also takes on special meaning at a time when the national authorities of the candidate countries are becoming involved in the Working Party. In the pages of this report they will be able to find important information and pointers for their future involvement.

Romano Prodi
President of the European Commission

INTRODUCTION OF MR STEFANO RODOTA CHAIRMAN OF THE ARTICLE 29 WORKING PARTY

This Report is something more than a document of the activity carried out by the Working Party in a year filled with demanding tasks – during which the lengthy, difficult negotiations concerning the Safe Harbour agreement were finally concluded, Internet issues were addressed on the basis of carefully thought-out assumptions, and significant developments took place in domestic laws and practices. Indeed, apart from its providing insights into specific, undoubtedly important issues, this Report is proof of the markedly dynamic status of personal data protection matters as well as of the fundamental contribution given by Europe towards establishing a general protection standard, which is producing effects on institutions and cultural stances well beyond European borders.

As pointed out by President Prodi in his Preface, 2000 was also the year in which the Charter of Fundamental Rights of the European Union was proclaimed. In the Charter, data protection was significantly recognised as an autonomous right, and this achievement can be regarded as the final outcome of the Union's long-standing commitment in this area – in which a major contribution came from the activity carried out by the Working Party in the past few years. Article 8 of the Charter has brought about three basic changes as regards the overall institutional framework: firstly, personal data protection has been recognised to be an autonomous, fundamental right of individuals, to be kept separate from the broader right to respect for private and family life referred to in Article 7; secondly, personal data protection cannot be considered solely and/or prevalently in economic terms, nor may it be overridden by – albeit important – security requirements; thirdly, the role played by independent supervisory authorities has attained “constitutional” importance, it being expressly referred to as a necessary component in Article 8(3) of the Charter.

In considering the documents approved by the Working Party in 2000 as well as in the preceding years, it appears that the Working Party has always addressed personal data protection within the framework of the respect for “fundamental rights and freedoms” referred to in Article 1 of Directive 95/46/EC. This approach will have to be enhanced further, in line with the Communication by President Prodi and Commissioner Antonio Vitorino – under which a “formal declaration of compatibility” with the Charter is required for all legislative and regulatory instruments adopted by the Union.

This Report testifies the wide-ranging scope of the activities performed by the Working Party, which is also shown by the list of keywords referring to its relevant documents. Its publication comes at a time in which personal data protection is again the focus of debate and discussion. What destiny is in store for “privacy in an age of terror”? To what extent can data protection be reconciled with the new requirements made by e-commerce? What role should public authorities and citizens play at a time in which the right to informational self-determination is growingly recognised to be a fundamental component of the new citizenship – which is no longer limited by national borders?

The answers to these questions can be looked up in the documents included in this Report. They show how inappropriate and dangerous it is to contrast privacy and security, or privacy and the marketplace. As a fundamental right, privacy may never be overridden by or become instrumental to the achievement of other interests. And whenever these interests are also included in the scope of fundamental rights, the aim should be to strike a balance between the various interests at stake – to reconcile values that all deserve the highest consideration.

If one reads the decisions concerning Safe Harbour, Internet or certain aspects of electronic commerce, it will appear that the balance referred to above can actually be struck. In other cases, such as the Recommendation issued in the past by the Working Party concerning interception activities, there are limitations to be complied with in using surveillance technologies, so as to prevent their blanket implementation from endangering democratic systems.

Indeed, there is a growing trend towards committing the solution of difficult social problems and/or the development of many economic sectors to the massive use of technologies. Personal data protection is no “obstacle” to this trend, despite what is commonly argued. In fact, it allows testing consistency of that use with democratic principles both in terms of individual freedoms and as to the respect for the freedoms of society as a whole.

The consideration of privacy-related issues allows defining the new scope of those freedoms, even apart from the conventional province of electronic data processing. Data protection is currently at the crossroads of computer science and bioethics, and special emphasis is put on the processing of genetic data – whose importance has been recognised by the issuing of the Opinion on the human genome project. Genetic data are growingly regarded as the most sensitive type of sensitive data and therefore, as the data requiring the strictest protection. It is a fact that genetic data are currently exposed to the greatest dangers on account of powerful interests that are keen on making use of them to the widest possible extent for business purposes.

Faced with the continuously changing reality, data protection requires continuous adjustments – which, however, should never come short of its being a fundamental right. The Working Party has been working at the interface between inviolable principles and changing reality. It is playing the difficult role of a go-between, based on the assumption that data protection is not the result of academic concerns, but rather of the need to provide full safeguards for individuals also in the technological context – where individuals may become “electronic persons”, but must retain their whole dignity. One should never forget that under Article 1 of the Charter of Fundamental Rights of the European Union, “human dignity is inviolable. It must be respected and protected.”

Ensuring respect for and protection of human dignity is also the task of the Working Party, which can thereby contribute to safeguarding everybody’s identity and personality. This is a major responsibility entailing the need for the WP’s activity to be always transparent and, therefore, controllable. Thus, publication of this Report, which has been made available for the first time in a printed version, is meant as an attempt at raising public awareness of our activity and facilitating control by the public at large – which is a basic rule of all democratic systems.

Stefano Rodotà
Chairman of the Art. 29 Working Party

1. Members 1996-2000

Presidents

Prof. Stefano RODOTA, Chairman of the Art. 29 Working Party since 2000, Vice-Chairman from 1998-2000, President of the Garante, Italy



Chair of Civil Law at the Faculty of Law of Rome "La Sapienza" University.

He is currently the President of the Italian Data Protection Commission and Chairman of the European Data Protection Working Party.

He is a member of the European Group on Ethics in Science and New Technologies.

Mr. Rodotà has taught in many foreign universities. He has been Visiting Scholar, Stanford School of Law and Visiting Fellow, All Souls' College, Oxford.

He was a representative at both the Italian Parliament (1979 to 1994) and the European Parliament, and a member of the Parliamentary Assembly of the Council of Europe (1983 to 1994). He was the Vice-Chairman of the Italian Chamber of Deputies.

He was among the drafters of the OECD Privacy Guidelines in 1980.

He is a member of the Legal Advisory Board for Market Information of the European Commission.

Mr. Rodotà has always been keen on the issue of rights. He authored a number of publications and essays, including "Il terribile diritto. Studi sulla proprietà privata" (1990), "Questioni di bioetica" (1993), "Tecnologie e diritti" (1995), "Tecnopolitica" (1997), "Libertà e diritti in Italia" (1997), "Repertorio di fine secolo" (1999).

Mr Peter HUSTINX, Chairman of the Art. 29 Working Party from 1996 to 2000,
President of the Dutch Data Protection Authority



Mr. Peter J. Hustinx (born 1945) is President of the Dutch Data Protection Authority (College bescherming persoonsgegevens). He received law degrees in Nijmegen (Netherlands) and in Ann Arbor (USA).

In 1971 he joined the Dutch Ministry of Justice. As member of the Committee of Experts on Data Protection of the Council of Europe, he took part in the preparation of the 1981 Convention on Data Protection.

From 1985 until 1988 he was Chairman of this committee.

In 1991 he was appointed President of the Dutch Data Protection Authority (Registratiekamer).

He was reappointed in 1997 and continued in 2001 as President of the Data Protection Authority (CBP) established by the new Data Protection Act.

From 1996 until 2000 he was Chairman of the Article 29 Working Party (Directive 95/46/EC).

From 1998 until 2001 he was Chairman of the Appeals Committee of the Joint Supervisory Board of Europol. Since 1986 he has also been deputy judge in the Court of Appeal in Amsterdam.

Mr Reijo AARNIO, Vice-Chairman of the Art. 29 Working Party since 2000,
Data Protection Ombudsman of the Finnish Data Protection Authority



Reijo Aarnio (born 1955) graduated from the University of Helsinki, Faculty of Law in 1981. He then worked at several expert and managerial tasks in the private sector. He aided the committee drafting the Personal Data Act in an expert capacity.

Reijo Aarnio became Data Protection Ombudsman on 1 November 1997, taking over from Jorma Kuopus, LL.D. The Data Protection Ombudsman is appointed for a term of five years.

Mr. Aarnio is a member of the Steering Group of Information Security in State Government, the Telecommunications Advisory Board, and the Ministry of Social Affairs and Health working group on labour issues.

Members

Austria

Ms Waltraut KOTSCHY, Dr. jur. und Mag. rer. soc. oec (Betriebswirtschaft),
Executive member of the Austrian Data Protection Commission, member since 1996



At present:

- *Director, Prime Minister's office, constitutional service, department responsible for legal questions of electronic data processing (including data protection) and legal questions of administrative reform (including clearance of laws)*
- *Executive member, Data Protection Commission*
- *Deputy member (representing the federation), Data Protection Council*
- *Representative of Austria in various committees (EU, OECD, etc.)*
- *Data Protection Commissioner, Council of Europe*
- *Intensive lecturing and counselling activity for legislative projects in East and South Eastern Europe, mostly for the account of the Council of Europe*

Previous functions:

- *Assistant professor, Institute of public administration (Prof. DDr. Robert Walter, University of Economy, Vienna)*
- *Legal Adviser, Prime Minister's office, constitutional service*

Belgium

Mr Paul THOMAS, President of the Commission de la protection de la vie privée, member since 1996



Previous functions:

- *Court martial judge, Brussels and Cologne;*
- *Head of prosecutor's office, Tournai labour tribunal;*
- *Professor of Politics and Lawmaking, Belgian Royal Defence Institute;*
- *Principal Advocate-General, Mons Court of Appeal;*
- *President, Support Commission for the Victims of Violent Crime;*
- *President, Internal records supervisory commission O.I.P.C. (Interpol) Lyon, France*

Denmark

Mr Henrik WAABEN, Director of Datatilsynet, member since 1996

Finland

Mr Reijo AARNIO, Vice-Chairman, Data Protection Ombudsman, member since 1997¹

¹ see page 9.

France

Mr Marcel PINET, State Councillor of the Commission Nationale de l'Informatique et des Libertés (CNIL), member since 1998



*Graduate of the Institute of Political Studies, Algiers
Holder of a postgraduate diploma in public law, political economy and economic sciences.*

Student at the National School of Administration (Ecole nationale d'administration) from 1958 to 1960, appointed to the Council of State in 1960.

After having held several senior civil service posts, notably those of Technical Adviser to the Secretariat General of the Presidency of the Republic from 1967 to 1969, Director responsible for Universities and Higher Educational and Research Establishments and subsequently Director General of Programming and Coordination at the Ministry of Education from 1970 to 1982, Director General of Administration and the Public Service Sector in the Government Secretariat General from 1982 to 1986, he served as Head of Sub-Department in the Legal Department of the Council of State from 1996 to 1998.

Marcel Pinet is currently Chairman of the National Consultative Committee for the Amicable Settlement of Disputes relating to Public Procurement (Comité national consultatif de règlement amiable des litiges relatifs aux marchés publics), Section Chairman on the Appeals Committee for Refugees (Commission des recours des réfugiés) and Member of the National Committee for the Evaluation of Public Institutions of a Scientific, Cultural and Professional Nature (Comité national d'évaluation des établissements publics à caractère scientifique, culturel et professionnel).

Marcel Pinet has been a member of the National Commission for Informatics and Freedoms (Commission Nationale de l'informatique et des Libertés - CNIL) since 1988. Within the CNIL, he is currently in charge of matters relating to telecommunications and networks, including the Internet, and represents the CNIL in the Data Protection Working Party set up under Article 29 of Directive 95/46/EC of 24 October 1995.

He is the author of the "Histoire de la fonction publique en France" (A history of the public service sector in France), published by Editions de la Nouvelle Librairie de France, Paris 1993.

Marcel Pinet is an Officer of the Legion of Honour (officier de la Légion d'honneur), Commander of the National Order of Merit (Commandeur de l'ordre national du Mérite), Commander of the Order of Academic Palms (Commandeur des Palmes académiques) and Knight of the Order of Merit for Agriculture (chevalier du Mérite agricole).

Ms Louise Cadoux, member and Vice-Chairman from 1996 to 1998

Germany

Dr. Joachim JACOB, Der Bundesbeauftragte für den Datenschutz, member since 1996



On July 1, 1993, Dr. Jacob became the first German Federal Data Protection Commissioner to be elected by the Federal Parliament (Bundestag). Prior to his appointment, Dr. Jacob served in several public service positions in the Federal Ministry of the Interior, including private secretary to the State Secretary, Vice-President of the Federal Statistical Office and Director at the Federal Academy of Public Administration. From 1989 until his appointment as commissioner (1993) he was deputy to the Federal Data Protection Commissioner. During the German EU Presidency (II/1994) Dr. Jacob presided the Council Working Group "Economic Questions (Data Protection)". Since 1995 he is a member of the Supervisory Board for the Internal Control of Interpol's Archives.

On 28 May 1998 the Federal Parliament has reelected Dr. Jacob for another five years' tenure. He began his second term of office on 1 July 1998. Since 1999 he is a member of the Joint Supervisory Body of Europol.

Greece



Mr Konstantinos DAFERMOS, President of the Hellenic Data Protection Authority, member since 1998

Born at Heraklion, Creta in 1931, graduate of the University of Athens in Law.

He became a Member of the Judiciary in 1956. He left in 1998 with the honorary title of Vice-President of the Supreme Court to take up a post as President of the Hellenic Data Protection Authority.

Ireland

Mr Joseph MEADE, Data Protection Commissioner, member since 2000



Mr. Joseph (Joe) Meade was appointed by the Irish Government to be Data Protection Commissioner for a five year period with effect from 9 September 2000. A native of Co. Clare he was born in 1950 and is married with three children.

As a career civil servant he has wide experience in the Irish and international public services having served in the Office of the Comptroller and Auditor General (the State Auditor) since 1967 where he held the position of Secretary General until his current appointment. He also served for a two year period in 1993/94 in the European Court of Auditors in Luxembourg and from 1997/2000 was a member of (in 2000 its Chairperson) the Audit Commission of the European Space Agency in Paris. In 1999 he was a member of the Referendum Commission in Ireland.

He graduated in 1974 with a business and finance degree from University College Dublin

Mr Fergus Glavey, Data Protection Commissioner, member from 1996 to 2000

Fergus Glavey served as Ireland's second Data Protection Commissioner in the period September 1993 to September 2000. A career civil servant he previously worked in the Ministry of Finance. He was elected as the first chairman of the Europol Joint Supervisory Body in 1998.

Italy

Mr Stefano RODOTA, President of the Garante per la protezione dei dati personali member since 1996²

Luxembourg

Mr René Faber, Chairman of the Commission for the Protection of Nominative Data (Commission à la Protection des Données Nominatives), member since 1996



Born in Luxembourg in 1928

Graduated as a civil engineer from the Swiss Federal Institute of Technology (Ecole Polytechnique Fédérale de Zurich).

Appointed to the Advisory Committee in September 1979 as computer representative for the private sector at the proposal of the Chamber of Trade.

Elected as Chairman in July 1984.

Reelected as Chairman with each new appointment of the Committee and the extension of his term as Member of the Committee.

The Members of the Committee were last appointed on 15 January 2001 for a term of five years.

Other posts:

- *First Chairman of the Council Working Group “Economic questions (data protection)” on Directive 95/46/EC during the Luxembourg Presidency*
- *First Chairman of the Council Working Group “Telecommunications” on Directive 97/66/EC during the Luxembourg Presidency*
- *First Chairman of the Council Working Group on the Decision concerning the Security of Information Systems during the Luxembourg Presidency*
- *First Chairman of the Joint Supervisory Authority of Schengen*
- *Senior Chairman for the setting up of the Joint Supervisory Authority of Europol.*
- *First Vice-Chairman of the Joint Supervisory Authority of Europol.*

² see page 8

Netherlands

Mr Peter HUSTINX, President of the College Bescherming persoonsgegevens (CBP)³, member since 1996

Portugal

Mr João LABESCAT, President of the Comissão Nacional de Protecção de Dados, member from 1999 to 2001



Graduate in Law

President of the National Data Protection Commission

President of the Schengen Joint Supervisory Authority

Guest lecturer at the Faculty of Engineering of the University of Porto

Secretary-General of CIVITAS.

Vice-President of the "European Association for the Defence of Human Rights" (FIDH-AE).

Member of the Ethics Council of the "Electronic Frontier" association.

Positions held:

Member of the National Computerised Data Protection Commission, elected by the Assembleia da República (Parliament); Member of the Commission on Access to Administrative Documents; Vice-President of the Schengen Joint Supervisory Authority; Member of the National Elections Commission, elected by the Assembleia da República; Adviser to the Mayor's Office in Lisbon Municipality; Head of Cabinet of the PCP Parliamentary Group.

Mr Joaquim DE SEABRA LOPES, Commissioner, member of the Portuguese Data Protection Authority – Comissão Nacional de Protecção de Dados, member from 1996 to 1999

Joaquim de Seabra Lopes is at present university professor, in the areas of computer law, registry and notarial law. He started his career in the Ministry of Justice as Secretary General and Director General of various departments, in particular for about 17 years in the Cabinet for studies and forward planning which was under his responsibility and regulation for data protection aspects. He was

- *Data Protection Commissioner of the Council of Europe (1995-1998)*
- *Member of the Data Protection Commission (1994-1999)*
- *The representative of Portugal in the Data Protection Group of the Council of the European Union (1991-1999) which he presided under the two Portuguese Presidencies, the Art. 29 Data Protection Working Party and the Art. 31 Committee from its beginning until 1999.*
- *Representative of Portugal in the project group on data protection and the expert group in computer law of the Council of Europe, from time to time president of both*
- *He participated in the drafting groups of the Council of Europe Convention 108 and the OECD guidelines.*
- *He has published numerous works on data protection, computer law and public registry law*
- *The Portuguese government decorated him with the "comenda da Ordem de Mérito" and with the "Grande Oficialato da Ordem Militar de Cristo".*

³ see page 9

Spain

Mr Juan Manuel FERNANDEZ LOPEZ, Director of the Agencia de Protección de Datos, member since 1998



Mr. Juan Manuel Fernández López is member of the Spanish Judiciary with the rank of Magistrate. He has been a Member of the Competition Board from 1995 (28/12) to 1997 (28/7), the date on which he was promoted to the position of Vice President of the same Board, a position he has held until 1998 (3/4), the date on which he was appointed Director of the Spanish Data Protection Agency, the post that he is currently occupying.

He is Professor of Mercantile Law at the Complutense University of Madrid and Professor of a Program on Community Law, particularly in the areas of Competition and Patent Law, at the University of Alcalá de Henares, Institute for European Studies.

He is also Member of the International Association for Patent Protection. He is President of the Institute of Industrial Law and Ethics (IDEI, acronym in Spanish) and Member of the Advisory Committee of the Centre for European Pharmaceutical Law Studies (CEDEF, acronym in Spanish).

He is also Member of the Royal Academy of Jurisprudence and Legislation, Member of the General Commission on Codification and he runs as Editorial Director the Law Review, "Comunicaciones IDEI".

He has managed, organised and lectured, at the request of the General Council of the Judicial Power, several expert courses on Patent Law and Unfair Competition and European Community Law for Judges and Magistrates.

He frequently lectures on courses and seminars on Mercantile Law and Data Protection. He has published several monographs and articles in specialised journals on Mercantile Law.

Mr Juan José MARTIN-CASALLO LOPEZ, Director of the Agencia de protección de datos, member from 1996 to 1998

Sweden

Mr Ulf WIDEBÄCK, Director-General of Datainspektionen, member since 2000



*Bachelor of Laws, University of Stockholm
Associate Judge of Appeal, Secretary of the Committee on Privacy etc.
Judge, Administrative Court of Appeal in Stockholm
Vice chairman, Law Council at the National Board of Health and Welfare Chief Inspector and
Deputy Director-General, Data Inspection Board
Director-General, Data Inspection Board*

Ms Anitha BONDESTAM, Director-General of Datainspektionen, member from 1996 to 1999

United Kingdom

Ms Elizabeth FRANCE, Information Commissioner, member since 1996



Elizabeth France took up her post as Data Protection Registrar on 1st September 1994. On the 1st March 2000 she became the Data Protection Commissioner when the Data Protection Act 1998 came into force. Freedom of Information has subsequently been added to her responsibilities and, as Information Commissioner she is now the independent supervisory authority for both the Data Protection Act 1998 and the Freedom of Information Act 2000. Both laws relate to aspects of information policy and they come together at the point where personal information is considered for disclosure. Her office is in Wilmslow in Cheshire where approximately 130 staff deal with data protection matters for the whole of the UK.

Observers

Iceland

Hörður H. Helgason, Chief Legal Counsel, Deputy Commissioner of Persónuvernd, observer since 2000)



- 1998 *Candidatus juris, University of Iceland, Faculty of Law*
- 1999 *Accepted to the Bar, District Court of Reykjavik City*
- 2001 *BS7799 Certified Lead Auditor, British Standards Institute*
- 1998 *Attorney at Law, Reykjavik City*
- 1999 *Legal Counsel, Senior Civil Servants' Pay Committee (Kjaranefnd)*
- 2000 *Legal Counsel, Data Protection Agency (Persónuvernd)*
- 2001 *Chief Legal Counsel and Deputy Commissioner, Data Protection Agency*
- 1995-1997 *Member of the Board, Law Institution, University of Iceland*
- 1998 *Founding Member, Lion's Club 'Askur'*
- 2000 *Joined the Legal Advisory Board, Amnesty International in Iceland*

Ms Sigrun Johannesdottir, Director of the Data Protection Agency (Persónuvernd) observer from 1996 to 1999



- 1985 *Candidatus juris, University of Iceland, Faculty of Law*
- 1985 *Legal Counsel for the Director of Internal Revenue*
- 1990 *Attorney at Law, Reykjavik City*
- 1991 *Head of Department in The Ministry of Justice*
- 1994 *Permanent Secretary for the Icelandic Data Protection Commission*
- 2000 *Icelandic Data Protection Commissioner*

Norway

Mr. Georg Apenes, Director General, Datatilsynet, observer since 1996



Georg Apenes was born in 1940 in Norway. Officers Training School 1962, assistant county court judge 1969-71. Licenced lawyer 1971. Assistant editor 1971-77. Member of Parliament 1977-89, member of the parliamentary assembly of the Council of Europe 1981-89. Appointed Data Protection and Privacy Commissioner of Norway 1989. Author of several books, essays and articles in periodica. Recent publication: "PANOPITICON – our transparent society", 2000.

- **Table with contacts of alternate members**

AUSTRIA	BELGIUM
<p>Frau Dr. Eva SOUHRADA-KIRCHMAYER (1996-) Österreichische Datenschutzkommission Ballhausplatz, 1 A - 1014 WIEN Tel 43/1/531.15.25.44 Fax 43/1/531.15.26.90 E-mail: eva.souhrada-kirchmayer@bka.gv.at Website: http://www.bka.gv.at/datenschutz/</p>	<p>Mme Marie-Hélène BOULANGER (1996 - 1999) Secrétaire générale Mme Anne-Christine LACOSTE (2000 -) Conseillère adjointe Commission de la protection de la vie privée Boulevard de Waterloo, 115 B - 1000 BRUXELLES Tel 32/2/542.72.00 Fax 32/2/542.72.12 E-mail: Anne-Christine.Lacoste@privacy.fgov.be Website: http://www.privacy.fgov.be/</p>
DENMARK	FINLAND
<p>Ms Lena ANDERSEN (1996 - 1999) Ms Charlotte EDHOLM MORTENSEN (2000) Legal Advisers Datatilsynet Christians Brygge, 28 - 4 DK - 1559 KOEBENHAVN V Tel 45/33/14.38.44 Fax 45/33/13.38.43 E-mail: dt@datatilsynet.dk Website: www.datatilsynet.dk</p>	<p>Ms Maija KLEEMOLA (1996-) Head of Department Office of the Data Protection Ombudsman P.O. Box 315 FIN - 00181 HELSINKI Tel 358/9/18251 Fax: 358/9/1825.78.35 E-mail: majja.kleemola@om.vn.fi Website: http://www.tietosuojafi/</p>
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<p>Ms Marie GEORGES (1996-) Chef de division Commission Nationale de l'Informatique et des Libertés (CNIL) Rue Saint Guillaume, 21 F - 75340 PARIS CEDEX 7 Tel 33/1/53.73.22.22 Fax 33/1/53.73.22.00 E-mail: mgeorges@cnil.fr Website: http://www.cnil.fr/</p>	<p>Dr Stefan WALZ (1996 - 1999) Landesbeauftragter für den Datenschutz Bremen Postfach 10 03 80 D – 27503 BREMERHAVEN</p> <p>Prof. Dr. Hansjürgen GARSTKA (2000 -) Berliner Beauftragter für Datenschutz Pallasstr. 25 D – 10781 BERLIN Tel. 49/30-7560 7809 Fax: 49/30-215 50 50 E-mail: mailbox@datenschutz-berlin.de</p>
GERMANY	GREECE
<p>MR Ulrich DAMMANN (1996-) RD Helmut Heil (1996-) Der Bundesbeauftragte für den Datenschutz Friedrich-Ebert-Str. 1 D - 53173 BONN (Bad Godesberg) Tel. 49/228/81.99.50 Fax: 49/228/81.99.55.50 E-mail: poststelle@bfd.bund400.de Website: http://www.bfd.bund.de/</p>	<p>Professor Nicos C. ALIVIZATOS (1996-) Mr Pelopidas DONOS, Attorney at Law (1996-) Hellenic Data Protection Authority Omirou 8, PC 10564 Athens Tel 301/335.26.25 Fax 301/335.26.17 E-mail: pdonos@dpa.gr Website: http://www.dpa.gr/</p>

IRELAND	ITALY
<p>Mr Greg HEYLIN (1996 – 1999) Mr Tom MAGUIRE (2000 -) Deputy Commissioners Mr Ronnie DOWNES (2000 -) Assistant Data Protection Commissioner Irish Life Centre, Block 4, Talbot Street, 40 IRL - DUBLIN 1 Tel 353/1/874.85.44 Fax: 353/1/874.5405 E-mail: info@dataprivacy.ie Website: http://www.dataprivacy.ie/</p>	<p>Mr Giovanni BUTTARELLI (1996-2000) Secretary general Garante per la protezione dei dati personali Piazza di Monte Citorio, 121 I - 00186 ROMA Tel 39/06/69.67.77.03 Fax 39/6/696.77.785 E-mail : Buttarelli@garanteprivacy.it Website: http://www.garanteprivacy.it/</p>
LUXEMBOURG	THE NETHERLANDS
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PORTUGAL	SPAIN
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2. Tasks of the Article 29 Working Party

The Working Party was set up to achieve several primary objectives:

- To provide expert opinion from member state level to the Commission on questions of data protection.
- To promote the uniform application of the general principles of the Directives in all Member States through co-operation between data protection supervisory authorities.
- To advise the Commission on any Community measures affecting the rights and freedoms of natural persons with regard to the processing of personal data and privacy.
- To make recommendations to the public at large, and in particular to Community institutions on matters relating to the protection of persons with regard to the processing of personal data and privacy in the European Community.

The Working Party has been established by Article 29 of Directive 95/46/EC. It is the independent EU Advisory Body on Data Protection and Privacy. Its tasks are laid down in Article 30 of Directive 95/46/EC and in Article 14 of Directive 97/66/EC.

Articles 29 and 30 of Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data⁴

Official Journal L 281 , 23/11/1995 p. 0031 - 0050

“Article 29

Working Party on the Protection of Individuals with regard to the Processing of Personal Data

1. *A Working Party on the Protection of Individuals with regard to the Processing of Personal Data, hereinafter referred to as 'the Working Party', is hereby set up. It shall have advisory status and act independently.*
2. *The Working Party shall be composed of a representative of the supervisory authority or authorities designated by each Member State and of a representative of the authority or authorities established for the Community institutions and bodies, and of a representative of the Commission. Each member of the Working Party shall be designated by the institution, authority or authorities which he represents. Where a Member State has designated more than one supervisory authority, they shall nominate a joint representative. The same shall apply to the authorities established for Community institutions and bodies.*
3. *The Working Party shall take decisions by a simple majority of the representatives of the supervisory authorities.*
4. *The Working Party shall elect its chairman. The chairman's term of office shall be two years. His appointment shall be renewable.*
5. *The Working Party's secretariat shall be provided by the Commission.*
6. *The Working Party shall adopt its own rules of procedure.*
7. *The Working Party shall consider items placed on its agenda by its chairman, either on his own initiative or at the request of a representative of the supervisory authorities or at the Commission's request.*

Article 30

1. *The Working Party shall:*
 - (a) *examine any question covering the application of the national measures adopted under this Directive in order to contribute to the uniform application of such measures;*
 - (b) *give the Commission an opinion on the level of protection in the Community and in third countries;*
 - (c) *advise the Commission on any proposed amendment of this Directive, on any additional or specific measures to safeguard the rights and freedoms of natural persons with regard to the processing of personal data and on any other proposed Community measures affecting such rights and freedoms;*
 - (d) *give an opinion on codes of conduct drawn up at Community level.*

⁴ See <http://europa.eu.int/comm/privacy>

2. *If the Working Party finds that divergences likely to affect the equivalence of protection for persons with regard to the processing of personal data in the Community are arising between the laws or practices of Member States, it shall inform the Commission accordingly.*
3. *The Working Party may, on its own initiative, make recommendations on all matters relating to the protection of persons with regard to the processing of personal data in the Community.*
4. *The Working Party's opinions and recommendations shall be forwarded to the Commission and to the committee referred to in Article 31.*
5. *The Commission shall inform the Working Party of the action it has taken in response to its opinions and recommendations. It shall do so in a report which shall also be forwarded to the European Parliament and the Council. The report shall be made public.*
6. *The Working Party shall draw up an annual report on the situation regarding the protection of natural persons with regard to the processing of personal data in the Community and in third countries, which it shall transmit to the Commission, the European Parliament and the Council. The report shall be made public.”*

Article 14 of Directive 97/66/EC of the European Parliament and of the Council of 15 December 1997 concerning the processing of personal data and the protection of privacy in the telecommunications sector

Official Journal L 024 , 30/01/1998 p. 0001 – 0008

“Article 14

Extension of the scope of application of certain provisions of Directive 95/46/EC

- (...)3. *The Working Party on the Protection of Individuals with regard to the Processing of Personal Data established according to Article 29 of Directive 95/46/EC shall carry out the tasks laid down in Article 30 of the above mentioned Directive also with regard to the protection of fundamental rights and freedoms and of legitimate interests in the telecommunications sector, which is the subject of this Directive.”*

3. Summary of the main opinions and recommendations adopted

Summary of the main issues addressed by the Article 29 Data Protection Working Party in 2000

The main issues addressed by the Working Party in the year 2000 concerned the finalisation of the safe harbour arrangement in the United States, the general review of telecommunications law taking place within the Union, more generally privacy on the internet, new aspects of e-commerce and the delayed implementation by of Directive 95/46/EC. The following provides a brief summary of the main points addressed in each of these areas. A detailed description of the positions taken by the Working Party in each individual area can be found in Part II, Chapter 1.3.

The Safe Harbour Arrangement

After two years of providing constant input and assistance at each stage of the discussions between the European Commission and the United States on this arrangement, the Working Party expressed its final thoughts on this issue in 2000. While it recognised that significant progress had been made towards improved protection during the two years of talks, it recommended that further improvements be made on a limited number of fundamental issues. It further continued to highlight the economic and commercial importance of the Safe Harbour arrangement.

The Internet, Telecommunications and Electronic Commerce

In view of the continued growth of the Internet, in 2000 the Working Party continued to stress the fact that the data protection rules contained in Directive 95/46/EC and 97/66/EC applied to personal data processed on-line and provided further guidance on the interpretation of these rules.

In the course of using the Internet, individuals disclose much personal data. In some cases, for example, where the user discloses his name and address for the purpose of subscribing to a particular site, he will be aware that his personal data is being processed. However in other cases, where for example, a 'cookie' has been installed on his hard-drive which tracks his behaviour and preferences on-line, the user may be unaware that his personal data is being processed.

In its work on this area in 2000, the Working Party illustrated how the efficient application of the directives can serve to protect against invasions of the user's privacy. Under Article 7 of Directive 95/46/EC personal data may only be processed if the individual has given his consent or if the processing is necessary for the legitimate interests pursued by the controller where such interests are not overridden by the fundamental rights of the data subject. Therefore applying this Article there is little room for the Internet user's data to be processed covertly without his consent being obtained. His privacy is therefore protected and there is certainty for businesses operating on-line as to what is lawful and what is not. The Working Party emphasised that Article 7 had to be the basis for any processing and that in certain cases (for example, as regards

extensive reverse search facilities) the actual consent of the data subject could be the only basis for legitimising processing.

In 1999 the European Commission announced its intention to review the existing telecommunications legal framework, including Directive 97/66/EC on the protection of privacy in the telecommunication sector. The Working Party contributed to the discussions on the draft directive and gave the benefit of their expertise to the European Commission through making informed suggestions and requesting clarifications on certain issues. They emphasised the fact that the specific directive supplements rather than replaces the data protection rules in the general directive. They expressed the hope that any new legal framework would provide an increased level of protection and highlighted the importance of the principle of secrecy of correspondence being respected.

In 2000 the Working Party also gave specific guidance on practical problems experienced by individuals through their use of the Internet. The problems created by spamming and reverse searches in electronic directories were addressed and the application of the directives to these problems explained. The Working Party requested in particular that opt-in systems be created in the Member States for such technologies.

Implementation of Directive 95/46/EC

On a number of occasions in 2000 the Working Party took the opportunity to express their dismay at the non-implementation of Directive 95/46/EC by some Member States and to highlight the substantive problems, in particular the lack of protection for citizens and the fact that obstacles remain which prevent the exchange of data within the Internal Market, that resulted from this delay.

4. Rules of procedure



COMMISSION OF THE EUROPEAN COMMUNITIES

DIRECTORATE GENERAL XV

Internal Market and Financial Services

Free movement of information, company law and financial information

Free movement of information and data protection, including international aspects

XV/D/5031/96 EN

WORKING PARTY ON THE PROTECTION OF INDIVIDUALS WITH REGARD TO THE PROCESSING OF PERSONAL DATA

RULES OF PROCEDURE

adopted by the Working Party
at its third meeting
held on 11 September 1996

THE WORKING PARTY ON THE PROTECTION OF INDIVIDUALS WITH REGARD TO THE PROCESSING OF PERSONAL DATA

set up by Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995⁵,

in pursuance of Articles 29 and 30 of that Directive,
has drawn up its Rules of Procedure as follows⁶:

Article 1

1. The Working Party shall have advisory status and act independently.[Art.29(1)]
2. The Working Party shall:
 - (a) examine any question covering the application of the national measures adopted under this Directive in order to contribute to the uniform application of such measures;
 - (b) give the Commission an opinion on the level of protection in the Community and in third countries;
 - (c) advise the Commission on any proposed amendment of this Directive, on any additional or specific measures to safeguard the rights and freedoms of natural persons with regard to the processing of personal data and on any other proposed Community measures affecting such rights and freedoms;
 - (d) give an opinion on codes of conduct drawn up at Community level. [Art. 30(1)]
3. If the Working Party finds that divergences likely to affect the equivalence of protection for persons with regard to the processing of personal data in the Community are arising between the laws or practices of Member States, it shall inform the Commission accordingly. [Art. 30(2)]
4. The Working Party may, on its own initiative, make recommendations on all matters relating to the protection of persons with regard to the processing of personal data in the Community.[Art. 30(3)]

Membership of the Working Party

Article 2

1. The Working Party shall be composed of a representative of the supervisory authority or authorities designated by each Member State and of a representative of the authority or authorities established for the Community institutions and bodies, and of a representative of the Commission.[Art. 29(2)]
2. Each member of the Working Party shall be designated by the institution, authority or authorities which he represents. Where a Member State has designated more than one supervisory authority, they shall nominate a joint representative. The same shall apply to the authorities established for Community institutions and bodies.[Art.29(2)]
3. The authorities and institutions mentioned in the above paragraphs shall designate an alternate according to the same procedures. A second alternate may be designated if needed.
4. The authorities and institutions mentioned in the above paragraphs shall inform the secretariat of the names of these representatives.

⁵ OJ no. L 281 of 23/11/1995, p. 31

⁶ The present version includes the relevant provisions of directive 95/46/EC, a reference to the corresponding articles of the directive appears in square brackets.

5. Where a Member State has not designated the authority or authorities cited in the first paragraph of this article, the Chairperson shall invite, in accordance with Article 9, the Member State concerned to designate an observer. The said observer shall have the right to speak but shall not have voting rights.

Chairmanship of the Working Party

Article 3

1. The Working Party shall elect a Chairperson and a Vice-Chairperson by means of a secret ballot.
2. The Chairman and the Vice-Chairperson of the Working Party shall be elected by absolute majority of the members of the Working Party who are entitled to vote according to Article 17.
3. The term of office of the Chairperson and the Vice-Chairperson shall be two years. The term of office of the Chairperson and Vice-Chairperson shall be renewable [Art.29(4)] only once.

Secretariat

Article 4

1. The Secretariat of the Working Party shall be provided by the services of the Commission^(*).
2. The Secretariat shall prepare the work of the Working Party in liaison with the Chairman. The Secretariat shall assist the Working Party in the preparation of draft opinions and recommendations.
3. Correspondence intended for the Working Party shall be addressed to the Secretariat.

Convening of the Working Group and venue

Article 5

1. The Working Party shall be convened on the initiative of its Chairperson or of the Secretariat. It may also be convened by its Chairperson at the request of at least one third of its full members.
2. The Chairperson shall convene the Working Group in liaison with the Secretariat.
3. The Secretariat of the Working Party shall issue the invitations and the agenda to each member not less than four weeks before the proposed date of the meeting and shall at the same time inform each alternate.
4. In an emergency, the period of four weeks specified above may be shortened, but in any event not to less than two weeks.

Article 6

As a general rule, meetings of the Working Party shall be held at the offices of the Commission.

(*)Address: Secretariat of the Working Party on the protection
of individuals with regard to the processing of personal data
Directorate-General for the Single Market and Financial Services
Commission of the European Communities
Rue de la Loi 200
B - 1049 Brussels

Agenda

Article 7

1. Draft agendas shall be prepared by the Chairperson, either on his own initiative or at the request of a representative of the supervisory authorities or at the Commission's request.[Art.29(7)]
2. The Chairperson may decide at the request of a member to place an additional item on the agenda or to delete part of the draft agenda.
3. The Working Group shall approve the agenda when the meeting is opened.

Article 8

Any member who is unable to attend a meeting must inform his alternate and the Secretariat of the Working Group as soon as possible.

Admission to meetings

Article 9

1. Besides the members and alternates, experts or observers invited by the Chairperson pursuant to a decision of the Working Party may participate in the meetings:
2. The Chairperson pursuant to a decision of the Working Party authorises the members of the Working Party to be assisted by experts of their confidence for one or several meetings. The members shall inform the secretariat of the names of these experts.

Quorum

Article 10

A meeting of the Working Group shall be valid if more than half of the persons having the right to vote in accordance with article 17 are present.

Organisation of Discussions

Article 11

1. Without prejudice to article 214 of the EC Treaty, the members of the Working Party experts and observers shall exercise discretion with regard to the Working Party's discussions.
The minutes and any draft documents of the Working Party shall be restricted documents, unless the Working Party decides otherwise.
Opinions, recommendations and any other document adopted by the Working Party shall not be restricted, unless the Working Party decides otherwise.
2. The Chairperson shall direct the proceedings. If the Chairperson is unable to attend he/she shall be replaced by the Vice-Chairperson.
3. If the Vice-Chairperson is unable to attend, the Chairperson shall be replaced by a member chosen by a majority of those having the right to vote, in accordance with Article 17.

Decisions of the Working Party

Article 12

1. The Working Party shall decide by a majority of the votes validly cast, abstentions being regarded as votes validly cast. The decisions of the Working Party shall include views, if any, expressed by the various members of the Working Party where the latter so request.
2. In the event of a tie, the proposal shall be treated as not carried.

Article 13

1. The Working Party may decide unanimously to submit a specific question to a written vote.
2. The Chairperson in urgent cases may submit any matter to a written vote.
3. The draft which is subject to a vote shall be sent by the Secretariat to the members entitled to vote in accordance with article 17. The members entitled to vote shall inform the Secretariat of their vote in writing within a term fixed by the Chairperson and in no case in less than fourteen days. Failure to inform the Secretariat in such term shall be considered to be an abstention. The Secretariat shall inform the members of the results of the vote. The result of the vote is recorded in the minutes of the following meeting of the Working Party.
4. The written procedure initiated in accordance with paragraph 2 shall be interrupted if one of the members entitled to vote in accordance with article 17 requests within 5 days of receiving the draft that the draft be discussed during a meeting of the Working Party.

Article 14

1. Reasons must be given for the opinions and recommendations of the Working Party.
2. Opinions and recommendations shall be communicated to the Commission and to the Committee referred to in Article 31 of Directive 95/46/EC.[Art.30(4)] Alternates shall receive copies.

Article 15

1. The Working Party shall draw up an annual report on the situation regarding the protection of natural persons with regard to the processing of personal data in the Community and in third countries, which it shall transmit to the Commission, the European Parliament and the Council. The report shall be made public.[art. 30(6)]
2. The report referred to in the first paragraph above shall be adopted by the Working Party, transmitted by the Chairman to the Institutions mentioned in the said paragraph and made public by the Secretariat.

Article 16

The Working Party may nominate one or several rapporteurs on specific questions and to prepare the annual report referred to in Article 15.

Voting Rights

Article 17

1. Only members who represent the supervisory authorities shall be entitled to vote.[Art.29(3)]
2. Where an alternate replaces the voting member to whom he is designated, he/she shall be entitled to vote in his/her place.

Minutes of meetings

Article 18

1. The Secretariat shall produce the minutes of each meeting.
These shall comprise:
 - a) a list of those present at the meeting;
 - b) a brief summary record of the proceedings;
 - c) opinions and recommendations adopted by the Working Party, giving an indication of the voting figures for each vote taken and where appropriate of the dissenting opinions.
2. The Working Group shall adopt the minutes.
3. Minutes shall be submitted for adoption by the Working Group only when the draft text has been sent to the members and alternates not less than fifteen days in advance of the meeting; if the draft was not dispatched in time, approval shall be held over until the following meeting.
4. Amendments to draft minutes must where possible be submitted in writing in advance of the meeting at which the draft minutes are to be approved.

Amendments to the rules of procedure

Article 19

These rules shall be amended according to the provisions of Article 12.

5. Secretariat of the Article 29 Working Party



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<http://europa.eu.int/comm/privacy>

6. Documents adopted in 2000 and website reference

- WP 28 (5007/00):** Opinion 1/2000 on certain data protection aspects of electronic commerce. Presented by the Internet Task Force. Adopted on 3 February 2000.
- WP 29 (5009/00):** Opinion 2/2000 concerning the general review of the telecommunications legal framework. Presented by the Internet Task Force. Adopted on 3 February 2000.
- WP 30 (5139/99):** Recommendation 1/2000 on the implementation of Directive 95/46/EC. Adopted on 3 February 2000.
- WP 31 (5019/00):** Opinion 3/2000 on the EU/US dialogue concerning the "Safe Harbor" arrangement. Adopted on 16 March 2000.
- WP 32 (CA07/434/00/EN):** Opinion 4/2000 on the level of protection provided by the "Safe Harbor Principles". Adopted on 16 May 2000.
- WP 33 (5058/00):** Opinion 5/2000 on the Use of Public Directories for Reverse or Multi-criteria Searching Services (Reverse Directories). Adopted on 13 July 2000.
- WP 34 (5062/00):** Opinion 6/2000 on the Genome Issue. Adopted on 13 July 2000.
- WP 36 (5042/00):** Opinion 7/2000 on the European Commission Proposal for a Directive of the European Parliament and of the Council concerning the processing of personal data and the protection of privacy in the electronic communications sector of 12 July 2000, COM (2000) 385. Adopted on 2 November 2000.
- WP 37 (5063/00):** Working Document - Privacy on the Internet - An integrated EU Approach to On-line Data Protection. Adopted on 21 November 2000.

The documents adopted by the Working Party are available at the Data Protection unit's web page on the Website "Europa" of the European Commission at:

<http://europa.eu.int/comm/privacy>

7. List of keywords referring to the relevant documents

<i>Accident rates among drivers</i>	WP 35, p. 30
<i>Acoustic surveillance</i>	WP 35, p. 20
<i>Added value services</i>	WP 36, p. 7
<i>Advertising campaign</i>	WP 28, p. 3
<i>Advisory body</i>	WP 30, p. 2
<i>Airline passengers reservation</i>	WP 32, P. 4
<i>Aggregated non-identifiable data</i>	WP 37, p. 24
<i>Alternative Dispute Resolution</i>	WP 32, p. 7
<i>Anonymisation software</i>	WP 37, P. 81, 82, 91
<i>Anonymous use of Internet</i>	WP 28, p. 4
<i>Auditing of data protection</i>	WP 35, p. 6
<i>Authentication</i>	WP 37, p. 38, 40, 65, 93
<i>Automatic calling machine</i>	WP 36, p. 10
<i>Automatic data processing</i>	WP 28, p. 2,
.....	WP 29, p. 3
<i>Bankruptcy</i>	WP 32, p. 4
<i>Banks' lists of problems</i>	WP 35, p. 17, 18
<i>Billing purposes</i>	WP 36, p. 6
.....	WP 37, p. 9, 22, 33, 39, 50
<i>Blacklists</i>	WP 35, p. 17
<i>Blind signature mechanism</i>	WP 37, P. 66
<i>Booking systems of travel agencies</i>	WP 35, p. 42
<i>Browser's chattering</i>	WP 37, p. 14, 17, 22
<i>Business card</i>	WP 36, p. 8
<i>Caller identification service</i>	WP 35, p. 14
<i>Centre for missing and sexually exploited children</i>	WP 35, p. 13
<i>Chat-rooms</i>	WP 28, p. 3
<i>Chats</i>	WP 37, p. 12, 13, 54, 55, 58,
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<i>Children</i>	WP 35, p. 23, 57
<i>Church of Scientology</i>	WP 35, p. 18
<i>Civil identification</i>	WP 35, p. 28
<i>Codes of conduct</i>	WP 35, p. 14, 47
<i>Cold-calling</i>	WP 35, p. 37
<i>Commercial mailing</i>	WP 28, p. 3
<i>Common European checklist</i>	WP 28, p. 5
<i>Common identifier</i>	WP 35, p. 17
<i>Community codes of conduct</i>	WP 35, p. 4, 10, 11
<i>Complaint lodging</i>	WP 35, p. 8, 12, 13, 23, 28,
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<i>Compulsory motor vehicle liability insurance</i>	WP 35, p. 37
<i>Computer reservation system</i>	WP 35, p. 13
<i>Computerised personal data</i>	WP 35, p. 6
<i>Confidentiality of communications</i>	WP 35, p. 9
<i>Confidential transmissions</i>	WP 37, p. 65
<i>Conflicting obligations</i>	WP 32, p. 5
<i>Connected line identification</i>	WP 37, p. 22
<i>Conscientious objection</i>	WP 35, p. 28
<i>Consumer credit</i>	WP 35, p. 13
<i>Controllers of personal data</i>	WP 30, p. 3
<i>COE Convention 108</i>	WP 35, p. 48, 54
<i>Conventional telephone directories</i>	WP 33, p. 4, 5
<i>Cookies</i>	WP 37, p. 16, 18, 21, 22, 23,
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<i>Credits</i>	WP 35, p. 13, 14, 18, 21, 23, 24, 28, 40, 41, 46, 56
<i>Cyber-crime</i>	WP 37, p. 35
<i>Cyber-marketing</i>	WP 28, p. 5
.....	WP 37, p. 16, 18, 19, 73, 76, 80
<i>Data controller</i>	WP 32, p. 3, 6
.....	WP 33, p. 5, 6
.....	WP 35, p. 13
<i>Data matching</i>	WP 35, p. 44
<i>Data mining</i>	WP 35, p. 27
.....	WP 37, p. 21, 57, 66, 68, 74, 93, 94
<i>Data relating to games and gambling establishments</i>	WP 35, p. 13
<i>Datawarehousing</i>	WP 35, p. 27
.....	WP 37, p. 57, 66, 94
<i>Debugging</i>	WP 35, p. 12
<i>Demographic data</i>	WP 37, p. 45
<i>Depersonalisation or use of pseudonyms</i>	WP 35, p. 6
<i>Digital certificates</i>	WP 37, p. 38, 72, 94
<i>Digital signatures</i>	WP 35, p. 50
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<i>Direct collection</i>	WP 28, p. 3, 4
<i>Direct marketing</i>	WP 28, p. 3
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<i>Directive 95/46/EC</i>	WP 28, p. 2, 5
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<i>Directive 97/66/EC</i>	WP 28, p. 2
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<i>Directive 97/7/EC</i>	WP 28, p. 3, 5
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<i>Directive 99/93/EC</i>	WP 37, p. 27, 38
<i>Directive 2001/31/EC</i>	WP 37, p. 27, 76, 77
<i>Dispute resolution bodies</i>	WP 32, p. 6
<i>Distance communication</i>	WP 28, p. 3

<i>Distance selling</i>	WP 28, p. 4
.....	WP 35, p. 43, 51
<i>DNA</i>	WP 34, p. 2
.....	WP 35, p. 13
<i>Educational records</i>	WP 35, p. 46
<i>Electoral register</i>	WP 35, p. 46
<i>Electoral roll</i>	WP 35, p. 38
<i>Electronic commerce (E-commerce)</i>	WP 28, p. 2, 3, 4, 5
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