

European Privacy and Data Protection Commissioners' Conference Edinburgh, 23-24 April 2009

Declaration on leadership and the future of data protection in Europe

Europe has a long and proud history of data protection standards and legislation. Some of these have been amended over time and some will remain under review. Legislation always follows technological and societal advances and it is a challenge for data protection authorities to keep pace with these advances and apply legislation and develop policy in rapidly changing circumstances.

Data protection and privacy standards and legislation are also developing at pace in the rest of the world, and Europe has had a role in some countries by giving advice and assistance. While the various standards and legislation that now exist may differ in certain areas, they all have as the ultimate goal of protecting personal information and the rights and freedoms of individuals.

The conference commits to contributing to the development of data protection in Europe and to putting European experience to good use in the global debate on privacy and data protection. This includes better implementation and enforcement of the existing legal framework.

European Data Protection Commissioners are committed to providing leadership for the future. Accordingly, the conference anticipates that Commissioners will contribute constructively to the different ongoing work and initiatives aimed at advancing debate on the future of data protection in Europe and in particular on the future legal framework.

The conference will continue to promote the need for high standards of data protection in all areas of life, in particular as regards developing technologies, the online world and law enforcement activity.

The conference encourages the development and improvement of comprehensive data protection legislation that will:

- guarantee and promote fundamental rights and freedoms;
- build on the existing Data Protection Principles;
- focus on effectiveness in achieving desired outcomes in practice;
- encourage organisations to adopt best practice, including privacy by design;
- address the risks of adverse effects faced by individuals and by society at large;
- avoid burdens which cannot be justified; and
- provide for effective enforcement.

The conference calls on all those involved in debates about policy and law on data protection and privacy to focus on the similarities of different regimes and frameworks rather than the differences, and to search for ways forward which promote global solutions. In providing European experience to the global debate, the conference encourages a spirit of co-operation that is fully in line with the promotion of fundamental rights and freedoms.

With this declaration, the conference acknowledges the evolving landscape of data protection and privacy both in Europe and beyond, and the need to continue our work to promote data protection and privacy standards while adapting to the world in which we now find ourselves.