



CDT Annual Dinner

Center for Democracy and Technology, Washington

10 March 2015

It's a great honour to be with you all for the CDT Annual Dinner, or as it is affectionately known, the Tech Prom.

I'm afraid that in Europe we have no obvious equivalent to a 'tech prom', which I suppose would translate into my native language as *'ballo tecnologico'*. Not very enticing. I can't imagine captains of European industry being very tempted by a *ballo tecnologico*.

I am a big fan of the work of CDT.

I appreciate your efforts to leverage your understanding and passion for technology to help strengthen individual freedom.

I am aware of your commitment to balance and transparency in how your activities are supported.

You are a crucial driver for positive change, not only for the US.

Federal lawmakers are beginning to respond, with the vigorous debate around the Consumer Privacy Bill.

This is the fruit of your labour.

It is also the fruit of deepening dialogue between policy leaders in the EU and those here in the US.

It's a bill in a draft form for discussion purposes, I know.

I've run out of energy dealing with my own homework in Brussels with the EU Reform, so I'm sure you will forgive me if I refrain from commenting on substance.

But let me say I recognise that you now have a new starting point for conversation, for intense scrutiny, and the prospect of a solution which can fully satisfy public expectations.

President Obama recently stated that privacy is a priority in this country. I fully support his statement.

More recently, he urged other countries not to use their legislative and enforcement powers to distort free exchange with US markets. I'd happily endorse this sentiment as well.

But how might my independent institution be of help ?

The European Data Protection Supervisor has had the privilege of being at the heart of this transatlantic dialogue. We have been in business for about 10 years which -in the world of EU administration- makes us a Start-Up, dynamic but thankfully of little interest to corporate buyout.

Last week I presented the EDPS strategy for my five years mandate. It is a plan for tackling the global challenges which the EU is facing, in partnership with people and organisations across the globe who share our concerns and values.

So it's no coincidence that day after we published our strategy, I was on a plane, bound for this beautiful capital city.

We must continue our efforts in developing global privacy rules.

EU and US share many values.

While we're divided by an ocean of water, the differences in how we approach technological innovation are decreasing.

Opinion surveys on both sides of the Atlantic give the lie to stereotypes people demand that Europe only regulates while the US must just 'lets the market rule'.

Yes there is excitement at the transformative power of technology. But there is also need to rebuild trust and confidence in how governments and companies make good use of the private information we entrust to them, as individuals or members of online communities of friends and families.

Businesses and citizens want a consistent and future-oriented rule book.

I was delighted when at last year's Tech Prom, Nuala, quoting the philosopher Plato, said 'Necessity is the mother of invention'.

Necessity is a core concept when Europeans talk about privacy and protection of personal information: because if you are going to intrude into someone's private affairs, you need either their genuine agreement or very good reason.

The internet is meant to be the great equaliser.

But we must find ways of balancing the concentration of informational power in the hands of the few. Net neutrality, as the FCC has just decided, is one of these ways.

A sound and robust privacy protection is surely another.

Yes Silicon Valley has been the undisputed leader in digital innovation and entrepreneurship, thanks to the way it has attracted talent from around the world.

We need to promote this sort of innovation.

We need to shape big data analytics, the Internet of Things and artificial intelligence so that they work for us, for human beings, not the other way round.

I am not here to preach about the virtues of another country's legal tradition based on reaffirming well known fundamental rights and freedoms. Europe is not paradise.

On the contrary, I'm here to say that I want to open a new deal on privacy and data protection, where the principles and rights are made more effective in practice, without wasteful bureaucracy.

A new chapter where we only focus on dynamic safeguards robust enough to work in the Big Data world, where we make privacy simple, user-friendly, more readable.

Easier privacy, but not pseudo-privacy.

This is why last year the EDPS launched a platform for dialogue and cooperation between privacy experts and technology developers, academia and civil society, to embed privacy in engineering. We would like to build on this successful partnership.

Around the world of communications and IT, the tectonic plates are shifting.

People demand more control over their information and what happens to it.

2015 is going to be a big year.

Europe, OECD and the Council of Europe are modernising their rules. Brazil and Japan too are approaching a new framework.

We are not just consumers of goods and services.

The dignity of future generations will need protecting. That is why I will pay more attention to ethics, to identify pragmatic solutions which are morally tenable, not only technically feasible.

We are citizens to whom governments are meant to be more accountable.

A few days after the Charlie Hebdo attacks in Paris, millions took to the streets to reaffirm our values.

Our common response must be to protect freedoms, not chip away at them.

Technology should enable democratic governments to be smarter in preventing and prosecuting crime:

- by targeting those individuals for whom there is objective reason to suspect,
- not by excessively collecting information on what everyone is doing, saying and thinking.

We face now in Europe big questions about the necessity and proportionality of, for instance, passenger name records, mandatory retention of communication data and smart borders. I hope we will learn from previous experiences, to focus on measures which are effective and less questionable from a legal viewpoint.

You, ladies and gentleman in this room, have the technical expertise and political influence to change society for the good.

As an emissary from the European privacy community this evening, I feel like we are building a global partnership on questions which will affect our children and grandchildren.

Thank you very much for the opportunity you have given me today in what is an historic moment, a moment where we have a tremendous opportunity to bring privacy, data protection and security into the digital age.
