



Presentation of the EDPS 2014 Annual Report
Meeting of the Committee on Civil Liberties, Justice and Home Affairs
European Parliament, Brussels
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Giovanni Buttarelli
European Data Protection Supervisor

Chair, Honourable Members of this Committee,

Today marks the end of a transition for our institution.

So I'm really delighted to be with you again today to present the European Data Protection Supervisor's 2014 Annual Report.

Today we are moving from continuity to a more proactive engagement with you on some of the biggest challenges facing Digital Europe.

You challenged Wojciech Wiewiórowski, the Assistant European Data Protection Supervisor, and me to be a player on the global stage, to propose concrete recommendations and practical solutions.

Wojciech Wiewiórowski and I have practical expertise at national and European level as a supervisory authority, so we would invite you to borrow this expertise to find workable solutions.

Let me help you to ensure that the EU speaks with one voice, that we build strong bridges with overseas partners.

I stand ready to assist you also on the more sensitive dossiers.

On PNR for instance, for which you have given the Council an undertaking to discuss it this year.

Hundreds of amendments have been tabled, and I recognise the herculean task facing Mr Kirkhope in finding a consensual solution.

My concerns remain that, since you last invited me to discuss the issue with you in January, evidence be made available for democratic scrutiny to justify bulk collection of PNR data on a European scale.

You are the legislators and you understand that politics is the art of the possible.

My role is to provide you with objective and honest advice on the implications of different policies for the rights of the individual.

I've just been telling the press that data protection in the EU should be a good news story.

2014 may be remembered in future years as a watershed for data protection.

Privacy and data protection moved decisively from legal theory to reality.

For our institution 2014 was an uncertain and transitional year for us, because of the extended mandate.

Nevertheless, as you will see from the report, our standards of performance were maintained.

The European Court of Justice handed down landmark judgments on the lawful limits of surveillance (data retention) and on fair processing for commercial purposes (Google Spain)

The European Parliament gave a huge endorsement to a revised text of the General Data Protection Regulation

EDPS was pleased to have been able to be of assistance to the rapporteurs and shadow rapporteurs during this process.

EU policymakers realised that, in the wake of the mass surveillance revelations since 2013, we need to revise and to clarify the rules for data flows between the EU and its global partners.

That was why, in June 2014, we issued an opinion on the strategic guidelines for justice and home affairs policies.

In that opinion we urged in particular the Council to learn lessons from the past and apply the findings of the Court.

And we offered to develop sector specific guidelines on how data protection principles can be better integrated in home affairs policies.

We are in contact now with the Commission to make good on this offer.

As you know, four months ago we published a strategy for continuity and change.

It's a plan that builds on the personal experience of Wojciech Wiewiórowski and myself as national supervisors working in close cooperation with our partners in the Article 29 Working Group of independent data protection authorities.

Our core work involves checking how the EU bodies handle personal information of their staff, of citizens and contractors.

In 2014 we issued 144 prior check opinions, dealt with 110 complaints and carried out eight on-site visits and inspections including at the Parliament, Council and Commission.

Our focus has been on awareness-raising to promote a data protection culture in the EU institutions by working with the staff who work there and providing guidance, like on data transfers and conflicts of interests

We set up an IT Lab in 2014 to help to assess the privacy effects of new technical developments in mobile device communications and to inspect the data protection compliance of websites in the EU bodies.

In 2014 we began to play a more proactive policy advisory role.

In addition to our 14 Opinions and 46 formal and informal comments on proposed measures, we published our highly influential preliminary Opinion on the interplay between competition, consumer and data protection law in the digital economy.

And we published a policy toolkit for financial services policymakers.

We have made an active contribution to the Article 29 working party on the question of legitimate interests and surveillance of Electronic Communications for Intelligence and National Security purposes and of International Enforcement Coordination Arrangement.

We launched the Internet Privacy Engineering Network initiative in 2014.

IPEN is a new collaboration with national DPAs, developers and researchers from industry, academia and civil society.

It aims to develop engineering practices which incorporate privacy concerns and encourage engineers to build privacy mechanisms into internet standards, services and apps.

Permit me now to look ahead for a few moments.

With data protection there are still great expectations about what Europe will do in the coming months.

There are now 109 countries with data privacy laws, and for the first time European countries are in the minority.

From Japan to Brazil, from India to the African Union, new laws are being crafted, and I am being personally approached by delegations from around the world to discuss informally their plans.

With the trilogues on data protection reform now underway, we're on the home straight.

It's the right track but I want to make sure that we all fully understood the implications of this new law.

Make no mistake: this is a reform for the next generation of citizens the so-called post-millennials, or Generation Z.

These are our teenage children and grandchildren born in the last 15 years who have only ever known the internet age and touch screens

The most successful of this generation will not just use the technology, they will be programming it themselves.

So we need to get this reform right.

And that means a reform which serves the interests of the individual.

Later this month we will demonstrate our commitment to assisting you.

We will provide advice, in the form of an app, which will be user-friendly for negotiating teams and all interested in the reform.

Article by article, it will compare the three different versions of the GDPR, Commission, Parliament and Council, and our advice on recommendations.

We want the reform to preserve safeguards, make them more effective in practice now and in the next 20 -30 years.

We want to encourage the co legislators only to legislate where it's needed.

We want to avoid bureaucratic procedures, especially for the new arrangements for cooperation between independent data protection authorities - the European Data Protection Board and the One Stop Shop.

Simpler laws are more effective laws.

We are also looking at new technologies in our ever more data driven society.

Massive data collection is now a reality. It is the result of sensors, big data analytics, tracking of internet activity, social media.

We are promised enormous benefits from this: in health care, transport and energy efficiency.

But it is also putting great strains on the principles of data protection and the right to privacy, these principles are an integral part of the primary law of the EU.

So we are looking at ways of embracing these new technologies in a way that does not compromise on the rights of the individual.

More than ever, we need to look to the ethical implications of these technologies. What will they mean for human dignity and freedom in the years to come?

We will publish after the summer a paper which explores these issues, and what we think regulators, companies, designers and individuals themselves in the EU can do to respond to the challenges.

Honourable Members of this Committee,

Let me end by paying tribute to my predecessor, Peter Hustinx.

Peter led and inspired our institution for almost 11 years, taking a start-up and bringing it to maturity and credibility as a supervisor and policy adviser.

The EU has a unique chance in the next six months to show genuine global leadership and make a positive difference to the lives of ordinary citizens.

Building on our experience under Peter, my institution stands ready to assist in this process.

Thank you for your attention.