



*Beyond the General Data Protection Regulation: Next steps in modernising data protection*

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Ladies and gentlemen,

A very happy Data Protection Day to you.

I don't want to make presumptions about the weather in Dublin today. However, speaking as an Italian, I know that the weather in Dublin and in Brussels is best enjoyed remotely via video conference.

First, may I thank the Association of Data Protection Officers and the Irish Computer Society for their kind invitation for me to address you this morning.

I had the pleasure of meeting some of you when I visited Dublin in October last year.

I must say that I am delighted that data protection is being celebrated - yes, I mean celebrated! - all over Europe today, and especially in Ireland.

And not just in Europe. In the US they have 'Data Privacy Day' - and this evening I will be chairing a literal transatlantic panel on big data and privacy, with speakers in Washington DC and Brussels with a live video link.

Since the European Commission launched a public consultation on data protection reform in 2010, Europe has endured some major existential crises.

Now five years later it is right to regard the political agreement such an ambitious text as the GDPR as a great achievement.

As you can imagine it is a busy day so I will restrict myself to some brief comments.

Let me say that Helen deserves all our support, solidarity and admiration - because Ireland continues to be in the eye of the storm that reached its climax last year with the CJEU judgment annulling the Safe Harbour decision.

There are intensive discussions taking place right now in Brussels to try to repair the situation.

However, my main message to you this morning is perhaps a provocative one:

Try to forget Safe Harbour, and concentrate instead on the General Data Protection Regulation.

Why? Because international transfers of data are only a small fraction of data protection.

Data protection, under the new, ambitious, innovative rules in the GDPR, is about accountability.

Accountability for how you collect, use and share personal information.

Accountability for the way that you build and design products and services, minimising the amount of data that you collect in proportion to what you need it for.

Accountability for informing customers about what you need to do with the data about them, and thinking about their interests.

The GDPR should encourage accountability for corporate actions, and move away from the 'spoonfeeding' approach of the past, where every processing operation needed to be notified to national data protection authorities.

It should also foster accountability in the supervisory authorities that Helen, I and the other 26 DPAs who will form the European Data Protection Board.

We will need to work efficiently and cohesively to provide the necessary guidance and consistent application of the rules where there is uncertainty. And I am sure, as you are discussing today, there are many areas of uncertainty for businesses large and small.

My institution will provide the secretariat for the new Board, and we are working hard to ensure all the infrastructure is in place for when the regulation enters into force in the first half of 2018.

So the GDPR is a great achievement, but it is only the beginning of the necessary modernisation of the EU's data protection framework.

This year we in the EU institutions must turn our attention to the rules governing how we process data. And I will recommend fully integrating the principles of the GDPR - accountability, transparency, minimising bureaucracy.

More importantly, the European Commission will this year prepare a reform of the e Privacy Directive.

This law concerns especially the telecoms sector, but the rules on the confidentiality of communications are essential for all providers of communications services - not just for publicly available telecoms services. This is what people expect and it is an integral part of how the right to privacy is protected in practice.

That is why I will be arguing passionately for rules on confidentiality of communications - rules on deletion, retention and security - to be mainstreamed, and not restricted to any single sector.

All of these rules must be sustainable over the next 20 years. They must be relevant for the technologies that are emerging.

There is great excitement about the potential of big data, the internet of things, artificial intelligence and other data-driven technologies and business models.

The digital challenge is not entirely new.

At Davos last week, the theme was the so-called 4th Industrial Revolution which we are living through. This is a revolution in production, service provision and communication, powered by data - often personal data - and automated decision making.

But I would like to challenge you to think about a Second Big Data Revolution.

A recent study has shown the parallels between the so called 'avalanche of data' of the early 19th century, when industrialising nations in Europe began to collect data to categorise and try to control individuals and society.

This First Big Data Revolution, was responsible for the racial and social classifications against which the human and civil rights movements had to fight - and they are still fighting now.

Now, in the 2nd Big Data Revolution, there is a danger that we get placed by secret algorithms into categories which it becomes harder and harder to contest.

What is needed, is a dialogue on the benefits of massive scale data processing -

Who benefits?

And what are the immediate and long term costs?

That's why, today, I am launching an Ethics Advisory Group, composed of eminent thinkers with a background in academia, government and business, to explore these big issues, and to produce a report for public discussion next year.

So, Ladies and Gentlemen,

My message is to have the big picture in mind. There is a lot to be done and compliance is not going to be easy, it may require culture change. But Helen and all independent DPAs are equipped to assist and guide during this period of change.

Thank you for listening and I wish you a successful conference.