Ladies and gentlemen, let me welcome you to the public session of the 40th edition of the International Conference of Data Protection and Privacy Commissioners.

I would like to talk to you about what to expect today and tomorrow, and about why your presence here to discuss Digital Ethics is so crucial.

This is not a privacy or data protection conference. Rather, it is a conference about the human values that underpin privacy and data protection.

Make no mistake: Privacy is a universal value.

Some people might try to tell you it is dead.

I suggest you ask those people if they have ever used a 'do not disturb' sign in a hotel, if they have curtains or shutters at home, or indeed, if they ever wear clothes.

Privacy is in fact an evolutionary trait - and it is not even unique to homo sapiens.

Individuals need their own space, physical and mental, and room to think and create and develop their own personalities.

Society is expected to respect this need for privacy. The basic need for privacy does not evolve. What does evolve, however, is how respect for privacy is shown.

A quarter of a century ago, there was a generational shift in the consensus around how to respect privacy. That generational shift was marked by the emergence of rules governing the protection of personal data.

Back then, a certain green and innocent Italian judge published a critique of the new Italian data protection law. It was entitled 'Databases and the supervision of confidentiality.'

Data protection came in response to the growing computational power and availability of information systems.

The ability to collect and use large amounts of information, and the profitability of collecting and using these data, have consequences for individual freedom and privacy.

So, data protection laws established rights for people concerned by the data. They established requirements for those profiting from the use of the data.

And they established mechanisms for supervision and enforcement, to ensure that these rights and obligations were a practical reality on the ground.

I would like to suggest to you, today, that we are now living through a new generational shift in the respect for privacy.

This shift is towards establishing a sustainable ethics for a digitised society. It is driven by the globalisation of the economy, and the socio-technological forces, which Maria Farrell has just so eloquently described.

It is driven by the digitisation of almost everything in our economy and services sector, our social relations, politics and government.

Above all, it is driven by the prospect of human decision-making, responsibility and accountability being delegated to machines.

Digitisation respects no geographical boundaries. Digitisation is not sensitive to human boundaries between what we want to be public, private or something in between.

It injects itself into our most intimate spaces – relationships, communications and attention.

The so-called "privacy paradox" is not that people have conflicting desires to hide and to expose. The paradox is that we have not yet learned how to navigate the new possibilities and vulnerabilities opened up by rapid digitisation.

What do I mean by ethics? Ethics is the sense we all have, often subconscious, of right and wrong in different circumstances.

Philosophers on this stage will shortly explain how ethical consensuses have emerged in the past.

In today's digital sphere, however, there is no such ethical consensus. We do not have a consensus in Europe, and we certainly do not have one at a global level.

But we urgently need one.

Because digital technologies and data flows are already intensely global.

This is a "50-50" moment for humanity in the digital age - a tipping point - where half of the world's population is connected to the internet.

In the words of cyberpunk novelist William Gibson, "The future is already here, it's just not very evenly distributed."

To cultivate a sustainable digital ethics, we need to look, objectively, at how those technologies have affected people in good ways and bad; we need a critical understanding

of the ethics informing decisions by companies, governments and regulators whenever they develop and deploy new technologies.

Technology is still, for now, predominantly designed and deployed by humans, for purposes defined by humans. But we are fast approaching a period where design, deployment and control of new technologies and technological processes are delegated to machines.

Let me point to five case studies to illustrate what I mean.

First, killer drones: Automated machines, which, without human agency, can take the life of a human being. At the UN last month, delegates were unable to reach agreement even to start discussions on how to control them.

Second, algorithmic decision-making in criminal sentencing. This submits individuals to life-changing decisions based on opaque criteria with little or no due process. In fact, when asked to disclose the factors leading to decisions, software vendors have claimed those considerations are subject to proprietary IP protection.

Third, the role of social media whose unaccountable algorithmic decision-making has been weaponised by bad actors in ethnic conflict zones, with at times appalling human consequences, notably in Myanmar.

Fourth, consider the block chain. It is still unclear whether the hype surrounding it is justified. But if its current rate of growth continues, block chain technologies will generate as much carbon emissions worldwide as the whole of the United States.

And fifth, the question of rights for robots. This Parliament at the beginning of this year passed a resolution, which – very thoughtfully – anticipated advances in robotics and the eventual need for framework of rights.

But before we start to think about humanised robots of tomorrow, are we considering the "robotised humans" of today? - The rights of people working in warehouses and having their every movement tracked and recorded; human beings who are guided by machines from shelf to shelf according to a logic, which makes sense only to the machine.

And our leisure time is spent on what machines determine we should see. Auto play and recommendations – automated, algorithmic decisions – are responsible for 70% of online video viewing.

All around the world, the most vulnerable individuals are the objects of manipulation through technological applications.

These and countless more practices, even if lawful, have profound effects for people, societies and the environment.

They call into question basic notions of human dignity. Those responsible for these phenomena may be well intentioned. But their ethics are deeply questionable.

These examples illustrate how we are witnessing a state of cognitive dissonance on a global scale.

We need to ask whether our moral compass been suspended in the drive for scale and innovation.

At this tipping point for our digital society, it is time to develop a clear and sustainable moral code.

That is why I wanted this year's public session of the conference to be different.

Yes, 2018 is the year of the GDPR, the year of the modernisation of Convention 108, the year that Brazil became the biggest country in the world (by population) to have a national general data protection law.

But this is not a conference about privacy or emerging technologies. There are plenty of excellent events elsewhere, dedicated to these themes.

This conference is different in several ways: It is the first time that it has been hosted by an independent body within a supranational entity like the EU. Second, all of our discussions will be together, in this room, with no breakouts or parallel sessions. Third, we have a single theme. Each session has been designed to inform and inspire ideas on how to realise the latest generational shift towards ethics. Lastly, there are no sponsors.

Everything you see here is funded from registration fees and from our own small allocation of the EU budget. As host of the conference, the EDPS has adopted this approach not as a criticism of other conferences, but because we wanted to offer something new.

The International Conference has consisted of a conversation among a tight-knit regulatory community, followed by a networking opportunity with industry, academia and civil society representatives from outside.

I would like us to be more ambitious, to facilitate more engagement with important issues.

So this year, for the first time, the central theme of the closed session, ethics and AI, is directly connected to the theme of the public session.

The decisions taken yesterday mean that this conference will grow and consolidate in ways that will reinforce cooperation on a global scale.

But with this edition, our aim, as a community of regulators, is to send ourselves a signal. It is a signal that we must interact much more with people from outside our comfort zone, from outside the (still) small world of data protection experts.

Enforcement is essential, and we must never lower our guard as data protection authorities.

But at the same time, we must continue to be fully aware of the potential strategies for the evolution of new technologies. Just as we did yesterday adopting a historic document on Artificial Intelligence.

And just like in the Vatican, there are currently two living popes, tomorrow you will hear more about our deliberations from two impressive Chairs of the International Conference.

Because the more often we think out of the box, the better we will perform as data protection regulators.

One such out of the box experiment is the 'Creative Café' tomorrow morning, bringing together 30 of the most highly qualified experts from different fields from around the world ,to think collectively about the next stage of discussions digital ethics.

This conference's focus on ethics does not come "out of the blue". It is fruit of several years of reflection.

Our Opinion 'Towards a New Digital Ethics' in 2015 highlighted the potential impact on human dignity of new technologies like drones, smart cities and 3D bio printing.

'Technology', we asserted, 'should not dictate values and rights, but neither should their relationship be reduced to a false dichotomy.'

Following that opinion, we set up an independent expert advisory group on ethics.

We hosted two workshops first with data protection experts and then with the wider scientific community.

This year we launched a public consultation on digital ethics.

In parallel, in 2015, we tabled before the Executive Committee of the International Conference our proposal for a public session dedicated to ethics.

And the following year we prepared a discussion paper on AI at the 2016 edition in Marrakech, which was the trigger for the report and resolution adopted yesterday.

It is fair to say that the early reactions to this idea of a global debate on ethics were mixed.

Regulators were sceptical because it did not seem to be a priority in a period of sweeping legislative change. Other regulators were worried that ethics might become a 'Trojan Horse', which would debilitate laws like the GDPR from the inside.

Some companies were worried about ethical 'gold plating', adding further compliance burdens to existing legal obligations. Other companies by contrast saw opportunities to equate ethics with flexibility and vagueness – a chance to dilute their responsibilities towards individuals and society.

Some saw an opportunity to weaken controls on the invasive powers of intelligence and law enforcement agencies.

None of these interpretations reflect what I had in mind.

So why are we hosting this debate on ethics? My youngest daughter told me that I ran the risk of becoming a moral preacher, a sort of reincarnation of the uncle of Spiderman. And perhaps, she was not the only one to think so a few years ago.

It is a bit like the president of the European Central Bank, who last week said, according to reports, "My job is to be worried and to worry everybody else."

80% of respondents in our public consultation said that ethics was going to become more and more central to discussions about digital technology, markets and regulation.

Now, I am aware that some very distinguished privacy experts argue against entering into the uncertain domain of ethics and philosophy.

For them, it is enough to have rules on lawfulness, proper use of consent and appropriate use of legitimate interest, with the general principle of accountability as envisaged in the GDPR.

But I am not so sure.

The fact is that the European legislator did not think about ethics when it drafted the GDPR. In fact, the regulation only refers three times to ethical considerations in specific professions, like research.

This is not a criticism of the GDPR. It is a reality check on the limitations of any law, even a comprehensive one.

Laws establish the minimum standard. Best practices are assumed to go beyond the minimum standard.

So for me, compliance with the law is not enough. What then is the relationship of ethics and the law?

From my perspective, ethics come before, during and after the law. It informs how laws are drafted, interpreted and revised. It fills the gaps where the law appears to be silent.

Ethics is the basis for challenging laws. Remember that slavery was legal. Child labour and censorship are still legal in many jurisdictions.

We tackle these injustices on the basis of ethics.

What has all this got to do with data protection authorities? According to the results of our consultation, 86% of respondents believe authorities should play a role in the governance of digital ethics.

Privacy professionals on the ground in business and public bodies are rightly commended for developing a range of compliance tools, and these can be adapted as ethical norms emerge.

But self-regulation alone is not the solution. For us as data protection authorities, I believe that ethics is among our most pressing strategic challenges.

We have to be able to understand technology, and to articulate a coherent ethical framework. Otherwise, how can we perform our mission to safeguard human rights in the digital age?

How will this debate unfold, during our conference and beyond? What do I expect from the debate today and tomorrow?

We are seeking a broad and inclusive debate, not just about the role of industry but that of the state and scientific research.

We have filled this great debating chamber, which serves as the house of representatives of the largest transnational democratic electorate in the world.

The MEPs are meeting in plenary now in Strasbourg and they are due to adopt a resolution on the power of platforms and to call for a complete audit of their market power.

Next year across the European Union, there will be elections to this house, as well as general or presidential elections in 13 Member States of the EU.

Never before has democracy itself been so clearly dependent on the lawful and fair processing of personal data.

For the evangelists of the Fourth Industrial Revolution of big data and AI, dignity and respect are the biggest concerns. That was clear from this year's World Economic Forum in Davos.

Expect this conference to echo the responses to our consultation and mention, for instance solidarity, a fair digital dividend, polarisation and negative impacts on social stability, the concentration of power, the structural inability of people to benefit from their own data, uneven access to new technologies, and algorithms creating societies in which everyone is automatically scored and classified.

We will discuss why we need to go beyond the law.

Another thing is clear. The GDPR is about the rights of the individual. But the more personal data processing affects the collective interest, the less we can look to the GDPR for answers.

Perhaps ethics will fill that void.

I do not want to prejudice the discussion with my own ideas on what a digital ethics should look like. But allow me simply to reiterate my point of departure, which is that not everything that is legally compliant and technically feasible is morally sustainable.

Privacy has too easily been reduced to a marketing slogan. But ethics cannot be reduced to a slogan. To say 'We are an ethical organisation' without a thorough understanding is hollow.

Ethics is deep-seated. Ethics is often subconscious, but it informs the decisions that we take as humans. What we need to do is understand the ethics behind certain practices and, if necessary, challenge them.

To conclude, I would encourage you to participate actively in this debate and help to deepen it after the conference.

All revolutions have victims. So in the Fourth Industrial Revolution, who are the winners and losers?

How can we develop a positive relationship with new technologies, which puts people and dignity at the centre?

This is about defining the values of the future. And we have to do it before it is too late.

So thank you for being here.

Thank you for listening to me and to the wonderful speakers to follow. And thank you to President Tajani, to the interpreters and to all staff in the Parliament who have allowed us to meet here.

I hereby declare open the 40th edition of the Olympic Games of Data Protection.