

Brussels, 12 December 2011

ARTICLE 29 DATA PROTECTION WORKING PARTY

The Article 29 Working Party held its 83rd plenary meeting on 8 and 9 December 2011 in Brussels

European Data Protection Authorities meet with European Commission Vice-President Reding to discuss the review of the data protection framework

On 7 December, the European data protection authorities, united in the Article 29 Data Protection Working Party (WP29), met Viviane Reding, the EU's Commissioner for Justice and Fundamental Rights.

In her intervention Mrs Reding highlighted that she is aiming for a high level of data protection and stressed the importance of having independent and strong Data Protection Authorities (DPAs). She reiterated the Commission's commitment to support the independence of DPAs, in line with the Treaty of Lisbon and the Charter of Fundamental Rights. She said, "Data Protection Authorities must be significantly strengthened and their powers should be harmonised. I want to [strengthen their competences] give them more powers? so that they can effectively use administrative sanctions whenever there is a breach of the law."

Vice President Reding also stressed that we need better coordination inside the EU to ensure effective and consistent enforcement. "Three conditions must be met to make this possible. The first is that there must be one single lead authority responsible for action in a particular case. The second is that other authorities from other Member States should have the means to require the leader to act, to accept joint actions, and to discuss the remedy. The third is that the Article 29 Working Party must play an important role in this mechanism."

Mrs Reding also announced the intention to create a new European Data Protection Board: "When the reform enters into force, a new European Data Protection Board will be created from the current Article 29 Working Party. Given its enhanced future responsibilities the Board must have an effective and dedicated secretariat."

Vice President Reding's speech can be read here:

<http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/11/863&format=HTML&aged=0&language=EN&guiLanguage=en>

The members of the Working Party welcomed the remarks of the Vice President. In the Q/A session that followed, the Data Protection Authorities stressed the importance of the following aspects of the reform:

- the importance of a global approach beyond the borders of the EU;
- the need to ensure an actual right to be forgotten;
- the importance of getting the consistency mechanism 'right', to ensure that DPAs have all the necessary tools to follow a consistent line together;

- the need for coherence and consistency between the rules in the future Regulation and those applying to the police and judiciary authorities.

The Working Party looks forward to the proposals that are to be presented early next year. It will carefully study its content and provide for a reaction as soon as possible afterwards.

Background information

The European Data Protection Authorities (the Article 29 Working Party on the Protection of Individuals with regard to the Processing of Personal Data) is an independent advisory body on data protection and privacy, set up under Article 29 of the Data Protection Directive 95/46/EC. It is composed of representatives from the national data protection authorities of the EU Member States, the European Data Protection Supervisor and the European Commission. Its tasks are described in Article 30 of Directive 95/46/EC and Article 15 of Directive 2002/58/EC. The Article 29 Working Party is competent to examine any question covering the application of the data protection directives in order to contribute to the uniform application of the directives. It carries out this task by issuing recommendations, opinions and working documents.

http://ec.europa.eu/justice/data-protection/index_en.htm