

Overview of the European and local legislative
maze impacting organizations, businesses and
government on data protection & privacy

General impressions and first proposals for
the review

EU Data Protection

- Art 7-8 Charter – Lisbon Treaty
- Art 8 ECHR – CoE Convention 108
- Directives 95/46/EC and 2002/58/EC
- Regulation (EC) 45/2001 (EU institutions)
- Council Decision 2008/977/JHA
- National laws of Member States

State of play

- Review of OECD / CoE / EU legal framework
 - OECD Guidelines, Convention 108, Data Protection Directive all under review process
- Lisbon Treaty
 - EU Pillar abandoned / EU Charter binding
- New Commission
- Transatlantic co-operation

Challenges

- Data processing complexity (diversity, globalisation)
- Loss of effectiveness
- State security concerns after 9/11
- Jurisdiction and applicable law
- International agreements
- Data breach and accountability