

The challenges ahead

The GUE/NGL will continue to fight for citizen's fundamental rights on privacy and the protection of personal data:

- **EU-US General Data Protection Framework Agreement:** GUE/NGL will oppose any framework agreement that does not respect the ECHR and European data protection standards.
- **EURODAC and the current trend to allow access to databases for law enforcement authorities:** GUE/NGL strongly opposes access to databases which were constructed for a different purpose.
- **Passenger Name Records:** GUE/NGL rejects the new proposal on an EU PNR Scheme, as it considers the European Commission has failed to prove the necessity and proportionality of such an intrusive data collection and processing scheme.
- **Law Enforcement Authorities Access to privately held databases:** GUE/NGL will continue to demand transparency where law enforcement authorities seek access to private entities' databases.

A human information and communication society requires the maintenance of surveillance-free spaces, the application of and respect for international privacy and data protection rights and standards.

The GUE/NGL opposes government and private control of internet structures and supports open source and open government policies, democratic e-Government; the right to confidentiality and integrity of information technology systems and non-discrimination in internet access.

GUE/NGL members on the Civil Liberties, Justice & Home Affairs Committee of the European Parliament



For more details on the information in this leaflet, please contact Olivier Winants: olivier.winants@europarl.europa.eu

The GUE/NGL is a Confederal group in the European Parliament made up of 34 MEPs from 12 EU countries working for peace, solidarity, social justice, equality, democracy and human rights in Europe and beyond.

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Privacy and Data Protection Rights in a Digital Era



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Privacy and data protection: fundamental rights

The right to privacy is enshrined in the EU's founding treaties as well as in the European Convention on Human Rights (ECHR) and the Charter of Fundamental Rights (ECFR)*. Together, they seek to protect the inviolable personality, independence and dignity of all individuals.

The right to personal data protection is another fundamental right, also recognised in the Charter on Fundamental Rights. It guarantees both the right to privacy and independent decision-making, by increasing the transparency of information flows and ensuring balanced regulation of personal data processing for certain well-defined purposes.

New technologies are radically advancing our freedoms, but they are also enabling unparalleled invasions of privacy and access to information. EU data protection standards, generally perceived as high, are therefore in dire need of improvement and updating.

The GUE/NGL has a firm position on privacy and citizens' rights to protection of their personal data and has vehemently opposed any illegal data exchange that is in breach of these fundamental rights. All processing, storing and transferring of personal data must always respect the principles of purpose limitation, necessity, proportionality and transparency laid down in the aforementioned treaties, charters and conventions and comply with applicable legal standards and principles regarding personal data protection.

* Article 16 TFEU; Article 8 ECHR; Article 7 ECFR.

GUE/NGL defends a unified, strong, data protection framework

Despite current data protection instruments, European citizens' rights to protection of personal data have come under attack. Since 9/11, governments across the globe have stepped up their efforts to combat terrorism in the so-called 'war on terror' and identified the collection of personal data as an important instrument in this respect.

In an era when governments and companies are collecting more and more personal data and when major political groups have given into this pressure – as seen in the Terrorist Finance Tracking Program II Agreement – GUE/NGL has intensified its support for EU data protection standards and respect for human rights. GUE/NGL defends a unified data protection framework, with equally high data protection standards for the private sector and public sectors, and especially law enforcement authorities.

The current Data Protection Regulation Proposal – The immediate challenges

The main challenges in the immediate future remain:

- Striving to develop stronger data protection principles in the ongoing review of the EU Data Protection framework;
- Ensuring that fundamental data protection principles are guaranteed from the very inception of a product or service by policy-makers;
- Opposing bulk personal data collection by governments and agencies for 'law enforcement' purposes, while improving existing tools for targeted data exchange; opposing increasing surveillance in the workplace;
- Enhancing the enforceability of EU data protection standards taking into account increased data collection by private industry/companies;
- Continuing to ensure respect for EU data protection standards and principles where personal data processing, storing and exchange are allowed by law;
- Fighting so-called 'function creep': ensuring that personal data collected for one purpose is not used for another;
- Fostering a broad coalition between civil society and data protection authorities warranting better control and awareness of data protection standards;
- Raising citizen awareness on self-control in the sharing of personal data, especially on social networking websites, and focusing specifically on protecting vulnerable groups (children, indebted persons, etc.).

