

REDA 2019

Ladies and gentlemen,

I would like to thank the organizers for inviting me to address this forum once again.

Rapid technological developments and globalization bring new challenges to the protection of personal data. We currently experience an unprecedented scale of collection and flow of information. Inevitably supervisory authorities, courts and privacy professionals will have to tackle these challenges. The organization of events, like the present one, helps us to understand the nature and the gravity of these challenges.

In a world where our everyday lives gradually grow more dependent on novel technologies, where our online activities leave traces that define who we are and what we like and where algorithms predict the likelihood of our future behavior, it is important to be able to have control of our data and decide how to use them. To do that, we must be informed about who processes our data and for what purpose. Also, we need to be aware of our rights and be willing to exercise them.

In the General Data Protection Regulation, in short the GDPR, it is explained that the right to the protection of personal data is not an absolute right; it must be considered in relation to its function in society and be balanced against other fundamental rights, in accordance with the principle of proportionality. To strike the right balance, one should examine how the rights to privacy and personal data protection interweave with other fundamental freedoms and rights.

The GDPR does not aim at hindering the development of new technologies. On the contrary, it aims at promoting their development, with respect to the essence of the rights to privacy and data protection, through obligations such as accountability and data protection by design and by default. Demonstrating compliance is one of the core elements of the GDPR. Certifications and codes of conducts are some of the tools that can be deployed for demonstrating compliance.

Enforcing the GDPR has not been an easy task, particularly for small authorities like Cyprus's. Yet we did not deviate from our goal, which was to be able to enforce the GDPR, as of day one. Since May when the GDPR was implemented, till the 1st of November, we have examined 593 complaints, 173 of them concerning spam; we have received 83 data breach notifications and carried out 19 on the spot inspections. We have issued 32 Decisions and we imposed fines close to 152 thousand euro. The Decisions or their summaries can be found on my Office's website.

As we speak, data protection authorities are examining approximately 750 cross border cases affecting persons in more than one Member States in the frame of the European Data Protection Board, their collective organ. My Office acts as lead authority for 20 of them and as a concerned authority for 290. For 25 additional complaints, we received requests by other authorities for mutual assistance and we have responded positively, thus contributing to their handling.

The European Data Board has issued a number of Guidelines for assisting organizations to effectively implement the GDPR. Guidelines have been issued for data protection by design and by default, for the use of video devices, for the provision of online services in the context of contractual or pre-contractual obligations, for Codes of Conduct and their monitoring, for the territorial scope of the GDPR, for certification bodies and their accreditation and for transfers to third countries on the basis of the derogations of Article 49.

In my closing remarks I would like to stress that, effective protection does not start from data protection authorities but from us, as concerned individuals. One person can really make a difference. Rephrasing John F. Kennedy's famous quotation, ask not what your data protection authority can do for you, ask what YOU can do for yourselves.

I wish you a pleasant and fruitful discussion during the following panel. Thank you for your attention.

Irene Loizidou Nicolaidou
Commissioner for Personal Data Protection

22/11/2019