

21 April 2015

By email:  
CC: First Vice-President Timmermans  
Vice-President Ansip  
Commissioner Jourova

Dear President Juncker,

The undersigned organisations, NGOs from the European Union and around the globe are deeply concerned at the changes to the data protection reform package being made in the Council of the European Union. Europe's data protection framework is not just important for the protection of European citizens, it is not just important for building trust in European businesses, it is also crucial as an international gold standard for data protection and privacy on a global level.

On behalf of the College of Commissioners, former European Commission Vice-President Viviane Reding promised European citizens and businesses stronger, unified data protection rules, "bringing them into the digital age without compromising the high level of data protection which has been in place in Europe since 1995".<sup>1</sup> Dropping below the levels of protection in the 1995 Directive would be an "absolute red line" for the Commission, she promised.<sup>2</sup> The Council has retreated beyond this line and is disappearing into the distance, as our recently published analysis demonstrates.<sup>3</sup>

A failure of the European Commission to maintain levels of data protection in the 1995 Directive would be a breach of the promise made by the European Commission, it would be a breach of the promise of treaty-level protection of the right to personal data enshrined in Article 8 of the Charter of Fundamental Rights and it would be a crushing breach of trust for this, in your words, "last chance" Commission.<sup>4</sup>

We write this letter with one simple question – will you take responsibility for ensuring that the Commission's legal and political promise will be kept?

We look forward to your timely answer, before the Council completes its discussions ahead of the trialogue negotiations on this proposal.

Yours sincerely,

Joe McNamee



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**INTERNATIONAL:**



**Access (International)**

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1 [http://europa.eu/rapid/press-release\\_MEMO-13-140\\_en.htm](http://europa.eu/rapid/press-release_MEMO-13-140_en.htm)

2 [http://europa.eu/rapid/press-release\\_SPEECH-13-514\\_en.htm](http://europa.eu/rapid/press-release_SPEECH-13-514_en.htm)

3 [https://edri.org/broken\\_badly/](https://edri.org/broken_badly/)

4 <http://www.euractiv.com/video/juncker-will-be-last-chance-commission-309405>

5 This letter was initiated by the NGOs whose names are in bold below



Association for Progressive Communications – APC (International)



Privacy International (International)



World Wide Web Foundation (International)

## EUROPE:



ALES - Alumni of European Studies (Croatia)



Aktion Freiheit statt Angst e.V. (Germany)



AKVorrat.at - Arbeitskreis Vorratsdaten Österreich (Austria)



Arbeitskreis Vorratsdatenspeicherung (Germany)



Asociatia pentru Tehnologie si Internet - ApTI (Romania)



BEUC - The European Consumer Organisation (Europe)



Bits of Freedom (Netherlands)



Consumentenbond (Netherlands)



Danish Consumer Council (Denmark)



Deutsche Vereinigung für Datenschutz e.V. (Germany)



DFRI (Sweden)



Digitalcourage (Germany)



Digitale Gesellschaft e.V. (Germany)



EU-Logos Athèna (Belgium)



European Information Society Institute - EISI (Slovakia)



FlFF - Forum InformatikerInnen für Frieden und gesellschaftliche Verantwortung e.V. (Germany)



Forum Datenschutz (Austria)



Fundamental Rights European Experts Group - FREE (Europe)



GeneWatch UK (United Kingdom)



GreenNet (United Kingdom)



Hungarian Civil Liberties Union (HCLU)



Initiative für Netzfreiheit (Austria)



International Modern Media Institute (Iceland)



Iuridicum Remedium (Czech Republic)



IT-Pol (Denmark)



Liberty - NCCL (United Kingdom)



medConfidential (United Kingdom)



Norwegian Consumer Council (Norway)



One World Platform (Bosnia Herzegovina)



Open Rights Group (United Kingdom)



Panoptykon Foundation (Poland)



SHARE Foundation (Serbia)



#StopWatchingUs Cologne (Germany)



VZBV - Federation of German Consumer Organisations (Germany)



VIBE - Verein für Internet-Benutzer Österreichs (Austria)

AFRICA:



JONCTION (Senegal)



KICTANet (Kenya)



Unwanted Witness Uganda (Uganda)

ASIA:



Bytes for All (Pakistan)



CIS India (India)



Digital Rights Foundation (Pakistan)



Foundation for Media Alternatives (Philippines)

AUSTRALIA:



Australian Privacy Foundation (Australia)

#### CENTRAL AMERICA:



Asociación para una Ciudadanía Participativa - ACI-Participa (Honduras)



Fundación Acceso (Costa Rica)



IPANDETEC – Instituto Panameño de Derecho y Nuevas Tecnologías (Panama)

#### NORTH AMERICA:



British Columbia Civil Liberties Association (Canada)



Center for Digital Democracy (United States)



Consumer Federation of America (United States)



Consumer Watchdog (United States)



Electronic Privacy Information Center – EPIC (United States)



Horizontal (Mexico)



Open Government Project (Canada)



Red en Defensa de los Derechos Digitales - R3D (Mexico)





Samuelson-Glushko Canadian Internet Policy & Public Interest Clinic - CIPPIC (Canada)

#### SOUTH AMERICA


 **ADC** / Asociación por los Derechos Civiles ADC - Asociación por los Derechos Civiles (Argentina)

 DATA (Uruguay)

 Fundación Karisma (Colombia)

 Fundación Vía Libre (Argentina)

 **hiperderecho** Hiperderecho (Peru)

 **TE DIC** TEDIC (Paraguay)