Council of Europe Convention for the protection of individuals: automatic processing of personal data. Protocol: ratification by Member States

2018/0238(NLE) - 07/02/2019 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Civil Liberties, Justice and Home Affairs adopted the report by József NAGY (EPP, SK) on the draft Council decision authorising Member States to ratify, in the interest of the European Union, the Protocol amending the Council of Europe Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data.

The committee recommended that the European Parliament give its consent to the draft Council decision.

The aim of the amending protocol is the modernisation and harmonisation of Convention 108 to better address emerging privacy challenges and to strengthen its application.

As stated in the explanatory memorandum accompanying the recommendation, Convention 108 plays a crucial role in spreading the ‘European data protection model’ globally. A higher level of protection will facilitate the exchange of personal data based on appropriate safeguards.

Moreover, increasing the data protection standards of the Convention will facilitate data flows between the EU and the non-EU Parties to the Convention.

This is also recognised by the General Data Protection Regulation (GDPR) which defines the accession to and implementation of Convention 108 and its additional protocol as an important criterion in the assessment of whether a third country meets the necessary conditions for international transfers stipulated in EU law with a view to declaring the adequacy of that third country’s data protection legal framework.