Data protection: establishment of a secretariat for the joint supervisory bodies

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The committee adopted the report (under the consultation procedure) by Jorge Salvador HERNANDEZ MOLLAR (EPP-ED, E) amending the initiative of the Portuguese Republic with a view to adopting a Council decision establishing a secretariat for the Joint Supervisory Data Protection Bodies set up under various Conventions. The report noted that the current situation (involving three different joint supervisory bodies in the EU in this area, each with its own secretariat) was open to serious criticism. It therefore felt that the Council proposal to establish a single secretariat for the three joint supervisory bodies in question was a "timid, if positive, step" but that it would do nothing to resolve the basic problem of ensuring proper protection of the right to privacy which all individuals should enjoy. The committee accordingly adopted amendments stressing the need to create a single legal framework in the EU to provide citizens with sufficient guarantees, by preventing the improper use or dissemination of personal data. The committee also considered it vital to establish a single supervisory data protection authority, with a single secretariat, which would have legal personality, together with its own budget and staff. This authority should be totally impartial and fully independent of the other institutions, subject only to the jurisdiction of the Court of Justice. The committee considered the proposal to be "fundamentally flawed" as it did not guarantee the independence of the supervisory body, which was a vital element in ensuring effective protection of the privacy of European citizens. It felt that the European Parliament should appoint the single supervisory body and should also have the powers to dismiss it if necessary.