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How does the data protection reform strengthen citizens' rights?

In April 2011 a high-profile security breach at a technology company compromised the accounts of 77 million customers: names, email and postal addresses, dates of birth, passwords and login information, purchase history and credit card information.

It took nearly a week before the company acknowledged the data breach and informed the customers affected. The most profitable moment for criminals using stolen records is immediately after the theft, and before customers have been notified and had a chance to take preventative measures.

Why do individuals need more protection?

In the 17 years since the current data protection rules were adopted, new ways of communicating such as online social networks have profoundly changed the way people **share personal information**, while cloud computing means that more data is stored on **remote servers instead of personal computers**. **250 million** people now use the internet daily in Europe. In this fast-changing environment, individuals must retain **effective control** over their personal data. This is a **fundamental right for everyone** in the EU and must be safeguarded.

What is the Commission proposing?

The new rules will ensure that you receive clear and understandable information when your personal data is processed. Whenever your consent is required, it will have to be given explicitly before a company could process your personal data. The European Commission will also strengthen individuals' **right to be forgotten**, which means that if you no longer want your data to be processed, and there is no legitimate reason for a company to keep it, the data shall be deleted.

Attitudes towards data protection

- 58% of Europeans feel that there is no alternative other than to disclose personal information if they want to obtain products or services.
- **79% of social networking and sharing site users** are likely to disclose their **name**, 51% their **photo** and 47% their **nationality**. Online shoppers typically give their **names (90%)**, **home addresses (89%)**, and **mobile phone numbers (46%)**.
- **Only a third** of Europeans are aware of a **national public authority** responsible **for protecting their personal data rights** (33%).
- Just over a quarter of **social network users (26%)** and even fewer **online shoppers (18%)** feel in **complete control** of their data.

Special Eurobarometer 359

Attitudes on Data Protection and Electronic Identity in the European Union, June 2011

Any questions?

http://ec.europa.eu/justice/data-protection/index_en.htm

Contact Europe Direct: 00 800 67 89 10 11 - <http://europa.eu/europedirect/>

The Commission also wants to guarantee **free and easy access to your personal data**, making it **easier** for you to see what personal information is held about you by companies and public authorities, and make it easier for you to **transfer your personal data** between service providers – the so-called principle of “data portability”.

The reform requires organisations to **notify** both individuals and the relevant data protection authority without undue delay, where feasible within 24 hours, if data is **accidentally or unlawfully destroyed, lost, altered, accessed by or disclosed to unauthorised persons**.

‘**Privacy by design**’ and ‘**privacy by default**’ will also become essential principles in EU data protection rules – this means that data protection safeguards should be built into products and services from the earliest stage of development, and that privacy-friendly default settings should be the norm –

for example on social networks. These rules will **strengthen individuals’ rights in a practical way**. The Commission will **raise awareness** of these rights and how they can be used **in the most effective way**.

How will this help?

Better data protection rules mean that you can be **more confident** about how your personal data is treated, particularly online. These stronger data protection rules will help increase **trust in online services**, so that you are able to use new technologies more confidently and are able to reap the benefits of the internal market. New, clear and robust rules for the free movement of data will also help businesses grow within a **data protection framework** that can be trusted. This means easier access to **more goods and services at cheaper prices**.

What will be the key changes?

- A **‘right to be forgotten’** will help you manage data protection risks online. When you no longer want your data to be processed and there are no legitimate grounds for retaining it, the data will be deleted. The rules are about empowering individuals, not about erasing past events or restricting the freedom of the press.
- **Easier access to your own data.**
- **A right to transfer personal data normal** from one service provider to another.
- When your **consent is required, you must be asked to give it explicitly**.
- More transparency about how your data is handled, with **easy-to-understand information**, especially for **children**.
- Businesses and organisations will need to **inform you about data breaches** that could adversely affect you **without undue delay**. They will also have to notify the relevant data protection authority.
- Improved **administrative and judicial remedies** in cases of violation of data protection rights.
- Increased **responsibility and accountability** for those processing personal data – through **data protection risk assessments, data protection officers**, and the principles of ‘**privacy by design**’ and ‘**privacy by default**’.