

EU

Head of EU Data Protection Says Trading Privacy for Security is a “False Fad”

The European Data Protection Supervisor (EDPS), Giovanni Buttarelli, has stated, in an article published on *The Mark News* website, that it is time to “move beyond the false fad of discussing security vs. privacy.” In the article, Buttarelli writes that governments should “focus on implementing laws that take into account privacy rights as well as the indisputable need to fight terrorism.”

<http://www.themarknews.com/2015/07/03/a-national-balancing-act-security-of-a-country-and-privacy-of-the-individual/>

EDRi Asks European Commission to Examine Data Retention Laws in the EU

The European Digital Rights (EDRi), a civil rights association including 33 organizations from 19 countries in Europe, announced that it has sent a letter to the European Commission asking for an examination of the data retention laws in EU member states. The EDRi holds that many of these laws appear to be illegal in light of the jurisprudence of the European Court of Justice. In its analysis, the EDRi focused on questions such as whether EU member states have provisions that link the data being retained with a particular time period or location, the procedures to access the retained data as well as the conditions under which the data is kept.

<https://edri.org/>

France

Intelligence Bill Adopted by the French National Assembly

The French National Assembly adopted the Intelligence Bill (“the Law”) on 24 June 2015, as a means of preventing terrorism following the attacks against Charlie Hebdo and a Kosher grocery store. The law has been criticised as highly intrusive to individuals’ right to privacy due to the “black boxes” which could be placed on web provider infrastructure with algorithms to filter communications.

Although the law has been adopted, it has not been enacted. The Constitutional Council is scrutinising its conformity with the Constitution. It has one month to declare whether the law is compatible with the Constitution which will be definitive.

<http://www.gouvernement.fr/en/parliament-adopts-the-intelligence-bill>

French Data Protection Authority Issues Report on Cookie Inspections

The CNIL has summarised the results of the cookie inspections it conducted at the end of 2014. After the publication of its cookie law recommendation, the CNIL conducted 51 inspections and two hearings in total. The inspections revealed that websites do not sufficiently inform web users of the use of cookies and do not obtain their consent before placing cookies on their devices. The CNIL served a formal notice on approximately 20 web publishers to comply with French cookie requirements within a prescribed period of time.

<http://www.cnil.fr/institution/actualite/article/article/cookies-et-autres-traceurs-premier-bilan-des-controles/> (in French)

Germany

New Digital Health Laws Passed by German Law Makers

Doctors in Germany will have access to emergency patient data via electronic health (e-health) cards in the event of an emergency from 2018 if patients request storage of their emergency patient data on the card, under new digital health laws passed by German law makers.

<http://www.bmg.bund.de/ministerium/meldungen/2015/e-health-bundestag.html> (in German)

Resolutions of the 30th Conference of German Commissioners for Freedom of Information

Last month, at its 30th meeting, the Conference of German Commissioners for Freedom of Information presented its two resolutions on current topics concerning freedom of information and transparency. The first resolution is concerned with the question of transparency in negotiating the Transatlantic Trade and Investment Partnership (TTIP). Here, the Conference asks the German government and European Union to provide more information about the negotiation process to the general public. In its second resolution, the Conference calls for more transparency of professional chambers. The Conference is of the opinion that professional chambers perform sovereign tasks and therefore underlie the Federal and Länder laws on access to information.

<https://www.datenschutz-mv.de/presse/2015/pm-30IFK.html>

UK

Ofcom Publishes Data Privacy Report for Internet of Things (IoT) Strategy

UK regulator Ofcom has published an independent report from WIK-Consult on personal data and privacy. The report was commissioned to examine the effectiveness of different approaches to informing consumers about proposed uses of their data, and securing their engagement and consent. The report looks at the role of informed consent in privacy law, the role of informed consent in practice and potential ways to improve informed consent in practice. It also specifically considers the impact of IoT in these areas.

http://stakeholders.ofcom.org.uk/binaries/internet/personal-data-and-privacy/Personal_Data_and_Privacy.pdf

UN

United Nations Nominate Joseph Cannataci as Special Rapporteur on the Right to Privacy

The Human Rights Council of the United Nations has nominated Joseph Cannataci, a Maltese human rights and data privacy scholar, as special rapporteur on the right to privacy. This three year mandate was established by the Human Rights Council in a resolution last March. Cannataci will now be concerned with tasks such as raising awareness, reporting on breaches of data privacy or presenting annual reports to the General Assembly. The scope of his tasks also includes the private sector.

<http://www.ohchr.org/EN/HRBodies/SP/Pages/HRC29.aspx>

http://www.un.org/ga/search/view_doc.asp?symbol=A/HRC/28/L.27&referer=/english/&Lang=E

Data Privacy & Cybersecurity Conference – Data in a Global Marketplace – Minimising Risks, Maximising Opportunities

We are pleased to be hosting a Data Privacy & Cybersecurity Conference at our London office. The conference will include speakers from the UK's Information Commissioner's Office, leading industry figures and experts from our Data Privacy & Cybersecurity team. Attendees will gain insight into a range of current privacy issues impacting businesses throughout Europe including:

- The draft General Data Protection Regulation
- The opportunities and challenges from Big Data
- Managing multi-country privacy compliance
- Technology takeover
- Cybersecurity

Please visit our [website](#) for additional details.

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