



## PRESS RELEASE

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### **Data Protection Framework Decision: EDPS concerned about dilution of Data Protection standards**

The European Data Protection Supervisor (EDPS) has today welcomed the continued efforts by the Portuguese Presidency to find agreement on the Data Protection Framework Decision (DPFD) in police and judicial cooperation in criminal matters. However, he expresses concern about the agreement by the Council of the European Union on Tuesday to limit the scope of the DPFD so that the text will only apply to the cross-border exchange of personal data. The EDPS emphasises that a drive for agreement should not dilute the level of protection for personal data provided in police and judicial cooperation in criminal matters.

Peter Hustinx, EDPS, says: *"When the DPFD was first proposed, it was supposed to cover all aspects of policing and the judiciary. The recent agreement by the Council severely limits the scope of the text, and therefore also limits the level of protection the European citizen can expect from the resulting agreement. As I have stated in previous Opinions, the DPFD cannot lessen the level of protection offered, otherwise this will make it more difficult for police services to meet their international obligations."*

The EDPS has issued three opinions since the Framework Decision was first proposed in 2005 and has consistently called for successive Presidencies to provide high standards of protection of personal data in the area of police and judicial cooperation in criminal matters. In his latest opinion, issued on 27 April 2007, he repeated this call, in particular emphasising:

- the need for the principles in the DPFD to closely mirror those in Directive 95/46/EC;
- the need to distinguish between different categories of data subject, such as suspects, criminals, witnesses and victims;
- the need for conditions for transfers of personal data to non competent authorities and private parties.

The EDPS is required to advise Community institutions and bodies on matters relating to data protection. In June he wrote to the incoming Presidency to inform them he was available and a first brief meeting was held with the Portuguese Minister for Justice on Monday, 17 September 2007.

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**EDPS - the European guardian of personal data protection**

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