



PANHELLENIC SOCIALIST MOVEMENT
PARLIAMENTARY GROUP OF THE PARTY OF EUROPEAN SOCIALISTS

DELEGATION OF PASOK IN THE EUROPEAN PARLIAMENT
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INFORMATION OFFICE
PRESS RELEASE

Wednesday, 5 May 2009

LIBE V.P. STAVROS LAMBRINIDIS (MEP, PES, GR):
**"SUCCESSFUL OUTCOME ON THE REVISION OF THE E-PRIVACY DIRECTIVE,
SAFEGUARDING THE RIGHTS OF EU CITIZENS; IN POTENTIAL CONCILIATION
PROCEEDINGS, COUNCIL SHOULD NOT TAMPER WITH THE E-PRIVACY
COMPROMISE"**

The European Parliament adopted today with a large majority the **Harbour Report** amendments on the revision of the E-Privacy Directive, favoring socialist proposals since the initiation of Parliament's involvement in the Civil Liberties Committee, on the mandatory notification of breaches affecting personal data, on user consent for the storing of cookies, and on the protection of IP addresses as personal data.

"The financial or other interests of private providers of electronic communications and of government authorities cannot undermine the overriding obligation to safeguard the private life, the personal data, and other fundamental rights and freedoms of EU citizens. Indeed, in this day and age, accessing the internet is in itself a fundamental right. Today's decision by the European Parliament makes a significant step towards that direction and against the Council's initial unacceptable proposals," said Socialist MEP **Stavros Lambrinidis**, Vice Chairman of the Civil Liberties Committee and Shadow Rapporteur of the Socialist Group on the e-privacy amendments, which were included as part of the Harbour Report. Mr. Lambrinidis was the author of the recent Recommendation of the Parliament to the Council regarding the promotion of "Security and Fundamental Rights in the Internet," in which the Parliament for the first time stated unequivocally that access to the internet is a fundamental right and that the systematic surveillance of internet users by governments or private companies should be prohibited.

Regarding E-Privacy, the Harbour Report includes the following Amendments, among others:

- **On notification of breaches affecting personal data of users:** a two step procedure is now included, modelled on our initial proposal; providers are charged with the responsibility to notify the national authorities of every breach and are also obligated to notify immediately all users when a breach has compromised their privacy. Providers will have to keep a record of all data breaches, available to all national authorities for

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verifications and checks. Authorities will be able, among other things, to impose appropriate sanctions in cases of non compliance with the notification obligations.

- **On the definition of IP addresses as personal data:** we succeeded in removing references that treated IP addresses as public -- and thus as non-personal -- data, to prevent privacy intrusions "through the back door."
- **On network security companies:** A recital was inserted, stating that processing for network security purposes shall be strictly subject to directive 95/46 on data protection and defining more strictly the notion of network security in order to avoid potential loopholes.
- **On cookies / storing of information:** the informed consent of the user in accordance with the main directive 96/46 will be necessary in order for providers to be able to store cookies in terminal equipments. We firmly opposed a set back to a pure "opt-out" system, endorsed by the Council.
- **On the key issue of the scope of application:** we obtained a formal declaration of the Commission, supporting the position of the Parliament and affirming that legislative reforms/proposals will be defined in order to extend the scope to all personal data inappropriately released, handled, or used by service providers through the medium of an electronic communications service, to all providers of information society services and others.