



Council of the European Union
General Secretariat

Brussels, 11 February 2022

WK 1785/2022 ADD 1

LIMITE

**ASIE
COASI
CFSP/PESC
WTO
TRANS
ENER
ENV
CLIMA
COHAFA
DIGIT
MARE
COEST**

**ASEM
CYBER
DEVGEN
SUSTDEV
ECOFIN
COMPET
EDUC
RECH
CULT
RELEX
OCDE
CCG**

**AVIATION
FIN
FISC
TOUR
MIGR
COVID-19
ATALANTA
EUMC
COPS
JAI
DATAPROTECT
TELECOM**

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CONTRIBUTION

From:	General Secretariat of the Council
To:	Asia-Oceania Working Party
Subject:	Joint Declaration on privacy and the protection of personal data - IT, LT and CZ comments

Delegations will find attached comments from Italy, Lithuania and the Czech Republic on the above.

IT comments:

EU – [Indopacific countries]

Joint Declaration on ~~privacy and the protection of~~ personal data protection

Strengthening trust in the digital environment

Rapid technological developments, in particular information and digital technologies, have brought benefits for our economies and societies, as well as new challenges for privacy and the protection of personal data.

To foster Data Free Flow with Trust, which, as acknowledged by G20 Leaders¹, is key to economic development and to harness the opportunities of the digital economy, it is vital to ensure the protection of ~~individuals' privacy and~~ personal data of natural persons as a human right and fundamental freedom.

Lack of trust in how data is handled has negative effects on our societies and economies. Without trust, individuals may be reluctant to adopt new technologies, public authorities could be hesitant to share personal data with foreign partners and commercial exchanges may face obstacles. In sum, without that trust, our societies are not able to fully embrace and realise the benefits of the digital revolution.

Together, we share a common vision of a human-centric approach to such transformation, where the protection of personal data plays a crucial role and is a key enabler of cross-border cooperation.

To that end, we intend to promote high ~~privacy~~ standards of personal data protection based on a set of essential elements shared by our respective legal frameworks:

- A comprehensive legal framework covering both the private and public sectors;
- ~~Core principles such as lawfulness, fairness, transparency, purpose limitation, data minimisation, accuracy, storage limitation, integrity and confidentiality, limited data retention and data security;~~
- Enforceable rights of individuals, such as access, rectification, deletion and the possibility to challenge automated decision-making;
- Safeguards for international transfers to ensure that the protection travels with the data;
- Independent oversight by a dedicated supervisory authority and effective redress.

We commit to foster and further develop international policy discussions and cooperation regarding data protection and international data flows with trust, both bilaterally and multilaterally, in order to promote this shared vision and increase convergence in our data protection frameworks. In a world where data moves easily between jurisdictions, this also increasingly requires close cooperation among supervisory authorities across borders.

Commented [LSD1]:

It is suggested to delete the word privacy for the following reasons:

- in the common language privacy and personal data protection are synonymous, as they both refer to the confidentiality of private life;
- in the legal language, personal data protection includes privacy, as it does not merely recognise the confidentiality of private life, but also identifies in detail the data to be protected and provides to data subjects a comprehensive set of rights and redress instruments. In this regard, it should be noted that in the GDPR the word privacy is never used.

Commented [LSD2]: It is suggested to report the principles in question as set forth in art. 5, par. 1, of the GDPR.

¹ See [G20 ROME LEADERS' DECLARATION](#) (§48)

LT comments:

EU – [Indopacific countries]
Joint Declaration on privacy and the protection of personal data

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- Safeguards for international transfers to ensure that the protection travels with the data;
- Independent oversight by a dedicated supervisory authority and effective redress.

We commit to foster and further develop international policy discussions and cooperation regarding data protection and international data flows with trust, both bilaterally and multilaterally, in order to promote this shared vision, ~~and~~ increase convergence in our data protection frameworks and benefit data-driven digital economy. In a world where data moves easily between jurisdictions, this also increasingly requires close cooperation among supervisory authorities across borders.

Commented [EK1]: The Second Para mentions "to harness the opportunities of the digital economy", however there is no indication about the economic side of data in the Concluding Para. We think that our proposed insertion "and benefit data-driven digital economy" in the Concluding Para would be useful to underline the importance of data in the economy and would imply to the need not to go into disproportionately strict regulation.

¹ See [G20 ROME LEADERS' DECLARATION](#) (§48)

CZ comments:

EU – [Indopacific countries]

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¹ See [G20 ROME LEADERS' DECLARATION](#) (§48)