
Trade agreements: how to ensure they comply with EU data protection rules

The international trade and civil liberties committees held a hearing on 16 June to discuss how to reconcile the need for data protection with trade agreements that boost business.

The hearing was also relevant due to two trade agreements being negotiated at the moment: the [Transatlantic Trade and Investment Partnership](#) (with the US) and the Trade in Services Agreement (with 49 countries from all over the world). In addition the negotiations for the [Comprehensive Economic Trade Agreement](#) (with Canada) have just been completed.

Data flows

Data flows can contain both personal and non-personal details. This could be for example when you withdraw cash abroad and the ATM gets access to your bank account details. Another example is trucks sending information to the company's headquarters for maintenance reasons and the development of new products

Current directive

Current [data protection rules](#) date from 1995. However, since technology and society have evolved significantly since then, an update is urgently needed.

Upcoming reform

The European Commission proposed in 2012 to [reform](#) data protection rules. The Parliament adopted its negotiating position in March 2014, however the Council only agreed on a common position in June 2015. Negotiations between the three institutions are due to start on 24 June with the aim of reaching an agreement by the end of the year.

Hearing

The hearing was chaired by German S&D member Bernd Lange and UK S&D member Claude Moraes. Participants included MEPs, experts and the European Data Protection Supervisor as well as representatives from the European Commission, NGOs and business organisations.

Views differed on the reform of data protection rules. While some thought restrictive rules might represent a burden for European businesses and lower their competitiveness, others believed efficient data protection could be seen as the EU economy's unique selling point.

Giovanni Buttarelli, the European Data Protection Supervisor, said about the reform: "Many rules have to be reinforced, clarified and simplified, though not at the expense of fundamental rights."

Luxembourg EPP member Viviane Reding said: "I do believe that nobody in this house wants to block the free flow of data, but for us it always goes together with privacy guarantees."

German S&D member Birgit Sippel highlighted the risk of personal data being misused for commercial purposes: "We are selling out people's privacy. Fundamental rights cannot be traded."

Dutch ALDE member Sophie in 't Veld said: "Protection of personal data is a fundamental right and therefore not negotiable."

German Greens/EFA member Jan Philipp Albrecht, who will be leading the negotiations on the reform on behalf of Parliament said: "What we can do is creating a standard which can be easily adopted by other states."

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[Press release: Parliament's negotiators welcome Council negotiating brief on data protection \(15 June 2015\)](#)

[European Commission press release: Commission proposal on new data protection rules supported by justice ministers \(15 June 2015\)](#)



Data protection hearing: Bernd Lange(left) and Claude Moraes