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EUROPEAN DATA PROTECTION SUPERVISOR

The EU's independent data
protection authority

*EDPS-Civil Society Summit, Privacy
Camp 2023*

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The topic of this year's EDPS-Civil Society Summit would never be a subject of public debate without civil society - both in terms of continuous interest in the problem of surveillance, and in respect of revealing the revelations such as on the use of Pegasus.

Some of you know that before I became the head of the Polish Data Protection Authority, I was in the Ministry of Home Affairs. Needless to say, there was a justified scepticism, but even as a data protection authority I do sense certain caution, or indeed scepticism, from the NGOs side, be it back in my country, or here, in Brussels, as the EDPS. And I am grateful for that, as it encourages both sides to define their own objectives, sometimes values, in their own way. These ways are often similar, sometimes with turns and twists, sometimes going different directions. But rarely in recent times I have experienced more intensive discussions between stakeholders than the problem of new spyware technologies. This summit is a tribute to these works, to impressive contributions from civil society, academia, freelance experts, or some authorities, like the European Parliament.

It is indeed a time to summarize our works and see where we can take them from here. But let me use this as an opportunity for a broader reflection on the debate on security.

One year ago, the EDPS published its own initiative paper on the use of modern spyware technologies. We proposed several recommendations - with the idea of the ban being heard the loudest - but in particular we stressed how complex should the organisation of the oversight system should be, and at the core of such system should be a dialogue and inclusiveness, in particular towards those not formally being a public authority.

I guess some of you might think - why is he talking about oversight, when certain practices should simply just not be allowed? I agree, they should not. Probably, as a data protection authority I have a natural inclination towards supervision, also because the impact we can make on the legislation is limited by the political will of the democratically elected chambers.

Equally, I think there is a need for a more comprehensive approach. I would even provocatively say - for a more positive approach. We, gathered here at this summit, need to be able to come up with our own security agenda, we need to be able to propose a plan.

We should of course continue opposing (even more strongly than before) ideas and practices that clearly should not take place in a democratic society. We should contest mass surveillance mechanism, we should respect the clear lines drawn both by European Court of Human Rights and the Court of Justice of the European Union. I am proud, as a DPA, to see the civil society, here in Brussels, in all Member States, and globally, fighting for it. Thank you.



We often like to say that data protection is not an obstacle for security. I think maybe it is time to admit - it can be an obstacle.

Admitting that might be a point of departure in. Data protection can be an obstacle for security - a security, which in fact has nothing to do with people being safe or feeling safe, a false promise rather than an actual achievement. Maybe it is time for the DPAs and civil society to befriend the term security, and make it their own. Show what does it mean for us, and how we want to achieve that. Let's explore and identify our paths. Let's demystify the fears and prejudices behind intrusive measures, dangerously driven by political considerations. There is such an amount of false premises that drive these policies, a genuine conviction of many reasonable people that we need this or that tool, this or that legislation.

There is also still an alarming lack of clarity about the practices, including of EU Member States. It is thanks to amazing community that many secrets have been revealed. I am looking forward to discussion from amazing experts who have been dedicating their lives to uncovering, understanding, explaining how the world in 2022, 2023, is a different one than in 2021 in terms of technologies, their use, their threat for our rights.

EDPS and civil society has a long tradition of dialogue. I am excited by the possibilities of this dialogue in the future. It can bring many fruits and make the world a better place.

