



Work programme 2014 – 2015

Adopted on 3 December 2013

This Working Party was set up under Article 29 of Directive 95/46/EC. It is an independent European advisory body on data protection and privacy. Its tasks are described in Article 30 of Directive 95/46/EC and Article 15 of Directive 2002/58/EC.

The secretariat is provided by Directorate C (Fundamental Rights and Union Citizenship) of the European Commission, Directorate General Justice, B-1049 Brussels, Belgium, Office No MO-59 02/013.

Website: http://ec.europa.eu/justice/data-protection/index_en.htm

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Tasks

The Working Party was set up under Article 29 of Directive 95/46/EC and its tasks are to (Art. 30.1):

- (a) examine any question covering the application of the national measures adopted under this Directive in order to contribute to the uniform application of such measures;
- (b) give the Commission an opinion on the level of protection in the Community and in third countries;
- (c) advise the Commission on any proposed amendment of this Directive, on any additional or specific measures to safeguard the rights and freedoms of natural persons with regard to the processing of personal data and on any other proposed Community measures affecting such rights and freedoms; and
- (d) give an opinion on codes of conduct drawn up at Community level.

These tasks also apply with regard to the electronic communications sector (Art. 15.3 of Directive 2002/58/EC).

Activities for 2014-2015

The general strategic themes for the work programme are **ensuring clarity and effectiveness**:

- **in preparing for the new legal framework**
- **in addressing globalisation**
- **in responding to technological challenges**
- **in delivering enforcement cooperation**

The Working Party's goal for the 2014-2015 period is to ensure a coherent and correct application of the current legal framework and to continue to prepare for the future legal framework. The revised legal framework will have consequences both for the rules and regulations regarding data protection and for the functioning and duties of the Working Party itself (that will be succeeded by the European Data Protection Board). Continuous innovation and technological development are challenges that continue to need the Working Party's attention. In anticipation of the future legal framework, the Working Party intends to step up its efforts to ensure coordinated and consistent enforcement action to ensure strengthened compliance EU wide. The Working Party will furthermore increase its interaction with international data protection authorities and other organisations and stakeholders, both within the European Union and outside. Finally, the Working Party remains available for requests for advice received from the Commission, the Council and the European Parliament.

Data protection issues can be interconnected at different levels and will therefore be addressed in ways the Working Party finds most appropriate. The Working Party will regularly monitor the implementation of its work programme and reserves the right to where necessary revisit it the moment the data protection revision package is adopted.

Subgroups

The Working Party's subgroups will work along the line of the strategic themes and will present draft documents for discussion and adoption by the plenary. In short the subgroups will focus on the following issues:

Future of Privacy subgroup

The subgroup will deal with both substance and procedural issues with regard to the necessary preparations for the new legal framework and the EDPB. The subgroup should come up with proposals to operationalise the EDPB, draft rules of procedure and the consistency mechanism. On the basis of current draft revision proposals, the subgroup will draw up a list of issues that in the future will require guidance from the EDPB and make proposals for appropriate prioritisation of those guidance papers.

Key Provisions

The subgroup will temporarily be suspended as all key provisions of the 1995 Directive previously identified have been covered. The subgroup will at the moment the new legal framework enters into force, resume its work depending on the need for updating existing opinions on key provisions, as well the need for guidance on several new key provisions in the revised legal framework.

Technology subgroup

The subgroup will focus on examining privacy issues related to technological developments, including the Internet of Things and wearable computing devices. Guidance will be provided on issues related to cloud computing and device fingerprinting. Finally the impact of the draft legal framework on existing WP29 guidance in this field will be examined.

International Transfers subgroup

The subgroup will examine the impact of the draft Regulation's provisions on transfers with regard to existing transfer tools and reflect on adaptations of existing BCRs and Standard contractual clauses to the new legal framework where necessary. Following the evaluation report on the functioning of the Safe Harbour Agreement, the subgroup will present proposals for further action. The subgroup will also continue its assessment of requests for adequacy decisions and will carry on its work on interoperability between data protection standards of other fora, such as the APEC.

Borders, Travel and Law Enforcement subgroup

The subgroup will continue examining new legislation, the implementation and evaluation of current legislation and non-legislative issues in the area of borders, travel and law enforcement. Of particular importance is the proposal for a new Police and Justice Data Protection Directive and the discussions following the NSA leaks. The subgroup will examine the important concepts of national and public security with a view to better understanding the extent and limit of these concepts. The subgroup will prepare a common position on the way supervision of European law enforcement agencies and databases should be carried out in the future, also in relation to the new role of the DPAs, the EDPS and the European Data Protection Board under the new data protection legal framework. Finally, the subgroup will closely follow the preparations for the new multi-annual framework for justice and home affairs.

E-government subgroup

The subgroup will examine the use of apps for Egov services, safeguards in e-identification and other eGovernment services and will provide input in discussions relating to eSignatures and the Internal Market Information System (IMI).