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**BUREAU OF THE CONSULTATIVE COMMITTEE OF THE CONVENTION  
FOR THE PROTECTION OF INDIVIDUALS WITH REGARD TO AUTOMATIC PROCESSING  
OF PERSONAL DATA [ETS No. 108]**

**(T-PD BUR)**

**Revision of the OECD Guidelines governing the protection of privacy and transborder  
flows of personal data**

Document prepared by the  
Directorate General of Legal Affairs and Human Rights

1. The Bureau of the Consultative Committee of the Convention for the protection of individuals with regard to automatic processing of personal data [STE n°108] welcomes the initiative of the Organisation for Economic Co-operation and Development to review its Guidelines governing the protection of privacy and transborder flows of personal data.
2. The Bureau wishes to emphasise that these guidelines remain fully relevant more than 30 years after their adoption due to their general and technology-neutral approach.
3. The Bureau also stresses that work on updating and reviewing Convention 108 and its Protocol is currently underway in the Council of Europe.
4. The Bureau recalls that the two texts (OECD Guidelines and Convention 108) were developed at the same time and in a coordinated and concerted way, and that the consistency and convergence of these two texts must be preserved.
5. Indeed, such convergence ensures a similar and harmonised level of data protection and promotes the free flow of data while guaranteeing a high level of protection for human rights and fundamental freedoms (especially the right to respect for private life) when processing personal data.
6. The Bureau believes that this need for consistency between the various systems (including the legislative framework established in the European Union) could be reflected in a more obvious way in the draft mandate for the Guidelines' review and it remains at the OECD's disposal for contributing to the review and to the conservation of the current convergence.