

Address by the CoE Head of Office at the event marking 10th Anniversary of the establishment of Commissioner's Office on Data Protection and the Right to Information

Honorable Speaker, Honorable Commissioner, Honorable Deputy Prime Minister, Excellencies,
Ladies and Gentelemen,

It is a particular pleasure for me to address you on the occasion of the “10th anniversary of the establishment of the office of the Commissioner for the Right to Information and Protection of Personal Data”. This anniversary also marks a milestone of a very close and fruitful cooperation between Albania and the Council of Europe in the field of data protection. I say milestone, because our cooperation in the field of data protection actually dates back prior to the setting up of the Commissioner's office. The Council of Europe and Albania worked together long before that. We collaborated on the enhancement of the legal framework and on the establishment of the data protection authority and we provided support to it through training of its staff once it was established. I am very pleased to see that Mrs Flora Cabej, former Commissioner who initiated this strong relationship with the Council of Europe, is here to celebrate this anniversary.

A land-mark date in the relationship between the CoE and Albania is 2005, when Albania ratified simultaneously the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (more known by the data protection community as “Convention 108”) and its additional protocol on supervisory authorities and transborder data flows. In 2005, over 13 years ago, Albania was committing at international level to a strong data protection

system enforced by an independent data protection authority. While it may at that point in time have been an ambitious commitment, today the results are to be praised.

10 years after the setting up of this crucial institution, where is Albania standing with data protection? It is working effectively at national level, it is recognised at the European and international level, and continues to look towards the future and seek further enhancement of its national data protection legislation, with the imminent applicability of the EU General Data protection regulation to EU member states, but not only, and with the modernised Convention 108. Indeed, 2018 is a crucial year for data protection: a new EU regime will apply, which reinforces the level of protection and is well articulated with the modernised Convention 108, hopefully soon to be adopted by the Committee of Ministers of the Council of Europe.

On the historical scale of data protection, 10 years is still very young for a data protection authority, notably if comparing the IDP with an authority such as the French one which just celebrated its 40th anniversary two months ago. Yet, this young data protection authority has received a strong acknowledgment from the entire data protection community and will become the host of its European colleagues here in Tirana later in May, and of colleagues from all regions of the world in 2019. Taking the responsibility of hosting such important annual events demonstrates the readiness of this young authority to play an important role among its peers.

As rightly framed in the title of the Spring Conference to be held in May which reads “Data protection – Protecting Better Together”, to better protect, there is a need to better cooperate. Indeed, challenges that are faced in Albania are challenges that are faced globally. Personal data

have become in the digital era an asset for businesses and an asset for governments and the protection of personal data, the protection of each and every one, lies in the hands of institutions like the IDP. Cooperation between data protection authorities is key to the success of their mission. It should also be recalled that it is crucial that such institutions benefit of an independence in the exercise of their mandate and performance of their missions, and vital that they are given the necessary resources to do so. Those important aspects are part of the proposals to modernise Convention 108, with enhanced powers for the data protection authorities and reinforced means of cooperation, with a guarantee of independence.

Since 2014 the Commissioner is also responsible for safeguarding the right to information in Albania. Balancing the data protection and access to information in one institution is good practice which helps to prevent bias and one-sided approaches in an area which requires delicate balancing. The event that we jointly organised in December, in the context of the Joint project “Reinforcing Judicial Expertise on Freedom of Expression and the Media in South-East Europe (JUFREX)” on the sensitive and necessary articulation between the right to privacy and freedom of expression was planned and held in that spirit. It was a success and will hopefully pave the way to future joint events of a similar nature. The Office in Tirana and colleagues in Strasbourg of the Data protection unit look forward to continuing working with the Commissioner’s office on the enhancement of data protection.

Thank you for your attention!