

Attila Péterfalvi Introduction: Data Protection Day 2012

Welcome everyone, and thank you for coming out to Remiz this evening to celebrate International Data Protection Day.

In a world where data sharing has become a matter of course, the discussion about protections and access to information has become more critical than ever. Come join us, then, as we continue the dialogue by observing International Protection Day, which takes place on the 28th of January, 2012.

We also wanted to take this opportunity to introduce you to the new office for data protection here in Hungary. My name is Attila Péterfalvi, and I am the President of the Hungarian National Authority for Data Protection and Freedom of Information. The Authority has two general areas of responsibility, as the name clearly suggests. We supervise and defend the right to the protection of personal data, as well as the right to freedom of information in Hungary.

As an authority, we're new but we're not. You are probably all aware that the Hungarian legal and constitutional order has recently undergone a fairly radical transformation, with the most significant of these changes coming into force on January 1st of this year. The more relevant development, as far as data protection in Hungary is concerned, was the complete overhaul of the ombudsman model, which included the office of the Parliamentary Commissioner for Data Protection and Freedom of Information. In a nod to efficiency and service, three of the ombudsman offices were integrated under a new, general ombudsman: the Commissioner for Fundamental Rights...but importantly, the new data protection authority was not. In law and in practice, we are separate from the general ombudsman's office, a division that is in line with the requirements of the European Community's directive.

So, while our office is technically not the legal successor to the Parliamentary Commissioner for Data Protection and Freedom of Information, the institutional experience is here. The majority of the colleagues working at the new Authority simply transferred over from the prior ombudsman's office, myself included. As a matter of fact, I was the Parliamentary Commissioner for Data Protection and Freedom of Information from 2001 to 2007, and look forward to bringing both my local and international experience to bear on the important work ahead of the Authority.

And I really do believe that this work is more important now than ever before. Data protection rights are human rights, and citizens have to be secure in the knowledge that their interests are actively protected. Striking a just balance between the needs of public and private entities calls for a responsive, independent and transparent Authority. The new Authority, therefore, not only has broad competency to pursue violations of data protection rights, such as levying fines where appropriate, or ordering the deletion of illegally controlled personal data, but it can also provide pre-emptory audits upon request. Anyone, in fact, is entitled to request an investigation, but the Authority may also choose to instigate one, should a significant risk of harm warrant it.

Furthermore, the Authority may choose to launch a confidentiality review procedure, if, based on reliable information received it may be presumed that national classified information has been illegally classified. The Authority's scope of oversight is comprehensive, extending to the public, private and state sectors.

If you're interested in more specifics, please consider this a sincere invitation to check out our website, visit us and ask questions. A highly-regarded, best-practices model is the goal, and we look forward to working in cooperation with a balanced, wide range of stakeholders, not limited to national and international bodies, NGO's, the academic community and more.

Before I close and we dig further into the celebration, however, I want to take a brief moment to apologize. Just as you are aware of the legislative changes that have recently taken place in Hungary, I'm sure you've also heard that there are questions swirling around Brussels concerning the autonomy of the Data Protection Authority. I want to assure you that our values are European values, and we're in agreement that independence from political influence is absolutely necessary if we are to maintain an unbiased approach to data protection rights. As such, we hope for a speedy resolution to these matters, as we are eager to get on with our core responsibility, which is to ensure and protect the right to privacy and to freedom of information in Hungary.

Once again, thank you all for coming out tonight to commemorate Data Protection Day with us here in Budapest.

Enjoy.