

December 2015

Object: European General Data Protection Regulation (GDPR)

Dear Sir or Madam,

On behalf of the 900 European Chief Information Officers associated with EuroCIO, representing the demand side (i.e. European business users of cloud, big data, or other services handling data), we take the opportunity to address you on the upcoming decision on the Data Protection Regulations in the European Union. Our motivation is to avoid a possible negative impact on our European businesses, GDP, growth and employment.

Ensuring personal data are handled according to existing legal frameworks, in cooperation with service providers we aim at fostering privacy and security of our citizens and clients in the European Countries and are as well in charge of enabling the economic position of all of our over 900 international companies. Our letter and position is thus focused on connecting both views in a pragmatic way.

Smart and modern data protection will keep our companies innovative and reactive. A sole focus on the privacy of citizen data, against e.g. the non-European way of using technology and accessing data, will hinder larger processes of innovation and international business and collaboration – especially for our European companies acting worldwide. We need to keep agile, fast, mobile and internationally competitive.

A European Digital Single Market in place, with even the slightest possibility of a regional public organization or nationally specific interpretation of regulations, having the ability of stopping international projects, will not work. Our partnerships with worldwide companies and countries have to stay possible and projectable, us securing the privacy and safety of data – personal data and intellectual property.

In the decision making process on the future regulations on data privacy (GDPR), we recommend to strongly focus on:

- clarifying the ‘joint controllers’ art.24 of the sharing of liability between business using ICT services and their supplier on the factual basis of whom really determines the means of data processing, for e.g. by stating about the key public cloud that the provider is (joint) controller, because he determines alone the means of processing of his standard service (data centers, security, etc.),
- enabling the possibilities of “Pseudonymization”,
- putting a pragmatic, efficient, secure and an integrated non-bureaucratic way of handling data in place: typically an European Certification simply guaranteeing that a given data service is compliant with the GDPR (for the processor and for the controller),
- a uniform way of doing this throughout Europe

all together ensuring the ability of keeping up businesses, national and international, providing jobs to the people across Europe.

Only accessible data will put us in place of managing products and processes properly and securely. We need the ability to manage data, both to public and economical interest. A Data Protection regulation, with too strong a focus on “make data inaccessible” will also affect proceedings on Safe Harbour and carries the risk of failure of cloud-adoption, leading to decreasing economic opportunities for European organizations.

On behalf of our national CIO networks and our European network EuroCIO (The European CIO Association), we ensure support for these decisions and will be ready to implement them on behalf of our citizens and customers.

Sincerely Yours,



Freddy Van den Wyngaert  
Chairman of the Board, EuroCIO



Dr. Thomas Endres  
Member of the Board, EuroCIO  
Chairman of the Board, VOICE e.V.