



STATEMENT
OF THE SIXTH IBERO- AMERICAN DATA PROTECTION NETWORK
MEETING

“A commitment to attain International Data Protection and Privacy Standards”

One of the most characteristic features of the fundamental right to the protection of personal data is how extensive its effects are. This is a consequence of the fact that personal information is processed and used in all kinds of public and private activities from the moment a person is born. And it affects all the aspects of individuals, particularly their educational, socio-economic, labour, healthcare, ideological, religious and cultural profile. The use of personal data even allows profiles to be derived from their habits as users of new technological advances.

On the other hand, the processing of personal data has multiplied exponentially in the midst of a globalised world. Global economic development entails a new thrust of international data flows that are processed in geographical environments with a variety of regulations providing different levels of guarantee for individuals.

Along with this, the development of technology and new services in the information society has extended the options for exchanging information between people and for accessing that information, cornering the traditional criteria regarding the guarantee of data protection and privacy, which have to adapt to the new challenges that arise.

Globalisation has also had an effect on the development of new forms of crime and especially on the fight against terrorism, generating greater security demands that have to be compatible with the protection of fundamental rights.

The massive and selective processing of personal information as described above must be legitimate, proportionate to the purposes justifying that processing, and it must be carried out in such a way as to guarantee confidentiality and security, preventing access to the information by unauthorised third parties.

People must be informed about who uses their personal data and for what purposes.

And they must be able to react against illegitimate use, exercising their rights. In particular, the capacity to react must allow individuals to prevent information affecting them from being secularly and universally stored on the web. To this end they must be able to request that it effectively be supervised by the appropriate institutions.



Giving an appropriate response towards the protection of personal information makes it necessary to adopt international standards such as to provide individuals, regardless of where their data are processed, with the following guarantees:

1. Personal data are to be obtained and processed in a loyal and lawful manner, respecting, as a general rule, individuals' power to make decisions regarding information affecting them.
2. People must be educated to protect their data and they must be informed of who processes their data and for what purposes.
3. The purposes for which data are processed shall be specific and concrete.
4. Data processing must be in proportion to the purposes justifying same.
5. Personal data must be exact and truthful.
6. It is necessary to identify categories of data requiring reinforced protection owing to their greater sensitivity.
7. The confidentiality and security of personal information must be guaranteed.
8. People must be able to know what information is processed, correct it if it is inexact, have it cancelled when unnecessary and challenge the processing thereof.
9. Any limitations to the preceding guarantees are to be grounded on reasons of public interest.
10. An authority must be provided to permit these guarantees to be effective.

The Ibero- American Data Protection Network (RIPD), aware of how urgent it is to advance in this direction, discussed the new challenges that have arisen at its Sixth Meeting held in Cartagena de Indias (Colombia), with the participation of institutions, experts and representatives of private entities from Ibero-American countries and other areas.

The RIPD has also stressed the regulatory advances carried forth in a number of Ibero- American countries in order to attain new guarantees in the protection of personal data. These initiatives represent an additional boost in the process towards attaining standards of protection in a globalised world.

In this respect, the Council of Europe's Convention 108, which can be ratified by non-European States, is still a benchmark in terms of guaranteeing the adequate protection of personal information.



The Ibero- American Data Protection Network calls upon the international conferences relating to data protection and privacy, regardless of their geographical scope, to include on their agenda the pursuit of data protection standards that may culminate in the adoption of a common legal instrument by the relevant international organisations.