

Convention 108 and the EU framework: Differing while Converging

Sophie Kwasny

Abstract:

Convention 108 (the Council of Europe Convention for the protection of individuals with regard to automatic processing of personal data – ETS 108) was opened for signature on 28 January 1981.

It has since that date become the corner stone and inspiration for the development of data protection legislations around the world. The 95/46 Directive of the EU expressly states that it amplifies and develops the principles of Convention 108. How is this Convention unique? How is it important for all regions of the world? How does it articulate with the data protection framework of the European Union and the GDPR in particular? How is it different from it, while at the same time converging towards similar objectives?