

AI INDEX : DOC 22/02/95
9 JUNE 1995

NEW EU DATA PROTECTION LAW COULD HAMPER HUMAN RIGHTS WORK

Data protection legislation which will be voted on by the European Parliament this week could restrict work by human rights organizations on behalf of victims of torture and other human rights violations, according to Amnesty International.

"If human rights organizations work to the letter of the law, they would have to let victims know that they are keeping information about their cases," Amnesty International said. "This could put the lives of victims and their friends or families in danger, or could tie our hands when we are trying to move quickly to save someone's life."

The draft European Union (EU) Directive on Data Protection, which is aimed at restricting the exploitation and misuse of personal data, does not make exceptions for the particular needs of human rights organizations to collect and store data on individuals.

Specific derogation from the directive is provided for "journalistic" and "artistic" purposes. In not offering a similar derogation to human rights organizations, the draft directive is putting at risk the legitimate work of Amnesty International. The draft directive places an obligation on human rights organizations to negotiate derogations with individual EU governments, rather than ensuring a derogation within the legislation itself.

The draft directive, if agreed in its current form, will restrict Amnesty International in what information it can store on individuals, and the transfer of information outside the EU. It will also place on Amnesty International the responsibility to inform victims of information being held: if put into practice, human rights victims, their families and friends, may be placed in danger.

Amnesty International, which supports the principle of data protection and introduced its own guidelines in 1985, has proposed to the European Parliament amendments to the text of the draft directive. If accepted, these amendments, which include the addition of "human rights organizations" to the derogation clause in Article 9, will reflect that Amnesty International collects and stores information on behalf of human rights victims.

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