

Data Protection in the European Union

Citizens' perceptions

Summary

Fieldwork: January 2008

Report: February 2008

This survey was requested by Directorate-General Justice, Freedom and Security and coordinated by Directorate-General Communication

This document does not represent the point of view of the European Commission.
The interpretations and opinions contained in it are solely those of the authors.

Flash Eurobarometer Series
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Data Protection in the European Union

-
Citizens' Perceptions

Survey conducted by the Gallup Organization
Hungary upon the request of Directorate-
General Justice, Freedom and Security



Coordinated by Directorate-General
Communication

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THE GALLUP ORGANIZATION

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Introduction

Since 1991, the European Commission has been monitoring the perceptions, attitudes and views of the EU's citizens on data protection issues. However, over the last two decades, data protection in the EU has faced new challenges and has undergone important changes. For example, the introduction and expansion of the Single Market, and of the so-called 'Information Society', increased the amounts of personal data flowing between EU Member States. In order to remove potential obstacles to these cross-frontier flows and to ensure a high level of data protection for citizens, the EU's data protection legislation was harmonised in the 1990s.

This summary gives an overview of the findings of the Flash Eurobarometer survey on Data Protection that was conducted in January 2008. Previous waves of the survey had been performed three times before, in 1991, 1996 and 2003. Topics of the current survey wave of 2008 were the citizens':

- general feelings and concerns about data privacy
- trust that they placed in different types of organisations that held their personal data
- awareness of their data protection rights and of the national protection authorities
- perceived security of data transmission over the Internet and the usage of tools that improved the data security
- attitudes on the restriction of their data protection rights in the light of international terrorism

This summary outlines some of the main findings of the Eurobarometer survey on Data Protection; a more extensive analysis is provided by the *Analytical Report*. The summary includes the average results for the EU and highlights - when relevant- some of the divergences in responses based on the interviewees' country of residence and socio-demographic background. Whenever the same, or equivalent, question was posed in one, or several, of the previous Eurobarometer surveys on Data Protection, a time-series comparison for the relevant countries has also been provided.

Fieldwork was carried out from January 8th to 12th, 2008. Over 27,000 randomly selected citizens aged 15 years and over were interviewed in the 27 EU Member States. Interviews were predominantly carried out via fixed-line telephone, approximately 1,000 in each country. Due to the relatively low fixed-line telephone coverage in Bulgaria, the Czech Republic, Estonia, Latvia, Lithuania, Hungary, Poland, Romania and Slovakia, face-to-face (F2F) interviews were also conducted (700 telephone and 300 F2F interviews) in those countries.

Note 1: Previous sweeps of the survey were run in *Special Eurobarometers*, with F2F interviews in each Member State. This limited the comparability of the results, to some extent, due to the different mode effects of F2F and telephone interviewing. However, the changes that the survey has discovered are highly plausible and there has been no evident sign of significant interference of the interviewing mode on the results obtained.

Note 2: The previous surveys have been carried out in 1991, 1996 and 2003. The countries reviewed were the 12 Member States of the European Community in 1991 and the 15 Member States of the European Union in 1996 and 2003. The longitudinal comparisons were therefore only possible for those countries.

To correct for sampling disparities, a post-stratification weighting of the results was implemented, based on the main socio-demographic variables.

Main findings

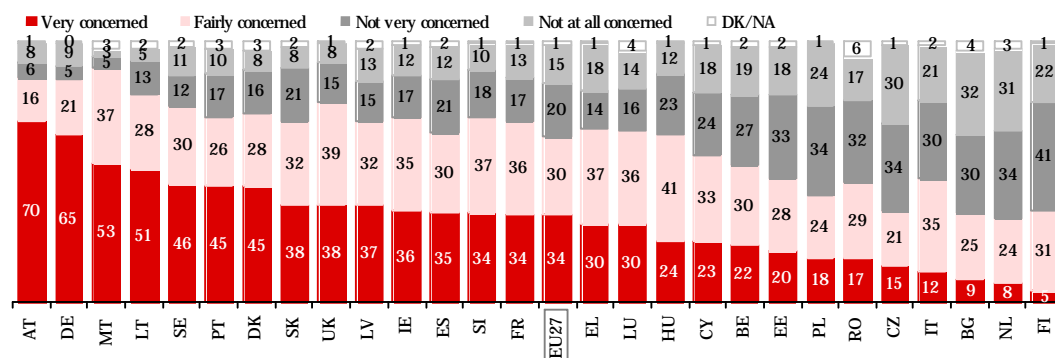
- **A majority of EU citizens showed concern about data protection issues.** Two-thirds of survey participants said they were concerned as to whether organisations that held their personal data handled this data appropriately (64%).
- **The level of concern about data protection has only changed slightly since the early 1990s.** Two-thirds of respondents were concerned about this in 1991. Since then, the number has fluctuated, before returning - in 2008 - to the early 1991 level (68%).
- **EU citizens feel that their personal data is best protected by medical services, doctors and public institutions.** From a list of public and private organisations, EU citizens placed the most trust in medical services, doctors and the police to protect their personal data. The greatest levels of distrust were related to mail order companies.
- **Respondents' confidence in organisations' data privacy policies has increased constantly since the early 1990s.** Exceptions were the medical services and doctors, non-profit-organisations and mail order companies, where confidence has remained at the same level over the last five years. Market and opinion research companies were the only ones to have seen a continuing decrease in levels of trust from 1991 to 2008.
- **Respondents tended to see low levels of data protection in their own country.** Not even half of respondents (48%) thought that their data was properly protected in their own country. A majority even feared that national legislation could not cope with the growing number of people leaving personal data on the Internet (54%). A vast majority also felt that their fellow citizens had low levels of awareness about data protection (77%).
- **Even though EU citizens were quite well informed about some of the existing data protection regulations, there were still some considerable information gaps:**
 - The interviewees were presented with a list of rights European citizens have vis-à-vis organisations that hold their data, such as their right to take legal action in case of abuse of personal information or to be compensated for the resulting damage. *Each of the listed rights was familiar to a majority of the respondents.* However, only a quarter of respondents knew that European citizens enjoyed *all of those rights* (27%).
 - Furthermore, only 29% of respondents knew that *sensitive data* like information about racial or ethnic origins, political opinions, etc. received *special legal protection*. A small minority (17%) had heard that personal data could only be transferred outside the EU to countries that ensured an *adequate level of data protection*.
- **The national data protection authorities were relatively unknown to most of the EU's citizens.** On average, only 28% of respondents said they had heard about the existence of such institutions in their country. Greece and Hungary had the highest levels of recognition (51% and 46%, respectively). The awareness of such institutions across the EU has remained unchanged over the past five years.
- **Most European Internet users feel uneasy when transmitting their personal data over the internet:** 82% of Internet users reasoned that data transmission over the Web was not sufficiently secure. However, only a **minority of Internet users said they used tools and technologies that increased data security** on the Net, i.e. firewalls or cookie filtering (22%).

- **In the eyes of most EU citizens, the fight against international terrorism is an acceptable reason to restrict data protection rights.** A majority of respondents agreed that it should be possible to monitor passenger flight details (82%), telephone calls (72%) and Internet and credit card usage (75% and 69%, respectively) when this served to combat terrorism.
- However, **there was suspicion about any provisions that would allow authorities to relax data protection laws.** Most respondents, in favour of more relaxed data protection laws, said this should be within **clearly-defined limits**: around a third of respondents stressed that **only suspects** should be monitored (27%-35%) and approximately one in five (14%-21%) wanted **even stricter safeguards**.
- Since 2003, the numbers of citizens approving the monitoring of people's Internet usage and telephone calls has increased by about 12 percentage points (in each case).

1. Concerns about data privacy

Most Europeans are concerned about how their personal data is handled by organisations that hold information on them, but **only a minority of citizens actively worry** about this: while two-thirds of respondents reported a concern about whether their personal information was protected or not (64%), only one-third of respondents claimed to be *very* concerned (34%).

Concerns about data privacy by organisations that hold personal data



Q1. Different private and public organisations keep personal information about people. Are you concerned or not that your personal information is being protected by these organisations?
% Base: all respondents, by country

The level of concern **varied significantly** between respondents from different Member States. **Austrian and German** citizens seemed to be the most concerned about how their personal data was handled. Eighty-six percent of those respondents reported being concerned about data privacy issues, and two-thirds claimed to be *very* concerned (Austria: 70%, Germany: 65%). In **Bulgaria, the Netherlands and Finland**, the respondents had the least concern about whether or not their personal data was appropriately protected by organisations that held this information.

Concerns about data protection – developments in the EC12/EU15 since 1991

The level of concern about data privacy in the EU countries (under review) **decreased between 1991 and 1996** from 66% to 58% and **increased insignificantly in 2003** to 60%. Today, though, privacy consciousness has climbed back to a level that slightly **surpasses the one detected 17 years ago**, with **two-thirds (68%)** being concerned in 2008.

In a majority of the reviewed countries, the level of concern **remained stable or decreased** whereas in those countries where respondents reported being more concerned, the increase in concern between 2003 and 2008 has been considerable. This was especially the case in **Austria, Denmark and Germany**: in Austria, the number of respondents who reported being concerned about data protection climbed 35 percentage points from 51% in 2003 to 86% in 2008, in Denmark, 31 percentage points from 42% to 73%, and in Germany, 28 percentage points from 58% to 86%. Also on the **Iberian Peninsula**, data protection seemed to be a growing issue: both in Portugal and Spain, concern about data protection grew by about 20 percentage points from 2003 to 2008 (PT: 50% in 2003 vs. 71% in 2008; ES: 46% in 2003 vs. 65% in 2008).

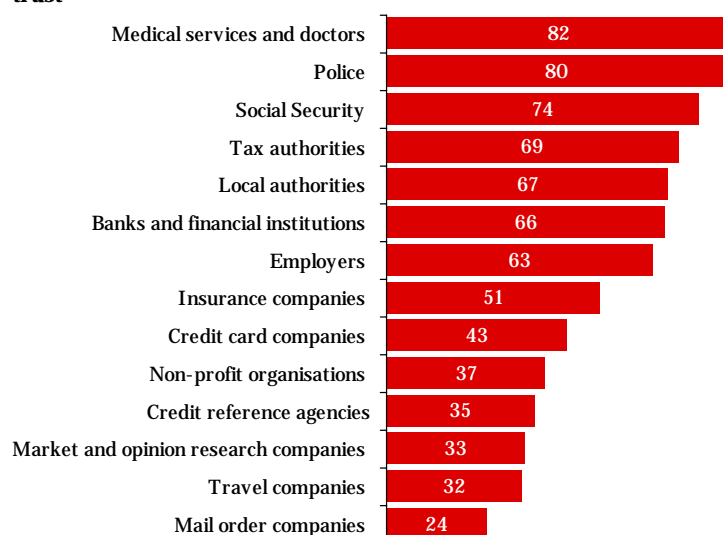
2. Trust in organisations concerning data protection

Medical services, doctors and various public authorities were more trusted by far, by EU citizens, than private companies and non-profit organisations to keep personal information adequately protected.

The organisations that most respondents in the EU Member States had confidence in, when it came to data protection, were **medical services & doctors** and the **police**: Next in line, behind those bodies, around seven out of 10 respondents expressed their confidence in other public authorities such as **social security** (74%), **tax** (69%) and **local authorities** (67%). Distrust was greatest when it came to **mail order companies**. Only one in four respondents were confident that such companies were keeping their personal data secure (24%).

Trust in organisations concerning data protection

% of "trust"



Q2. I am going to read you a list of (NATIONALITY) organisations that may keep personal information about you. Please tell me if you trust or do not trust each of them to use your personal information in the proper way.

%, Base: all respondents

Trust in organisations, analysed by country

When comparing the levels of confidence in each country regarding the data privacy conduct of each of the aforementioned organisations, we identified groups of countries where **confidence in all of the listed organisations was generally higher** than the EU average, **while in other groups it was generally lower**. In the **Scandinavian countries**, respondents were particularly more likely to express their confidence in *any* kind of organisation than respondents from **some of the Eastern European countries and Greece**, which were more often at the lower end of the scale.

Notably, when it came to **public organisations** like the police, tax and local authorities, and medical services and doctors, we could see a general pattern that the reported confidence was highest in Finland and Denmark, while it was consistently the lowest in the Baltic States (especially Latvia and Lithuania), Greece and in the newest member States - Romania and Bulgaria - and in Poland. As for the different types of **private companies** that were listed in the survey, apart from Finland and Denmark, we could see that Malta and Luxemburg were particularly likely to show high levels of confidence. Those countries where confidence was lowest were most often, besides Greece, other Southern European countries like Spain, Italy and Portugal, and also Germany.

Levels of trust in various organisations, in the EC12/EU15-States, since 1991

When comparing the results of the current wave with previous ones since 1991, we could see that in EC/EU countries, where the survey had been carried out, the **level of trust** about data protection - in the various organisations - **increased constantly over the past 17 years**. In particular, tax authorities, the police, local authorities, the social security and employers, gained an increasing level of trust over the years. The only organisations that constantly lost the citizens' confidence were market and opinion research companies.

Socio-demographic analysis

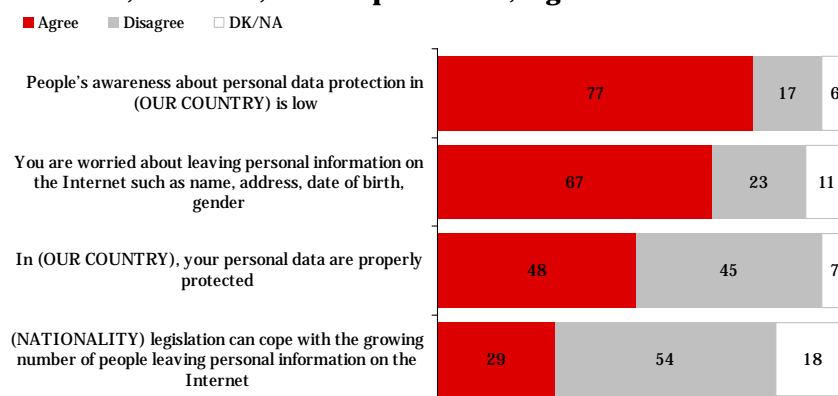
The **older** the respondent was, the less likely he or she was to trust *any* of the listed organisations. For most of the organisations, the **more highly-educated respondents** were the more likely to have confidence in data privacy matters. However, for insurance and mail order companies, it was the respondents who finished their education between the ages of 16 and 20 who had the highest levels of confidence, while both respondents from the other educational categories had less confidence in those organisations. For the police and market and opinion research companies, education levels did not appear to impact the levels of confidence. While for most organisations, **gender** did not play a role, women were slightly more likely to say they were confident in the appropriate handling of their personal data by insurance companies, banks and financial institutions, the police and mail order companies. Amongst the **occupational categories** it was mainly the self-employed that were particularly suspicious about an organisations' data policy.

3. Data protection in the home country

A large majority of EU citizens (77%) agreed that awareness of personal data protection in their country was low, while 17% disagreed. Also, two-thirds of EU citizens (67%) showed concern about leaving personal information on the Internet, such as name, address, date of birth, while one in four of them (23%) did not.

A more or less equal share of respondents tended to agree (48%) or disagree (45%) that, in their country, their personal data was properly protected. Nevertheless, only 29% of interviewees tended to agree that their national legislation could cope with the growing number of people leaving personal information on the Internet, while more than half of those interviewed (54%) disagreed. Almost one in five (18%) were undecided on this issue.

Views on data protection: awareness, concerns, level of protection, legislation



Q3. For each of the following statements, please tell me if you tend to agree or tend to disagree?
%, Base: all respondents

Awareness about personal data protection

The majority (a vast majority in most countries) of respondents in all Member States confirmed that people's awareness about personal data protection in their country was low. Greek interviewees (93%) were the most likely to hold this opinion, followed by respondents in Cyprus and Hungary (both 90%). On the other hand, interviewees in Denmark (59%) and Luxembourg (56%) were the least likely to agree with the statement about low national awareness.

When comparing the results of 2003 and 2008, we found that in most of the 15 reviewed countries a slightly larger proportion of respondents agreed in the current survey that the level of awareness was low (EU27: + 7 percentage points). With an increase of 27 percentage points, this growth was strongest in Spain.

Concerns about personal data protection

Although respondents in Greece were the most likely to think that awareness about personal data protection was low in their country, they were the most likely to say they were worried about leaving personal information on the Internet. Respondents in the New Member States (NMSs), on the contrary, were the least worried about leaving personal information on the Internet. For example, less than half of respondents in Romania (42%) and Latvia (48%) had such a concern.

The comparison with 2003 showed that respondents were now slightly more worried about leaving personal information on the Internet; while 64% of EU15 citizens were concerned about this in 2003, this percentage increased to 70% in 2008. This increase was particularly noticeable in Portugal (+ 24 percentage points).

Level of personal data protection in the home country

Respondents in Greece and the UK were among the most likely to worry about leaving personal information on the Net, and they were also the most likely to disagree that their personal data was properly protected in their country (71% and 63%). At the higher end of the scale – those countries where respondents had confidence in their personal data being properly protected – we found two Nordic countries, Denmark and Finland; 85% and 84%, respectively, of those respondents tended to agree with this statement.

National legislation about personal data protection

For the statement about whether each country's national legislation could cope with the problems the Internet introduced in relation to data privacy and protection, it was again respondents in the UK and Greece that expressed their concern the most frequently, disagreeing that their country's legislation could offer this kind of protection (69% and 63%, respectively, tended to disagree). However, the percentage of respondents who tended to disagree with the statement was similarly high in Sweden and Germany, (both 63%).

Danish respondents, on the other hand, were again the most likely to believe that their national legislation could cope with the growing number of people leaving personal information on the Internet (42% tended to agree with the statement), followed by French respondents (39%), and Luxemburgish and Maltese respondents (both 38%). Finally, respondents in Bulgaria and Romania were the most likely to say they did not know if their national legislation would be able to cope with the situation (39% and 36%, respectively).

In comparison with the 2003 survey, agreement on this point increased only slightly from 26% in 2003 to 29% in 2008. However, we found that in all of the (then) 15 Member States **fewer respondents now said they had no opinion** about the statement that their national legislation could cope (or not) with the growing number of people leaving personal information on the Internet.

Socio-demographic analysis

No large differences were observed when comparing the answers of men and women and those of respondents living in rural, urban or metropolitan areas. Women were slightly more likely to worry about leaving personal information on the Internet (69% of women, 64% of men). Respondents in rural areas were less likely to agree that awareness about data protection issues was low in their country (74% in rural areas, 79% in urban and metropolitan areas).

Looking at the difference by age, it was noted that respondents over 55 were less likely than younger respondents to agree that national awareness about personal data protection was low and they were also less likely to worry about leaving personal information on the Internet. Respondents under 25 were more likely than older respondents to agree that their personal data was properly protected in their country and that the national legislation could cope with the issue of leaving personal data on the Internet.

The more highly-educated respondents and those with a higher occupational status more often tended to agree that people's awareness about data protection issues was low in their country, and they were also more likely to be concerned about leaving personal information on the Internet.

Respondents with lower levels of education were slightly less likely to agree that their national legislation could cope with the growing number of people leaving personal information on the Internet and respondents who were not working were more likely than their counterparts in other occupational groups to agree that their personal data was properly protected in their country.

4. Awareness of data privacy rights

4.1 Awareness of rights regarding use and abuse of personal data

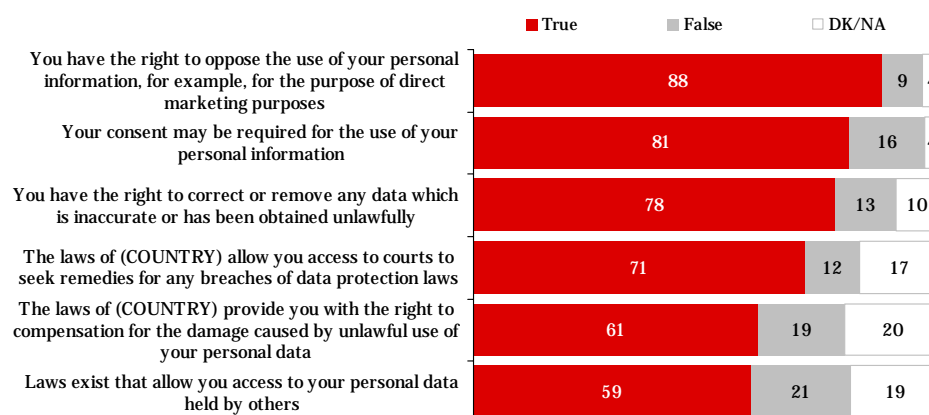
In order to find out more about the citizens' knowledge about their data protection rights, the interviewees were read out several statements, each describing various rights that European citizens have in their relations with those organisations that collect and handle their personal data. Those statements concerned rights that would allow the citizens: a) to avoid the abuse of their personal data, b) to take legal action in case of abuse of personal data, and c) to be compensated for any damage caused. The interviewees were asked to judge whether these statements were true or false, that is, if they believed they indeed had those rights.

Each of the rights regarding the abuse of their personal data, their right to take legal action in case of abuse of personal information and to be compensated for the resulting damage **was known by a majority of respondents**.

The best-known right was the one to deny the further use of personal information for unsolicited contacts, e.g. for marketing purposes (recognised by 88%). A large majority also thought that one's consent might be required for the use of their personal information (81%) and that they had the right to correct or remove any data which was inaccurate or had been obtained unlawfully (78%).

However, respondents were less certain whether they had the right: **to actually go to court** in the case of abuse of personal data; **to receive compensation** for any resulting damage; or to have access to personal data that was held by organisations. Though a vast majority of respondents still thought it was true that they could go to court if the privacy of their data was violated, approximately one in five respondents (17%) did not know if he or she had this right or gave no answer. Sixty-one percent of respondents answered that they were entitled to compensation if the privacy of their data was violated, and 59% knew that they could access and check personal data about them held by organisations.

Awareness of rights regarding the use and abuse of personal data



Q6. I will read out a few statements related to data protection, for which I would like to hear your opinion as to whether they are true or false.
%, Base: all respondents

Summarising all of the rights introduced by EU data protection laws that were listed in that question, the highest levels of awareness were in Poland (43%), followed by Latvia (38%), France and Hungary (both 35%). On the other hand, less than one in five citizens in Sweden (16%) and Austria (18%) said they were aware of each of the six existing legal possibilities they had in order to control the use of their own personal data.

Awareness of rights regarding use and abuse of personal data, analysed by country

The **right to oppose the use of personal information without permission**, e.g. for direct marketing purposes, was well-known across all of the EU's Member States. Even in the country at the bottom of the rankings – the Czech Republic - 72% of respondents thought they had this right. In the other Member States, over 80% of respondents knew about this possibility. The awareness was highest in Hungary and Finland (both 94%), and Slovenia (93%), where nearly all respondents thought that they had such a right.

The possibility that the **data subject's consent might be required before personal information was used**, was also known across all EU member states by an overwhelming majority. Together with the Latvians (95%), it was again the Slovenian (94%) and Hungarian respondents (93%) who proved to be the most aware of this right. At the other end of the scale, we found the Swedish and Spanish respondents, (70% and 67%, respectively), saying that this statement was true.

Even though Spanish respondents were the least likely to be aware that their consent might be required before their personal information was used, they were the most often to say that it was true that they had the **right to correct or remove any data which was inaccurate or that had been obtained unlawfully** (89%). Next in line, it was again the Slovenian respondents who were well aware of this right (88%). Concerning the possibility to correct or remove inaccurate or illegally obtained data, Bulgarians also stood out, but in the opposite direction. They were the least likely to be aware of their rights (52%) and they were by far the most undecided on what the correct answer was (37% did not know what to answer/gave no answer).

Hungarian (90%) and, to a lesser extent, French respondents (86%) were especially aware that they could defend the privacy of their data in **court**, while less than 60% of Maltese, Dutch and Italian respondents knew that they enjoyed such a right. In some countries, we saw a high level of uncertainty

among respondents about whether they had the right to go to court or not, most importantly in Malta (32%, don't know/not answered), the Netherlands (31%) and Italy (30%).

While 73% of Latvian and 71% of French and Slovenian respondents were aware that they had the **right to gain compensation for damage caused by data abuse**, not even half of the Romanian respondents said that this statement was true (47%). In several Member States, a significant minority was unaware of that right; this was more than a quarter in Austria (29%), Germany (28%) and the UK (26%). The proportion of those who were undecided was relatively high across *all* Member States, ranging from 16% of respondents in Austria to 36% in Malta.

A citizen's right to **access and review personal data held by others** was the least known among the respondents. While 79% of Danish and 73% of British respondents said they had this right, less than half of Italian, Romanian (both 47%) and Bulgarian (46%) respondents thought so. In Spain (31%), Finland (28%) and Germany (27%), a significant proportion thought that they did not have such a right. Marked differences across the Member States were observed, concerning the proportion of those who could not answer this question. While only 7% of British and Irish respondents did not know whether they had the right to access personal data held by others, this percentage rose to 38% in Romania and 42% in Bulgaria.

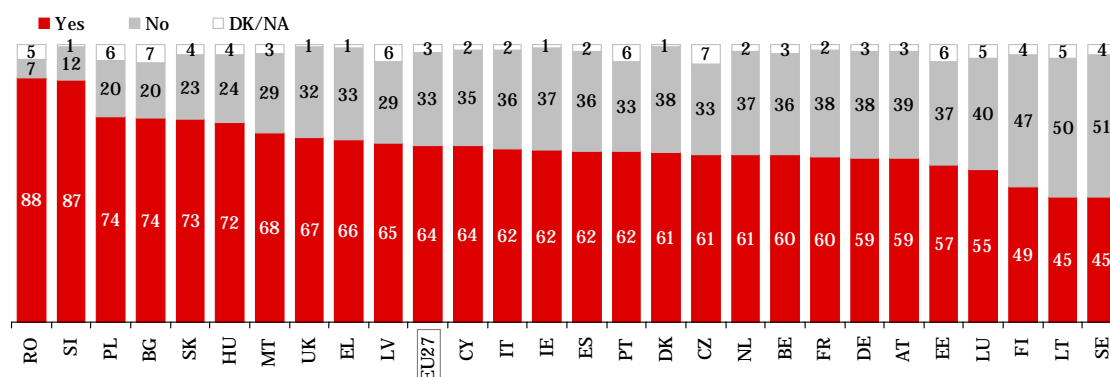
Socio-demographic analysis

Male, young and highly-educated respondents were the most likely to know that EU citizens enjoyed all of the rights regarding use and abuse of personal data that were listed in the question, while those respondents who answered that none or only some of the rights actually existed were predominantly female, older and less-educated. Respondents living in a rural area were slightly less likely than city-dwellers to say it was true that EU citizens' enjoyed all of the rights (26% vs. 28%). Furthermore, **employees** and **manual workers** proved to be more informed about data privacy rights than the self-employed and respondents who were not working.

4.2 Organisations' obligation for transparency

When respondents were asked if they were aware that organisations that collected personal information must provide individuals with information about their identity, the purpose of the data collection and whether there was an intention to share the data with other organisations, **approximately two-thirds of respondents answered affirmatively (64%)**. Romanian and Slovenian respondents were most likely to be aware that this kind of information should be given (88% and 87%, respectively), while respondents in Sweden and Latvia (both 45%) were the least likely to have this knowledge.

Awareness of organisations' obligation for transparency



Q5. Are you aware that those collecting personal information must provide you with their identity, the purpose of the data collection, and if they intend to share the data with other organisations?

%, Base: all respondents, by country

In comparison with the awareness levels existing in 2003, the proportion of respondents who were aware that such information should be provided by the organisation that collected personal data **increased substantially in most EU15 countries**. For example, the percentage of respondents who were aware that information should be provided increased by 36 percentage points in Greece (from 30% in 2003 to 66% in 2008). Sweden was the only country where the awareness decreased, from six out of 10 respondents in 2003 to 45% in the current survey.

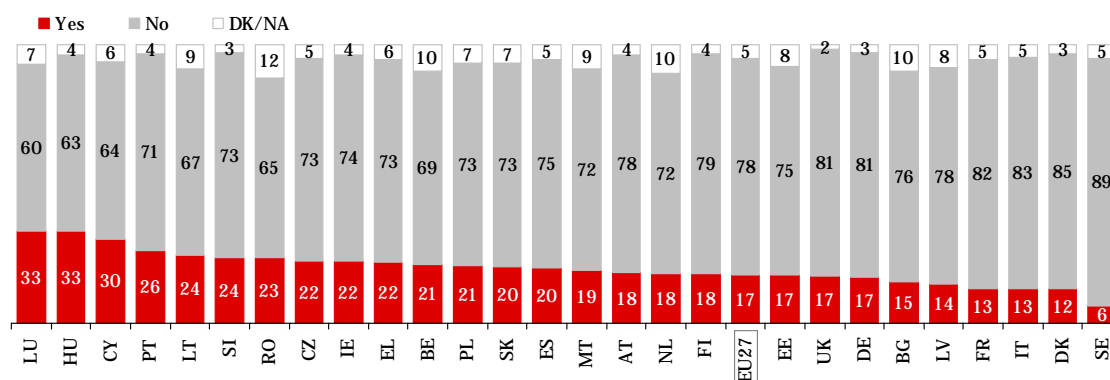
Awareness that information should be provided when personal data was collected **increased with the educational level and occupational status of respondents**. It was also respondents between **25 and 54 years-of-age** and **urban dwellers or residents of metropolitan areas** who were most likely to be informed about that right.

4.3 Transfer of personal data beyond the EU's borders

Less than one in five EU citizens (17%) were aware of the legal provision that personal data of EU citizens could only be transferred outside the EU to countries that ensured an adequate level of protection for such data.

Looking at the EU Member States, the provision was the best known in Luxemburg and Hungary, but even there, only one-third were aware of this limitation regarding the transfer of personal data to non-EU countries. Sweden ranked the lowest, where only a handful of respondents had heard of this provision (6%).

Transfer of personal data beyond the borders of the European Union



Q10. Have you heard before that personal data of EU citizens can only be transferred outside the EU to countries which ensure an adequate level of protection for such data?

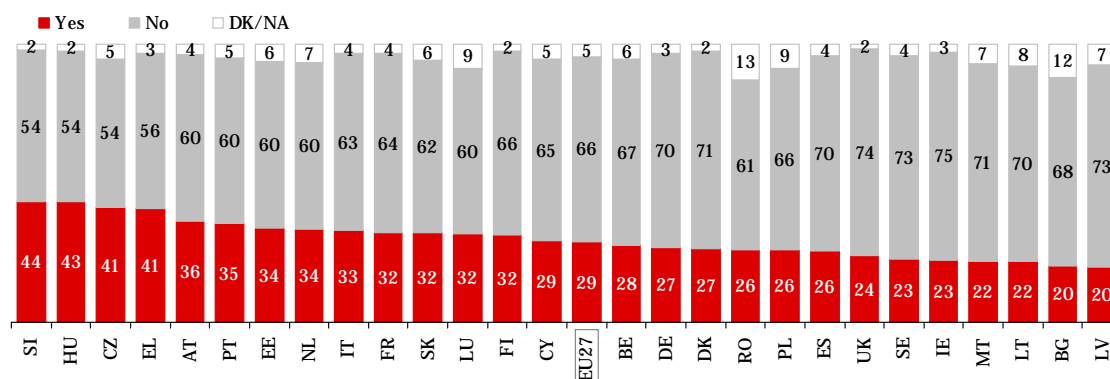
Base: all respondents, by country

Men, the **highly-educated** and **city-dwellers** were more likely to have heard of the provision than women, those with less education and those respondents living in a rural area. The **self-employed** and **employees** also proved to be better informed, than manual workers and those respondents who were not working, about the necessity for non-EU countries to have an adequate level of data protection before they could receive transfers of personal data. Concerning the age of the respondents, no significant differences could be found.

4.4 Protection of sensitive data

Approximately **one-third of respondents (29%)** were familiar with the fact that **stricter** data protection rules were applicable to “sensitive data”, i.e. information about racial or ethnic origin. Slovenian and Hungarian respondents were most informed while Bulgarians and Latvians were the least informed.

Awareness of stricter protection of sensitive data



Q11. Have you heard before that stricter data protection rules apply to “sensitive data”, that is, data relating to racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, and data concerning health or sexual preference?
%, Base: all respondents, by country

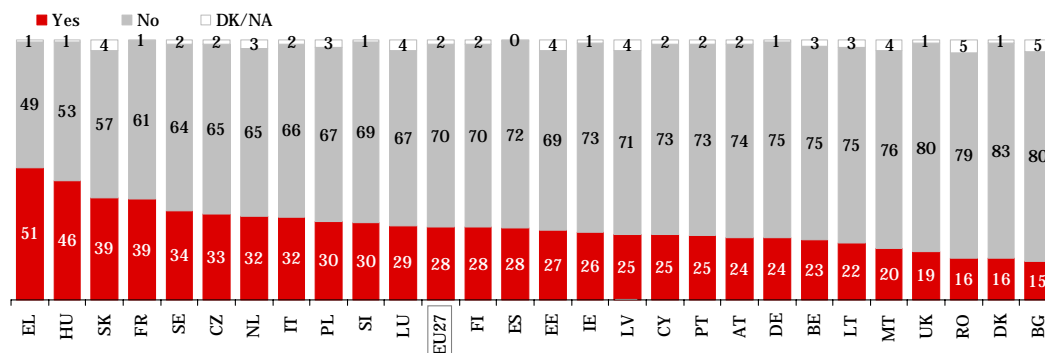
Also here, it proved to be especially men, the highly-educated, city-dwellers, the self-employed and employees who had mostly heard of this concept.

5. National data protection authorities

5.1 Awareness levels of the national data protection authorities

In each of the EU Member States there is an independent data protection authority (DPA) that monitors the application of the data protection laws. **More than one in four EU citizens (28%) reported having heard** of a DPA in their country, while seven out of 10 EU citizens were not aware of such an institution.

Awareness level of the national data protection authorities



Q4a. Have you heard of the existence of an independent authority in [COUNTRY] monitoring the application of data protection laws?
%, Base: all respondents, by country

When comparing the results of 2003 and 2008, we could see that the awareness about the existence of national data protection authorities **remained unchanged** at the EU15 level. There were, however, a few exceptions. For example, in Greece, the awareness level increased by a remarkable 26 percentage points, while in Denmark the awareness level decreased substantially by 10 percentage points.

Men, older and highly educated respondents, employees and self-employed, and inhabitants from metropolitan areas were most likely to say having heard of such an institution in their country.

5.2 Competences of, and contact with the authority

The who knew about the existence of the national DPAs were further asked whether they thought that the DPA in their country could hear complaints from individuals, whether they thought that it could impose sanctions and if they had ever contacted this authority before.

Not all of the national DPAs across Europe have the same competencies. While all of the DPAs can hear complaints from individuals, they differ in their sanctioning powers. The Belgian, Swedish and Lithuanian DPAs cannot impose sanctions, while the Danish, Hungarian, Polish and British DPAs have only a “*limited sanctioning power*”.

Across the EU, a **majority of interviewees** (64%) who knew about the existence of a national DPA also knew that their national agency could hear complaints from individuals. Only a minority of 17% said that their national DPA didn’t have this competency and nearly one in five respondents (19%) either didn’t know or gave no answer.

The Irish and the Slovak were the most likely to give the correct answer (80%, 78% resp.), while less than half of the respondents in Germany (48%) and Austria (49%) did so. The differences in the proportion of respondents who reported that their DPA could *not* hear complaints from individuals ranged from 28% in Spain and Italy to just 3% in Estonia. In this last-named country, the percentage of respondents who reported not knowing if these authorities could deal with complaints from individuals rose to 36%. In this regard, Estonia was second only to Sweden, where 39% could not answer this question.

The right to impose sanctions

Insecurity and ignorance about whether the national DPAs had the right to impose sanctions was greater. Only half of the interviewees, who knew about the existence of a national DPA, gave the right answer concerning this competence, while more than one in four interviewees (27%) gave a wrong answer. A significant percentage of interviewees did not know if this statement was true or not (22%).

Among those countries, where the national DPA *could impose sanctions or had at least limited sanctioning power*, respondents from Romania were most often right in claiming that their DPA had this competence (70%). Of the German respondents, however, less than one in three knew that its national DPA could impose sanctions (30%).

In Belgium, Lithuania and Sweden, most respondents were wrong when stating that their national authority could impose sanctions. In Belgium, for example, 44% of respondents wrongly thought that the DPA had this competence, while less than one-third of respondents gave the correct answer (30%). Among all EU Member States, in Sweden the number of respondents who gave the correct answer was the lowest (17%) and those who said they did not know or gave no answer was the highest (41%).

Contact of the national data protection authority

Only a **handful of citizens**, who knew about the existence of a national data protection authority, said **they had already contacted that body** to request information or to file a complaint (6%). The only Member State that stood out was Luxembourg, with 21% of respondents who claimed to have contacted its national data protection authority.

Socio-demographic analysis

Knowledge on the authorities' competencies was lower among women, the over 55s, those with the lowest educational levels and those not working.

There were only small differences between socio-demographic groups when looking at the percentage of respondents who had *contacted* a national data protection authority.

6. Data protection on the Internet

Participants in the survey were also asked about data protection on the Internet and about tools and technologies that might offer protection from the collection of personal data from one's computer while surfing. Results were only analysed for those respondents who said they used the internet.

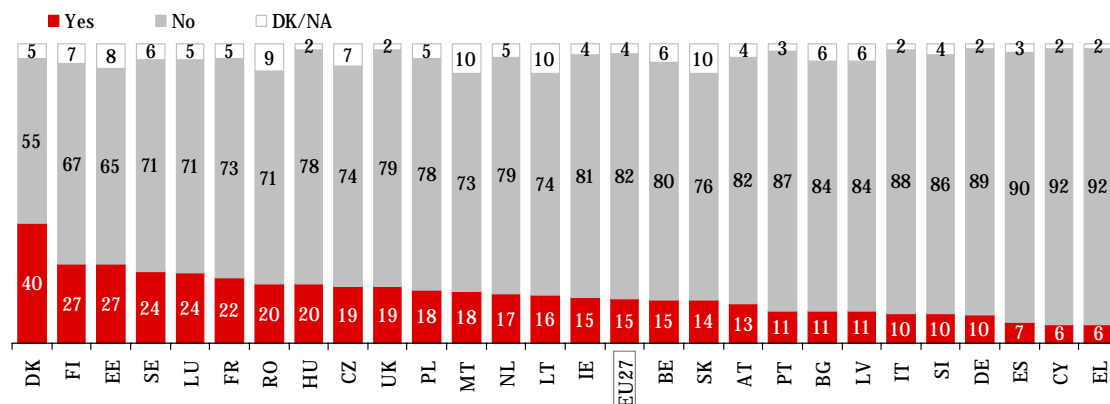
6.1 Security of transmitting data over the Internet

EU citizens were worried about data security on the Internet. **A large majority of those respondents who were Internet users reasoned that data transmission over the Internet was not sufficiently secure (82%)**, while only 15% of respondents trusted such data security transfers.

Southern European, German and Slovenian respondents proved to be especially worried about data security on the Internet. For example, nearly all Greek and Cypriot respondents, who used the Internet, said that transmitting personal data was not sufficiently secure (92%), while only a handful stated that it was (6%).

Denmark clearly stood out when it came to having trust in data security on the Internet: here only a slight majority of 55% of Internet users answered that transmitting data over the Web wouldn't be secure enough, while 40% expressed confidence.

Security of transmitting data over the Internet



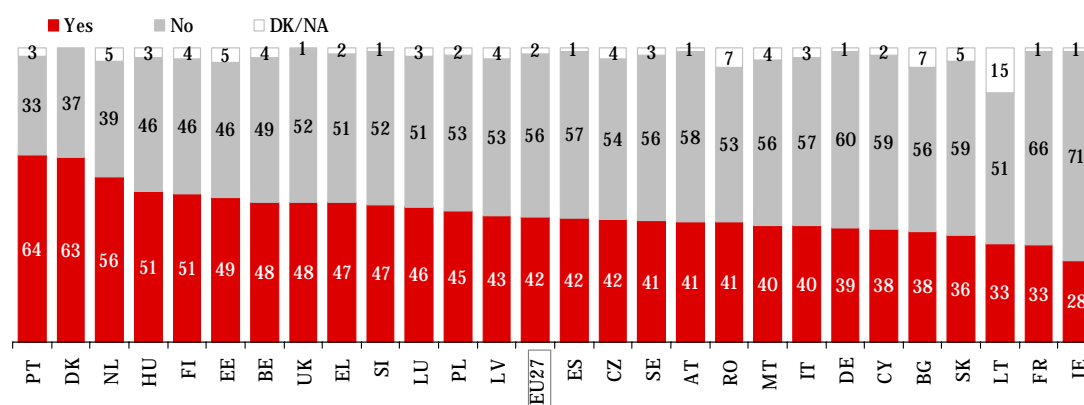
Q7a. Do you think that transmitting your data over the Internet is sufficiently secure?
%, Base: who use the Internet/computer, by country

Men were more likely to have trust in the level of data security provided on the Internet. Confidence in transmitting data securely over the Internet **decreased with age and increased with the educational level** of the respondents. We also observed that **the self-employed and employees** were more likely to be confident that their data was secure when they transmitted it over the Internet than the other occupational groups.

6.2 Awareness of tools or technologies improving data security

Most European Internet users were not familiar with tools or technologies that helped to limit the collection of personal information while being on the Internet: the question whether they had heard of such technologies or tools before was confirmed by only a minority of 42% of respondents.

Awareness of tools or technologies improving data security



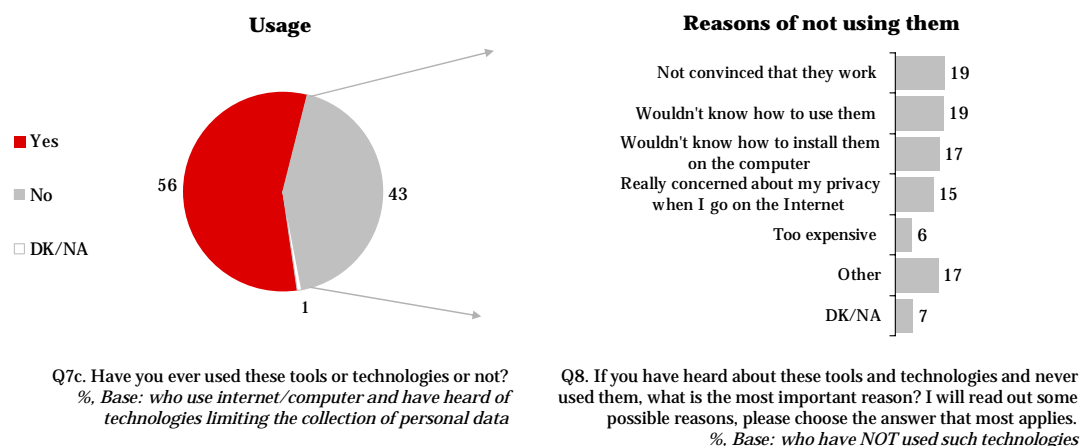
Q7b. Have you heard of tools or technologies limiting the collection of personal data from your computer?
%, Base: who use the Internet/computer, by country

6.3 Usage of tools or technologies improving data security

Those **Web users who had heard about tools or technologies** that guaranteed privacy were asked whether they had actually used them. A **slight majority (56%)** of those respondents **had done this**. When extrapolating that number to the total number of Internet users that participated in the survey, we found that around one in five (22%) had ever used those tools or technologies.

Those 43% of respondents who said they had not yet used such tools were further questioned about their reasons for this. Results indicated that **several reasons prevented Web users from utilising these tools or technologies**. Around one-fifth of respondents said: they weren't convinced that these tools were effective (19%), that they wouldn't know how to use them (19%) or how to install them on a computer (17%), or cited other reasons (17%). Cost was not an issue: only a handful said that such tools were too expensive (6%).

Usage of tools or technologies improving data security, and the reasons of not using them



Results indicated that the usage of data security tools and technologies was most common in the Netherlands, Denmark and the UK, where approximately 80% of respondents (who had heard about such tools) said they had actually used them. Respondents in the newest Member States were the least likely to have used these tools and technologies: only 29% of Romanians and 27% of Bulgarians said they had used them already.

When analyzing the reasons that respondents gave why they hadn't used these tools yet, **by country**, no clear pattern emerged.

When comparing the results of 2008 with those of 2003, we saw **a tremendous increase in awareness and usage of those tools and technologies by respondents in the 15 reviewed EU Member states**. The percentage of surfers participating in the survey who reported never having heard about these tools and technologies fell from 72% in 2003 to 57% in 2008. While the number of those who had heard about the tools but never used them remained constant (18% in 2003, 17% in 2008), the number of respondents who had already used them rose from 6% in 2003 to 25% in 2008.

Socio-demographic analysis

The socio-demographic profiles of respondents who were **aware** of tools and technologies that helped in the protection of personal data when surfing the Internet and of **those who had also actually used them showed many similarities**. They were typically male, 25 to 39 years-old, highly-educated and city dwellers. The self-employed and employees were also more likely to report this awareness than manual workers or those not working.

When analysing the answers of those who hadn't yet used security tools and technologies and were asked for their **reasons for this (non-use)**, we observed marked differences.

Women, older respondents and those with a lower level of education were most likely to say there was **a lack of information about how to use such tools and technologies**. For example, 22% of women answered that they wouldn't know how to install them on their computers, while men were considerably less likely to say this (13%). Respondents who expressed doubts about the **efficiency of the tools**, were mostly male and from the younger age groups. A **lack of concern** about data privacy on the Internet was most often reported by men, younger and highly-educated respondents and city dwellers. They were also most likely to work as employees or manual workers rather than being self employed or without paid work.

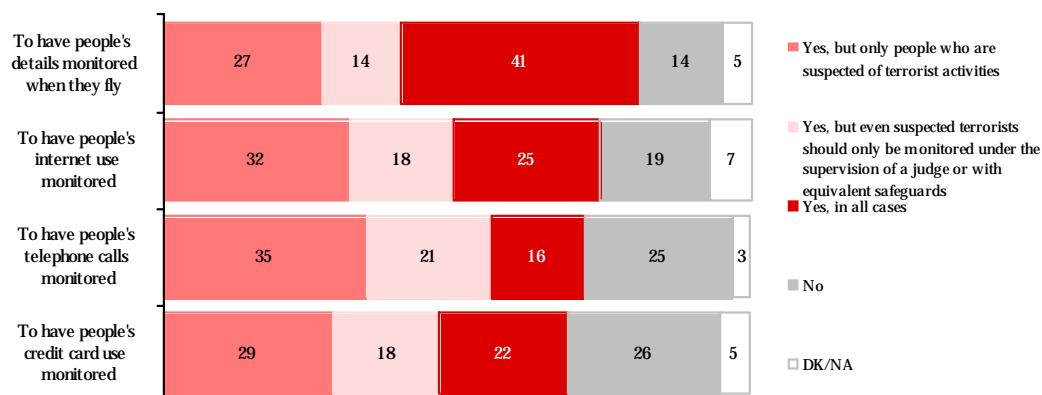
7. Data protection in the light of international terrorism

Most EU citizens were ready to accept restrictions of their data protection rights when this benefited the fight against international terrorism. A majority of respondents answered positively that it should be possible to monitor the different actions listed in the survey, such as telephone calls or Internet usage.

However, EU citizens still proved to be **suspicious about provisions that would allow authorities to restrict data protection laws**, even if this served the fight against terrorism. Most respondents who reported being in favour of the monitoring of telephone calls, Internet and credit card use or passenger flight details emphasised that the restrictions of the data protection laws should have **clearly defined limits**: around one-third of respondents stressed that **only suspects** should be monitored and approximately one in five respondents wanted to see even stricter rules applied, i.e. the monitoring of activities of those suspected with terrorism should only be possible when it was carried out under the supervision of a judge or with equivalent safeguards.

Allowing the possibility to have people's personal details monitored when they took a flight was the action that was most often agreed to by respondents (82%), followed by the monitoring of people's Internet usage (75%).

Monitoring of people's phone call, Internet usage, credit card usage and personal details when they fly



Q9. In light of the fight against international terrorism, do you think that, in certain circumstances, it should be possible: % Base: all respondents

Respondents proved to be **more reluctant** when it came to the **monitoring of telephone calls and the use of credit cards**. While a majority still agreed that those actions could be monitored (72% and 69%, respectively, but in most cases only conditionally), a quarter of respondents were opposed to the idea of having those actions monitored (25% and 26%, respectively).

Particularly when it came to telephone calls, respondents seemed to fear that this was an intrusion into their private lives, as a by-product in the fight against terrorism: respondents were here the least likely to say that monitoring should be possible in all cases (16%) and most likely to say that it should only be applied to suspects (25%) or that even suspected terrorists should only be monitored under the supervision of a judge or with equivalent safeguards (35%).

Attitudes compared by country, and developments since 2003

Respondents in Latvia and Malta were most likely to agree that in the light of international terrorism, there should be the **possibility to monitor personal details of people when they took a flight** (88% and 87%), while Irish and Czech respondents were the least likely to do so (72% and 71%).

German (78%) and Polish (77%) respondents were the ones most likely to approve of the possibility of monitoring people's **Internet usage**, while this was the least popular option in Romania (53%). Survey participants who most often disagreed that the Internet usage should be monitored could be found in Ireland (31%) and Slovenia (30%) and the least often in Portugal (11%).

Over the last five years, we *observed a rise in the approval of monitoring people's Internet usage*. While in 2003, approximately two-thirds of respondents agreed that people's usage of the Internet should be monitored (64%), this number rose to 77% in 2008. In Greece, Spain and Austria, the approval ratings for the monitoring of people's Internet usage in the light of international terrorism increased sharply.

Concerning the **monitoring of telephone calls**, we saw a quite uniform answering pattern across a wide range of countries, i.e. in the Scandinavian countries and other Western and Southern European countries like Italy, the Netherlands, Portugal, Germany, Spain and Austria. In those Member States, a majority of between 74% (Austria) and 80% (Sweden) of respondents approved the possibility of monitoring phone calls, while around one in five respondents rejected this softening of the data protection laws (24% in Austria and 18% in Sweden). The overall approval of this measure tended to be lower in the Eastern European countries, in France and Luxemburg, Greece and Cyprus and in the UK and Ireland. Irish respondents were the least supportive of the monitoring of telephone calls: only a minority favoured this (48%), while half of the respondents were opposed to this measure.

In all of the 15 member states, where this question had already been posed in 2003, the overall approval of monitoring phone calls in order to combat terrorism increased over the last five years. While in 2003, 61% of respondents agreed that there should be a possibility to monitor people's phone calls, 73% of respondents were of this opinion in 2008.

In Austria, we saw a sizeable increase in approval and a significant decrease in disapproval of this measure: the number of those approving phone call monitoring in the light of international terrorism increased from half (49%) to 74% of respondents. Of the 15 EU Member States reviewed, Ireland was the only country where, in 2008, more respondents rejected the possibility of having people's phone calls monitored than in 2003, even if this increase was only minor (50% vs. 45%).

A majority of Europeans thought that the monitoring of **people's credit card usage** should be allowed in the light of international terrorism (69%), while around a quarter of respondents proved to be opposed to this idea (26%).

Comparing Member States, the percentage of those approving the monitoring of credit card transactions ranged from 75% in Portugal to 53% in Ireland. The Slovenian and Maltese respondents were the most likely to give their "hard approval" on this point, as more than one-third of respondents said that in the light of international terrorism, the monitoring of credit card usage should be allowed *in all cases*. (Slovenia: 38%, Malta 35%). Estonian and Greek respondents were most likely to stress that the monitoring should have strict limits: 28% of respondents answered that even suspected terrorists should only be monitored under the supervision of a judge or with equivalent safeguards.

Socio-demographic analysis

When looking at differences in gender, age, level of education and occupational status of the respondents that were valid for all of the monitoring actions (monitoring of personal flight details, Internet usage, telephone calls and credit card usage), we saw some clear patterns emerging:

Respondents who **actively rejected the possibility to monitor personal data in the light of international terrorism** were predominantly male, higher-educated and self-employed.

Those who agreed with monitoring in general, but **preferred to see it limited to suspects, who should additionally have the right to be monitored only under the supervision of a judge or equivalent safeguards** had a similar socio-demographic profile to those who disapproved of monitoring of passengers' flight details: They tended to be male, between 25 and 54 years-old, highly-educated, city dwellers and mostly self-employed or employees.

Those respondents who wanted, in the light of international terrorism, the **unrestricted monitoring of personal details** (*"yes, in all cases"*) had a rather opposite profile: they were mostly the less-educated, those living in a rural or urban rather than a metropolitan area and manual workers. Women were more likely to opt for an unconditional monitoring concerning the possibility of monitoring people's Internet usage and flight details than men.

Also for those respondents who were **in favour of monitoring, but only if this concerned suspects**, socio-demographic differences were noted. However, no constant patterns could be observed that were valid for all of the monitoring actions.