



EUROPEAN COMMISSION
DIRECTORATE-GENERAL JUSTICE and CONSUMERS

Directorate C: Fundamental rights and Rule of Law
Unit C.3: Data protection

Brussels, 26/06/2020
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Mr Eleftherios Chelioudakis for the
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Subject: CHAP (2019) 3059; Your letter of 24 October 2019

Dear Mr Chelioudakis,

We refer to your complaint of 24 October 2019, submitted via the European Commission complaint form. We took note of all the information you provided to us.

We understand that you complain against the Greek authorities, as you find that Law 4624/2019 (i.e. the new Greek Data Protection Bill) which transposes Directive EU (2016/680) on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA, hereinafter “the LED”, creates a lower level of data protection in Greece and, in your opinion, suffers from important shortcomings. You explain that Law 4624/2019 includes provisions that are not in conformity with both the LED and with some provisions of the General Data Protection Regulation (EU) 2016/679 (hereinafter “the GDPR”)¹ creating legal uncertainties and inconsistencies that pose significant risks to the rights and freedoms of the people in Greece. In addition, you refer to certain provisions of the GDPR which are part of Law 4624/2019 and, in your view, have not been accurately transposed.

The Commission services took a thorough examination of the issues you refer to in your complaint. As a part of its monitoring of the implementation of data protection rules by Member States, the Commission services are in contact with the Greek authorities to discuss how the LED and the GDPR are implemented in Greece.

¹ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation), OJ L 119, 4.5.2016, p. 1–88.

If the Commission services will come to the conclusion, after the respective discussion, that the way how the LED and/or the GDPR have been implemented in Greece violates EU data protection law, the Commission has the possibility to launch an infringement procedure against Greece.

We will keep you informed about the result of our bilateral discussions with Greek authorities later this year.

Yours sincerely,

e-signed
Olivier MICOL
Head of Unit