Citizens' summary

Radio frequency ID chips – EU privacy and data protection recommendations

WHAT'S THE ISSUE?

Many Europeans are concerned their privacy could be breached by the growing use of radio frequency identification (RFID) chips. These chips are becoming more widespread, e.g. in:

- contactless smart-cards – used to pay fares on public transport, for instance
- new passports in some countries
- consumer products – to help retailers with restocking.

Some people are uneasy about how the chips could be used, either to track their movements or collect data on what kind of products they buy.

Privacy rights are already protected under the:

- EU charter of fundamental rights and
- EU data protection directive (95/46).

The new recommendations say how these general rules should be applied to radio ID chips.

WHO WILL BENEFIT FROM THE RECOMMENDATIONS?

- the public – through better information on how RFID systems work, and more effective protection of their rights
- companies that develop or use RFID chips – a clearer line on how the chips can be used will help them know whether the technology is worth investing in, and how it should be developed

WHY IS EU ACTION NEEDED?

- The issues dealt with by the recommendations go beyond national borders.
- EU laws on privacy and data protection already exist - guidelines on how to apply them also have to come from the EU.

WHAT DO THE RECOMMENDATIONS SAY?

Any organisation using RFID systems should:

- assess the possible impact on privacy and data protection
- take action to minimise any risk of infringing people’s rights
• inform anyone who may be affected that the systems are in use – through an established logo

• inform people who is operating the system, what its purpose is and where they can get additional information.

National authorities should:

• raise awareness of the technology among the public and small businesses

• stimulate research and development for secure, privacy-friendly radio ID systems.

Retailers should:

• use an established logo to indicate products containing an RFID tag

• routinely deactivate or remove the tag if there is any risk to the customer's privacy or personal data – and offer to deactivate or remove it even if there is no risk.

**WHEN WILL ANY CHANGES COME INTO EFFECT?**

Commission recommendations are not legally binding, but action is expected over the next few months – for both new and existing radio ID systems.

The Commission will report on how the recommendation has been implemented in 2-3 years' time and, if necessary, change it or propose further measures.