The Obama administration has unveiled a proposal for a Consumer Privacy Bill of Rights taking a markedly different approach to data protection regulation than that of the EU Commission. The primary aim of the new Bill is to give consumers greater online privacy protection which, on the face of it, represents a narrowing of the gap between the US and EU culture on privacy. However, the US proposal calls for a series of voluntary agreements, to be hammered out in negotiations between consumer groups and online advertisers, that would shape how personal data are collected, protected and used. This ‘voluntary’ approach to online privacy protection is at odds with the more rigid ‘compulsory’ approach built in to both existing EU legislation and the proposed Data Protection Regulation.

Following the announcement of the proposal, the Digital Advertising Alliance, which represents companies including Google, Microsoft and Yahoo!, said that it supported the establishment of voluntary guidelines. The body of industry representatives said it expects to have a system in place within nine months, under which advertisers would adhere to consumers’ requests not to be served targeted adverts based on their behaviour online. Advertisers would still be permitted to collect behavioural data and to use it for a variety of other purposes.

There is speculation in some quarters that the support from the US technology giants is designed to undermine efforts of EU lawmakers to introduce more stringent safeguards for online consumers.

(Continued on page 18)