

Response to the Business and Human Rights Centre

Strong data protection and consumer rights are fundamental, and Europe's insurers fully support a framework that builds trust and protects Europeans while enabling practical and innovative digital services. Our input focused on clarifying how existing GDPR rules on automated decision-making should apply in practice, as inconsistent interpretations have created legal uncertainty for both consumers and providers.

The Digital Omnibus seeks to clarify which legal basis providers could use for automated decisions and under which circumstances. It does not change or remove any safeguards under Article 22 GDPR, such as the right to obtain human intervention and to contest such decisions. The 2023 ruling of the European Court of Justice did not prohibit banks or insurers from using credit scores or automated solutions; it clarified compliance obligations that a credit rating agency had failed to meet in that specific case.

Clear, workable rules are essential to ensure consumers continue to benefit from efficient and transparent digital services while remaining properly protected. For example, an insurer may offer online motor insurance via a mobile app, where a customer can get a quote simply by submitting a photo of their car and providing the requested information. The premium is automatically calculated, and the contract takes effect as soon as payment is made, while the consumer retains the right to request human intervention or contest any decision.

We remain committed to constructive dialogue with regulators, stakeholders and the public to uphold high standards of consumer protection alongside responsible innovation.