



## Survey on future size and membership of the Conference: Interim analysis

### High level findings

- ❖ The Conference appears to be achieving its objectives of providing:
  - a global forum that encourages dialogue, cooperation and information sharing,
  - leadership at an international level in data protection and privacy, and
  - a meeting point between members and international organisationsbut is performing less well in achieving other objectives.
- ❖ The membership strongly affirms that the Conference should be open to all data protection authorities from the small to the large.
- ❖ There appears to be a consensus that:
  - the Conference must broaden its global reach and become larger while remaining selective in its membership;
  - connecting international organisations as observers maintains value for the Conference but admitting government officials to the closed session is problematic.
- ❖ There is a lack of consensus amongst the membership on many issues touching upon membership and the survey results do not provide a clear basis for any change to the status quo.

### Response rate, 'no opinion' figures and appendices

The ICDPPC Secretariat circulated a survey developed in conjunction with the Working Group on Future Size and Membership to the entire membership on 18 May 2017 seeking one response from each member authority by a closing date of 9 June. By the morning of 9 June (NZ time) 58 responses had been received from the 114 member authorities, a 51% response rate. The Secretariat has prepared this interim analysis to enable circulation in advance of the June Executive Committee meeting. The analysis will be updated following the closing date to include any late responses received (hence the 'interim' heading).

Not all of the 58 respondents expressed an opinion on every question. For the purpose of this analysis the 'neutral' or 'no opinion' answers have been excluded.

The raw results of the survey are given in the appendices which includes figures for 'no opinion'.

## Part A: Conference purposes and their achievement

In the first question respondents were asked to rate the importance that they attached to the various purposes of the event. The list of purposes were drawn from the Conference's Rules and Procedures and vision and mission statements but were edited to provide a more concise list.

### Importance of Conference purposes (58 responses).

This table shows the importance respondents attached to the various Conference purposes. The 'neutral/no opinion' responses have been excluded.

	Important <sup>1</sup>	Unimportant	Net importance <sup>2</sup>	
A. To improve data protection and privacy by providing an outstanding global forum that encourages dialogue, cooperation and information sharing	55	1	54	More important
B. To provide leadership at an international level in data protection and privacy	55	3	52	
C. To be a meeting point between members and international organisations that share common objectives.	51	2	49	
D. To promote the development of international standards in the field of protection of personal data.	51	3	48	
E. To disseminate knowledge, and provide practical assistance, to help members more effectively to perform their mandates.	47	2	45	Less important
F. To adopt and to promote the implementation of joint resolutions on subjects that warrant the common attention or action of members and to promote their implementation.	46	2	44	
G. To connect and support efforts at the domestic and regional level, and in other international fora, to enable members better to protect and promote privacy and data protection.	42	5	37	

### Are Conference Purposes Being Achieved? (57-58 responses)

		High achievement <sup>3</sup>	Low achievement	Net achievement <sup>4</sup>	
C.	To be a meeting point between members and international organisations that share common objectives.	51	1	50	High achievement
A.	To improve data protection and privacy by providing an outstanding global forum that encourages dialogue, cooperation and information sharing	42	3	39	

<sup>1</sup> The 'important' figure combines 'important' and 'very important' while the 'unimportant' figure combines 'unimportant' and 'very unimportant' responses. A more complete breakdown including the 'very' important/unimportant categories is included in the appendix.

<sup>2</sup> The 'net' figure is obtained by deducting the unimportant figure from the important one.

<sup>3</sup> The 'high achievement' figure combines 'usually' and 'always' achieved responses while the 'low achievement' figure combines 'never' and 'rarely' achieved responses. A more complete breakdown including the full categories is included in the appendix.

<sup>4</sup> The 'net' figure is obtained by deducting the low achievement figure from the high achievement one.

F.	To adopt and to promote the implementation of joint resolutions on subjects that warrant the common attention or action of members and to promote their implementation.	40	2	38	Low achievement
B.	To provide leadership at an international level in data protection and privacy	31	2	29	
E.	To disseminate knowledge, and provide practical assistance, to help members more effectively to perform their mandates.	25	10	15	
D.	To promote the development of international standards in the field of protection of personal data.	24	14	10	
G.	To connect and support efforts at the domestic and regional level, and in other international fora, to enable members better to protect and promote privacy and data protection.	19	11	8	

If we match the answers to the first 2 questions it is possible to display on a matrix how well the Conference is achieving its important and less important objectives as viewed by its members.

<b>High</b>			<b>A B C</b>
<b>Achievement</b>	<b>E G</b>	<b>D F</b>	
<b>Low</b>			
	<b>low</b>	<b>←importance →</b>	<b>High</b>

This suggests that the Conference is viewed as usually achieving its 3 most important objectives being:

- A. To improve data protection and privacy by providing an outstanding global forum that encourages dialogue, cooperation and information sharing
- B. To provide leadership at an international level in data protection and privacy
- C. To be a meeting point between members and international organisations that share common objectives.

The Conference is not doing so well in achieving its other objectives although some of these are not seen as important as others.

The results recording members' views may be of assistance to future Executive Committees when deciding where it may be most useful to devote energies.

## Part B: Attitudes to Conference membership and size

### Members views on multiple statements concerning membership (58 responses received)

	Largely agree	Largely disagree	Net agreement
<b><i>Strong consensus</i></b> <sup>5</sup>			
The Conference should be open to all data protection authorities from the small to the large.	53	2	51
<b><i>Reasonable consensus</i></b> <sup>6</sup>			
The Conference eventually must anticipate becoming much bigger if it is to be global: so far there are no member authorities for most countries in the world.	41	5	36
The Conference should be selective in admitting members.	40	4	36
The Conference should seek to broaden the global reach of the membership.	40	5	35
The continued admission of observers from international organisations would maintain and increase the influence of the Conference and connect members to what is going on at international governmental level.	38	6	32
<b><i>Less strongly-held consensus</i></b> <sup>7</sup>			
The presence of governmental officials in the closed session would negatively affect discussions.	27	6	21
<b><i>Broadly held views</i></b> <sup>8</sup>			
The Conference is principally aimed at gathering data protection and privacy commissioners and this should remain its aim.	43	7	36
Admission of different sectorial regulators (those not dealing primarily with data protection) as Conference members makes it more difficult to reach a common harmonised position on specific matters.	32	8	24
The closed session should be for accredited members only: it is not useful to admit authorities lacking independence or governmental representatives to observe proceedings	41	9	32
The Conference should aim to bring together all regulators with data protection and privacy responsibilities.	33	10	23
Observers should be admitted restrictively to the closed session and only for specific agenda items.	34	9	23
<b><i>Statements lacking consensus</i></b>			
Consensus reached among a limited group of authorities whose main focus is data protection & privacy is of greater value than a consensus gained from a more diverse group of regulators as the latter may represent the lowest common denominator.	27	12	15
The Conference should include as members authorities having a variety regulatory models.	25	10	15
The Conference should not strive to develop a broader membership model because it would mean that some discussion subjects would be irrelevant to certain authorities.	25	13	12
The Conference is enriched by members with a depth of experience in a narrow sphere of activity (like medical privacy) and as such should be encouraged to become members.	25	13	12

<sup>5</sup> The 'strong consensus' category includes overwhelming positive support (>50) and little dissent (<3).

<sup>6</sup> The 'reasonable consensus' category requires reasonably strong support (>37) but allows for slightly more dissent (<7).

<sup>7</sup> The 'less strongly-held consensus' has less demonstrated support but still limited dissent (<7).

<sup>8</sup> The 'broadly held views' captures statements that gather net agreement greater than 23 but where dissent levels (7-10) put it outside a consensus category.

Inclusion of DPAs with a diverse range of regulator responsibility beyond privacy and data protection (e.g. in competition or telecommunications) will strengthen the Conference by bringing special insights to its discussions.	25	15	10
The Conference's main intention should be to gather authorities whose main focus is data protection and privacy, not authorities who simply include that function amongst many others.	26	16	10
There should be less focus on the form of member authorities and more on the expertise they bring to the Conference.	21	18	3
It is unnecessary for the Conference to reach harmonised positions: it may be more useful to seek a better understanding of different perspectives.	22	26	-4
The Conference should not become much bigger than it is now.	13	24	-11
If an authority is ineligible to attend the closed session as a member it should not be admitted as an observer.	16	27	-11
Consensus reached among a limited group of authorities whose main focus is data protection & privacy is of lesser value than a consensus gained from a more diverse group of regulators because the latter is more likely to be globally acceptable.	13	25	-12
Data Protection Authorities operating only in a specialised area (such as medical privacy) should not be allowed to be members.	12	28	-16
The Conference should be limited to national authorities and exclude those from cities, regions and states/provinces.	16	32	-16
Data protection authorities should only be allowed to be members if they have a wide sphere of activity.	14	32	-18

The survey demonstrates a very strong consensus in one area:

*The Conference should be open to all data protection authorities from the small to the large.*

Something approaching consensus appears with 5 other statements:

*The Conference eventually must anticipate becoming much bigger if it is to be global: so far there are no member authorities for most countries in the world.*

*The Conference should be selective in admitting members.*

*The Conference should seek to broaden the global reach of the membership.*

*The continued admission of observers from international organisations would maintain and increase the influence of the Conference and connect members to what is going on at international governmental level.*

*The presence of governmental officials in the closed session would negatively affect discussions.*

*However, the balance of the survey question tends to demonstrate a lack of consensus rather than any clear view held by the membership. There are even some topics on which views are quite evenly split.*

## APPENDICES: Raw results

### Conference purposes: Importance

	1Very unimportant	2Unimportant	3Neutral/No opinion	4Important	5Very Important	Total
To provide leadership at an international level in data protection and privacy.	3.45% 2	1.72% 1	12.07% 7	43.10% 25	39.66% 23	58
To improve data protection and privacy by providing an outstanding global forum that encourages dialogue, cooperation and information sharing.	1.72% 1	0.00% 0	3.45% 2	37.93% 22	56.90% 33	58
To adopt and to promote the implementation of joint resolutions on subjects that warrant the common attention or action of members and to promote their implementation.	0.00% 0	3.45% 2	17.24% 10	44.83% 26	34.48% 20	58
To be a meeting point between members and international organisations that share common objectives.	0.00% 0	3.45% 2	8.62% 5	51.72% 30	36.21% 21	58
To promote the development of international standards in the field of protection of personal data.	1.72% 1	3.45% 2	6.90% 4	32.76% 19	55.17% 32	58
To disseminate knowledge, and provide practical assistance, to help members more effectively to perform their mandates.	0.00% 0	3.45% 2	15.52% 9	48.28% 28	32.76% 19	58
To connect and support efforts at the domestic and regional level, and in other international fora, to enable members better to protect and promote privacy and data protection.	0.00% 0	8.62% 5	18.97% 11	44.83% 26	27.59% 16	58

### Conference purposes: Achievement

	1Never achieved	2 Rarely achieved	3Neutral/No opinion	4Usually achieved	5Always achieved	Total
To provide leadership at an international level in data protection and privacy.	0.00% 0	3.51% 2	42.11% 24	50.88% 29	3.51% 2	57
To improve data protection and privacy by providing an outstanding global forum that encourages dialogue, cooperation and information sharing.	0.00% 0	5.17% 3	22.41% 13	55.17% 32	17.24% 10	58
To adopt and to promote the implementation of joint resolutions on subjects that warrant the common attention or action of members and to promote their implementation.	0.00% 0	3.45% 2	27.59% 16	53.45% 31	15.52% 9	58
To be a meeting point between members and international organisations that share common objectives.	0.00% 0	1.72% 1	10.34% 6	44.83% 26	43.10% 25	58
To promote the development of international standards in the field of protection of personal data.	5.26% 3	19.30% 11	33.33% 19	33.33% 19	8.77% 5	57
To disseminate knowledge, and provide practical assistance, to help authorities more effectively to perform their mandates.	1.72% 1	15.52% 9	39.66% 23	31.03% 18	12.07% 7	58
To connect and support efforts at the domestic and regional level, and in other international fora, to enable authorities better to protect and promote privacy and data protection.	3.45% 2	15.52% 9	48.28% 28	25.86% 15	6.90% 4	58

	1Never achieved –	2 Rarely achieved –	3Neutral/No opinion –	4Usually achieved –	5Always achieved –	Total –	
<b>Responses to statements</b>							
		I largely agree –	No opinion –	I largely disagree –		Total –	Weighted Average –
–							
The closed session should be for accredited members only: it is not useful to admit authorities lacking independence or governmental representatives to observe proceedings.	70.69% 41	13.79% 8	15.52% 9			58	
–							
The presence of governmental officials in the closed session would negatively affect discussions.	46.55% 27	43.10% 25	10.34% 6			58	
–							
The continued admission of observers from international organisations would maintain and increase the influence of the Conference and connect members to what is going on at international governmental level.	65.52% 38	24.14% 14	10.34% 6			58	
–							
Admission of different sectorial regulators (those not dealing primarily with data protection) as Conference members makes it more difficult to reach a common harmonised position on specific matters.	55.17% 32	31.03% 18	13.79% 8			58	
–							
Inclusion of DPAs with a diverse range of regulator responsibility beyond privacy and data protection (e.g. in competition or telecommunications) will strengthen the Conference by bringing special insights to its discussions.	43.10% 25	31.03% 18	25.86% 15			58	
–							
It is unnecessary for the Conference to reach harmonised positions: it may be more useful to seek a better understanding of different perspectives.	38.60% 22	15.79% 9	45.61% 26			57	
–							
The Conference is principally aimed at gathering data protection and privacy commissioners and this should remain its aim.	74.14% 43	13.79% 8	12.07% 7			58	
–							
The Conference should aim to bring together all regulators with data protection and privacy responsibilities.	56.90% 33	25.86% 15	17.24% 10			58	
–							
The Conference's main intention should be to gather authorities whose main focus is data protection and privacy, not authorities who simply include that function amongst many others.	44.83% 26	27.59% 16	27.59% 16			58	
–							
Consensus reached among a limited group of authorities whose main focus is data protection & privacy is of lesser value than a consensus gained from a more diverse group of regulators because the latter is more likely to be globally acceptable.	22.41% 13	34.48% 20	43.10% 25			58	
–							
Consensus reached among a limited group of authorities whose main focus is data protection & privacy is of greater value than a consensus gained from a more diverse group of regulators as the latter may represent the lowest common denominator.	46.55% 27	32.76% 19	20.69% 12			58	
–							
The Conference should not strive to develop a broader membership model because it would mean that some discussion subjects would be irrelevant to certain authorities.	43.86% 25	33.33% 19	22.81% 13			57	
–							
The Conference should include as members authorities having a variety regulatory models.	43.10% 25	39.66% 23	17.24% 10			58	
–							
The Conference should seek to broaden the global reach of the membership.	68.97% 40	22.41% 13	8.62% 5			58	
–							
The Conference should not become much bigger than it is now.	22.41% 13	36.21% 21	41.38% 24			58	
–							
The Conference eventually must anticipate becoming much bigger if it is to be global: so far there are no member authorities for most countries in the world.	70.69% 41	20.69% 12	8.62% 5			58	
–							
The Conference should be selective in admitting members.	68.97% 40	24.14% 14	6.90% 4			58	
–							
There should be less focus on the form of member authorities and more on the expertise they bring to the Conference.	36.21% 21	32.76% 19	31.03% 18			58	
–							
Data protection authorities should only be allowed to be members if they have	24.14% 14	20.69% 12	55.17% 32			58	

	1Never achieved –	2 Rarely achieved –	3Neutral/No opinion –	4Usually achieved –	5Always achieved –	Total –
a wide sphere of activity.						
–						
Data Protection Authorities operating only in a specialised area (such as medical privacy) should not be allowed to be members.	20.69% 12	31.03% 18	48.28% 28	58		
–						
The Conference is enriched by members with a depth of experience in a narrow sphere of activity (like medical privacy) and as such should be encouraged to become members.	43.86% 25	33.33% 19	22.81% 13	57		
–						
If an authority is ineligible to attend the closed session as a member it should not be admitted as an observer.	27.59% 16	25.86% 15	46.55% 27	58		
–						
The Conference should be open to all data protection authorities from the small to the large.	91.38% 53	5.17% 3	3.45% 2	58		
–						
The Conference should be limited to national authorities and exclude those from cities, regions and states/provinces.	27.59% 16	18.97% 11	53.45% 31	58		
–						
Observers should be admitted restrictively to the closed session and only for specific agenda items.	58.62% 34	25.86% 15	15.52% 9	58		