

Email exchange between the Secretariat and EDPS seeking additional information

Email from Leonardo Cervera Navas, Head of Unit. HR, Budget and Administration, EDPS to the Secretariat sent on 9 December 2016

Dear Vanya,

Thank you for your request for clarification. Your questions are indeed very relevant and we thank you for your cooperation. On behalf of both EDPS and the Bulgarian DPA, please find our joint clarifications inserted in the text of your kind email below.

The draft programme for events in Bulgaria state that events will take place on 22 and 23 October which are the proposed dates for the closed session. Video conference linking Sofia to Brussels will be available on 24 and 25 October which are the proposed dates for the public session.

Clarification

1. *Would you please clarify on what dates will the side events in Sofia take place? In addition please advise if events in Sofia will be held on the days of the closed session.*

The side events mentioned in page 9 of our joint application (from Monday 22 to Tuesday 23 October) will only involve representatives (members and/or staff members of) national data protection authorities from the Western Balkans and the Caucasus and Central Asia not taking part in the closed session in Brussels. The Supervisor and the President of the Bulgarian DPA will be in Brussels and will contribute to the regional side events in Sofia with video-recorded messages. These side events should not be considered in any way as a part of the closed session.

2. *You've mentioned that side events in Sofia will be held before the main sessions in Brussels, would you please clarify what do you mean by main sessions?*

"Before the main sessions in Brussels" means 22-23 October and before the public session in Brussels. As just said, these side events will only involve people not present in Brussels and the events are not to be considered as part of the closed session.

3. *Remote participation from Sofia will be possible for eligible participants to selected sessions, kindly advise what do you mean by selected sessions? Do you anticipate remote participation to the closed session? or your reference to remote participation is only limited to the public session.*

The closed session in Brussels will not be connected remotely with any other location. The remote participation from Sofia will only be possible during the public session on 24 and 25 October. Since the participants in the events in Sofia will not participate in the closed session but only in the public sessions via a video conference, in the document it is referred as "selected sessions" (page 15 of the application). Furthermore, if several parallel discussions are held in the same time in Brussels during the public session, for technical and organizational reasons the delegates in Sofia will have to select which one to follow.

In principle, we would like to facilitate remote connections to all panels in the open session, subject to technical circumstances and with the aim of allowing participants to interact as much as possible with the event remotely.

We apologise for the difficulties you have encountered to contact us. In case you had any further questions you may contact directly Giovanni [REDACTED] or Wojciech [REDACTED] or even me [REDACTED]. Ventsislav Karadjov and his colleagues would be available as well.

Thank you once again for your fruitful assistance!

Kind regards

Leo

Email from the Secretariat to Giovanni Buttarelli, European Data Protection Supervisor sent on 21 December 2016

Dear Giovanni and EDPS colleagues

Thank you for your previous answers to several specific questions, including Leonardo Cervana Navas most recent clarifications.

I have two further points I wish to raise. The first focuses upon a fundamental aspect of your proposal concerning split locations. This has been the subject of correspondence to clarify wording of your proposal but I would like seek your views on what we see as a potential risk to a successful closed session. The other point has not previously been the subject of correspondence but concerns the practical issue of participation on the Executive Committee if your proposal is accepted.

Issue 1: Split locations

We welcome proposals that seek to innovate in the delivery of an annual meeting and are pleased to accommodate proposals jointly to host the Conference (the Conference having successfully been hosted jointly at least three times in Cardiff, Sydney and Strasbourg). However, we have not previously received a proposal to host a Conference that runs simultaneously in two locations.

We see some risks to the Conference in the model your propose, mostly as it relates to splitting attendance between the two cities and shortening the opportunities usually presented by having so many privacy authorities under the same roof. While we can see the benefit in having people gathering at a remote site having a link to some Conference sessions, we fail to immediately see this as overcoming the risks incurred by such an ambitious endeavour. Can you expand on what the benefit to the Conference is in having split locations?

After study, it effectively looks like a Brussels conference in practical terms for everyone but Balkans residents while billed as a Sofia/Brussels Conference. This can be confusing to those who think of a co-hosted event in terms of the Conference's previous experiences. Only by being in Brussels can participation be assured for both the closed session and all (and not just some) other sessions. Are we correct in suggesting that for our membership it is a Brussels Conference with certain events in Sofia?

Finally, while we see incredible potential in opening the conference to the otherwise underrepresented Balkan/Caucasus regions, we find that the proposal effectively undermines this benefit. The meetings in Sofia may in effect force members into a choice between attending one or the other site and undermine the Committee's goal of facilitating as wide participation as possible by Conference members in all its sessions. Have we correctly understood the proposal in this respect?

Now that you may understand our concerns we welcome your responses. To the extent that you accept the existence of any of the risks or problems we outline we welcome hearing whether you are open to modify your proposal or whether, with your further explanations, you would wish the Committee to complete its evaluation on the proposal without change.

Issue 2: Committee membership

With joint applications we ask that one authority be shown as 'lead authority' and would be grateful if you would nominate one now. We have not previously needed to confront the issue of Executive Committee membership where there are joint hosts but your proposal suggests that both your authorities might join the Committee as hosts. Without precluding taking that course we would see as equally viable the option of just having the lead authority join the Executive Committee.

The issue is not one to be immediately resolved but we wondered if you have any further thoughts on this topic for the consideration of the Committee.

(Before signing off may I apologise that I have not addressed this additionally to our Bulgarian colleagues who are your co-proposers. This is not intentional but related to the fact that I am sending this message out of hours and cannot find the relevant email addresses. I did not want to delay writing any further by awaiting Vanya's return to the office tomorrow. I will of course rely upon you to share the message with whoever needs to see it.)

The ICDPPC Secretariat will be closed until 9 January 2017 and I look forward to contact in the New Year.

Kind regards, Blair

Email from Leonardo Cervera Navas, Head of Unit. HR, Budget and Administration, EDPS to the Secretariat sent on 14 January 2017

Dear Blair,

On behalf of both Giovanni Buttarelli and Ventsislav Karadjov, I would like to thank you for your kind e-mail of 21 December. You have highlighted some legitimate concerns, which will contribute to a more successful organisation of the events. We have carefully analysed them and would like, first, to apologise if few points in our application were somehow unclear about the co-host application or the side events that will take place in Sofia and their ultimate goal. We would like then to clarify the following:

Co-hosts

We would appreciate if the CPDP and the EDPS are considered as co-hosts of the International Conference (closed and public session included) in equal terms. Staff from both organisations can be equally involved in the organisation of the events, depending on the relevant needs;

Venue and closed session

The venue of the conference (for both the closed and the public session) will be Brussels, which is the usual meeting point for policymaking in the European Union. Therefore, there should be no doubt that all the participant commissioners (accredited authorities and authorised observers) will be in the same place, to also interact in the way you described in your e-mail. For the closed session, no webstreaming or videoconference is planned in between Brussels or Sofia;

Public session

As already specified in our joint application, the public session would be only based on plenary sessions, so that remote participation from Sofia via secured videoconference in one location only by non-members of the Conference (e.g. from representatives of countries from the Caucasus and Central Asia), DPAs staff members and other registered participants would allow them to freely

follow the debate from Sofia. The fees for these participants would be reduced thus making them affordable for the specific target group.

Side events

The main reason why we are so keen to organise a series of side events in Sofia is precisely to facilitate the participation to the public session of some non-members of the Conference (e.g. countries from the Caucasus and Central Asia) and staff members from the DPAs of the Western Balkan DPAs, who would not normally take part in the public international conference. By organising side events in Sofia, with a lower financial burden and with topics more suitable to their own interests, we would be deepening and enlarging the global reach of the Conference, as mentioned in the Personal Note by the ICDPPC Executive Committee Chair, presented at the 38th Conference in Marrakech. In the same vein, the suggested indirect participation in the conference could also stimulate the participating countries to apply for regular membership in the ICDPPC in the future. The timing of the side events and the envisaged participation in them are arranged in a way not to interfere even indirectly with both closed and public sessions.

Membership of the Executive Committee

As to your question on the committee membership, we started our reflections on the basis of your input. We are open to any solution that the Executive Committee will consider as suitable and effective. While we are not considering two seats for EDPS and CPDP as a proposed solution, we are keen to evaluate any workable outcome in the interest of the Conference, including the identification of one member only, acting with a proxy (i.e. also on behalf of the other co-host), or, where considered as appropriate, a rotation system.

We very much hope that these final clarifications provide a satisfactory answer to your questions and we look forward to hearing from you very soon, hopefully with good news about our joint application.

Kind regards

Leo

Email from the Secretariat to Leonardo Cervera Navas sent on 8 February 2017

Dear Leo

I write further to your email below.

Would you please confirm if the meeting of the DPA representatives from the western Balkans on 22 October 2018 (9:30 – 12:30) is still the proposal?

Kind regards

Vanya Vida
ICDPPC Secretariat

Email from Leonardo Cervera Navas, Head of Unit. HR, Budget and Administration, EDPS to the Secretariat sent on 11 February 2017

Dear Vanya,

Thanks for your email. On behalf of Mr. Buttarelli and Mr. Karadjov, I would like to confirm that the meeting you referred to in your message is not anymore in the joint proposal from the EDPS and the Bulgarian DPA.

Kind regards

Leo
