

ICDPPC NEWSLETTER

September 2019 Issue

Message from the Chair

Dear colleagues,

This newsletter must unfortunately start with the sad news of Giovanni Buttarelli's death. Giovanni was the European Data Protection Supervisor, a truly inspiring figure in the international privacy community, and a friend. He brought his long experience and deep-felt humanity to bear in steering the work of the ICDPPC as a member of our Executive Committee, and as co-host of last year's excellent Conference. I am sure those of you who knew him will miss his guiding hand, but know his legacy will not be forgotten.

We are now only weeks away from ICDPPC 2019 in Albania. The 41st International Conference will focus on how best to make our laws speak to one another, and how to maximise potential in people's connected lives while maintaining high standards of data protection and privacy. People expect seamless cross border connection to the data that enriches their lives, and



Elizabeth Denham CBE, UK Information Commissioner and Chair of ICDPPC

expect regulators to work across borders to ensure their data is kept safe. The Conference will see us finding ways to achieve this.

Whether you're new to the Conference or a veteran, I warmly invite you to join us in Tirana. As ever, there will be a focus on supporting new heads of authority, sharing good practice and support. The ICDPPC is privileged to represent so many authorities from so many different regulatory, cultural and political contexts, which gives us a fantastic range of views and experiences – all rooted in our common bedrock principles. Our strength is

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truly in being able to share that learning, from which we all benefit.

This is an exciting time for the ICDPPC, as we shape the future of the Conference, and in particular its strategic direction for the next three years.

The discussion of the resolutions will be part of that, including the adoption of the Conference Strategic Plan. There are a diverse range of resolutions, from why privacy is a fundamental human right to how to advance our practical work on international enforcement and regulatory cooperation. The resolutions

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The 41st international conference will focus on how best to make our laws speak to one another, and how to maximise potential in people's connected lives while maintaining high standards of data protection and privacy.

have been circulated for members to consider. A reminder that if you want to offer amendments to those resolutions, this should be

done via the main sponsor authorities before 4 October. Alternatively, amendments can be brought forward in the Closed Session in Tirana.

If you haven't yet registered for the Conference, you can do so via the [Conference website](#). You can also keep up-to-date on the latest conference news on the twitter account [@ICDPPC2019](#). Our Albanian colleagues have been working very hard to organise what promises to be an important and successful Conference. I look forward to seeing you all in Tirana in a few weeks.

Elizabeth Denham CBE

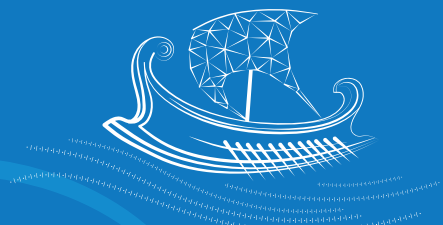


Memorial tribute to Giovanni Buttarelli at the 13th European Data Protection Board meeting on 10 September 2019

The ICDPPC Secretariat — Your central contact point

If you are interested in getting more involved in the ICDPPC's work, by joining one of the Working Groups, becoming part of the translator network or representing ICDPPC as an observer, please get in touch with the Secretariat at ExCoSecretariat@icdppc.org





41ST INTERNATIONAL CONFERENCE
OF DATA PROTECTION AND PRIVACY COMMISSIONERS

CONVERGENCE AND CONNECTIVITY

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IN THE DIGITAL AGE

21-24 OCTOBER | TIRANA, ALBANIA

Keynote speakers:



Jamie Bartlett

Senior Fellow, UK Demos



Brad Smith

President of Microsoft



Christopher Docksey

Honorary Director General of EDPS

Register today at privacyconference2019.info

For more information contact privacyconference2019@idp.al

Looking ahead to Albania

Head of the ICDPPC Host Authority 2019, Commissioner Besnik Dervishi, gives the latest news on this year's Conference in Tirana.

Conference Programme

The IDP Office is delighted to announce that the 41st ICDPPC's Open Session programme is now [live on our website](#), with only a few minor details to be announced soon.

The Open Session consists of five thought-provoking panels, keynote speeches, Q&A sessions, and a range of distinguished speakers and industry leaders, providing expert insight and lively discussions.

Members and observers of the ICDPPC may now also view the Closed Session agenda.

In addition to the Closed and Open Sessions, the Conference is also hosting more than 20 side events, with many more to be confirmed soon. [View the list of side events](#).

Practical information

We have published some practical information



Palace of Congresses, Tirana, Albania

regarding the venue of the Conference, a city map and a list of hotels, which is currently being expanded due to the high demand. So make sure to book your flights and accommodation in advance.

The social programme will start on 20 October with a Welcome Reception for Accredited Members and Observers only at Hotel Tirana

International, followed by a 'Tirana by night' guided walking tour.

On 21 October, we plan to visit BunkArt1 and the Closed Session Gala Dinner and the ICDPPC Awards ceremony will be held at the Palace of Brigades.

The Welcome Reception of the Open Session will be held at the National Historical Museum on the evening of 22 October, while the Gala Dinner for all participants will take place at the Palace of Congresses on the evening of 23 October.

A VIP Dinner (on invitation) will be hosted on 24 October, and all ICDPPC delegates may attend the Final Reception of Innovation Nest Festival on 25

October 2019.

Media representatives will enjoy free attendance at the Conference upon prior accreditation, and will be provided with a dedicated room and space at the second level of the Palace of Congresses. Along with their planned interviews with speakers and other guests, the ICDPPC host will be conducting interviews during the Open Session of the Conference.

On a final note, please remember that registration is open until 11 October, so make sure to register for the Conference as soon as possible. We look forward to welcoming you to Albania.

Keep informed and get in touch



www.twitter.com/icdppc2019



www.privacyconference2019.info



privacyconference2019@idp.al

In conversation with Keynote Speakers

With less than a month to go before the 41st International Conference of Data Protection and Privacy Commissioners (ICDPPC) in Tirana, Albania, we invited our prestigious Keynote Speakers to give us a flavour of their speeches to come.



Jamie Bartlett
Senior Fellow
UK Demos (think tank)

At this moment, data rights are key to securing other rights in the future. Data is not the 'new oil', no matter how many people keep telling you it is. A less bad analogy (they're all bad) would be the new oxygen - pervasive,

essential, invisible. The world is being covered in a thin layer of real time, collectable, analysable ones and zeros. Experts say 1.5 billion devices will be Internet enabled by 2022. Within a decade, well, no-one serious bothers trying to guess.

In a world of total connection and datafication, whoever controls data controls people's sense of reality, and even their experience of the physical world. Elections are an obvious, though hardly the only, example. It is easy to imagine a time, perhaps only a decade or two away, when people's washing habits, diets, walking speeds, heart rate, voice tone, and twenty-five year old tweets are all incorporated into a personal profile, and form the basis of targeted dynamic (machine generated?) adverts. Does anyone seriously believe current electoral systems are prepared? It sounds like a Phillip K Dick novel - but then so would Cambridge Analytica if explained to Mr and Mrs 2006. The current furore misses the point: these sorts of micro-targeted adverts are

the start, not the end, of the story.

Only space prevents me from writing the same about almost every system we have created to manage society. What will happen, for example, if in future the wealthy pay for a 'privacy premium' and avoid the profiling and predatory algorithms of the 2020s, but the poor have little choice? Or if deep fakes become a free app on every phone - used by teenagers in the warzone of the school playground? Or ransomware is placed on pacemakers?

These are not insurmountable problems, but they aren't easy. Importantly, though, almost every problem will have a data element - which means data regulators will necessarily become everything regulators. This makes them - you - incredibly important. And it is the world of tomorrow - always online, datafied and analysed - that they will need to design their systems around, not the world of today.

Privacy's Third Wave: Will it be a Tsunami?

The world will enter the next decade with 25 times as much digital data as it had in the year 2010. This creates both unprecedented opportunities and unparalleled challenges, perhaps especially for the protection of privacy.

These new developments need to be viewed in the context of prior technology changes and efforts to advance privacy protection. Governments in Europe and then around the world led privacy's first wave, ensuring that people had notice about the collection of their data and the right to consent to its use. But the rapid expansion of Internet services led to people being inundated with more privacy notices than time to read them. This led to a second

wave of privacy protection through the ground-breaking adoption of the GDPR this past decade, giving people the right to go online and see the data collected about them and address how it is being used.

But as the creation and storage of data continues to explode, will this be sufficient to protect the privacy rights of people who have more data than time to review it? A third wave will be needed to establish more regulatory rules to govern privacy. There is a need to work through tensions between privacy and the use of data for societally-critical uses of AI, the inherent geopolitical challenges involved in an era of expanding privacy politics, and the role that new technology, combined with stronger regulation, can play in sustaining privacy protection.



Brad Smith
President of Microsoft



Christopher Docksey
Hon. Director-General EDPS

In 2009, the International Conference revolutionised the discussion of accountability. Until then many had considered it as a means of facilitating international transfers. But the Madrid Resolution characterised accountability as a general obligation

to take all the necessary measures to ensure and to be able to demonstrate compliance. This self-standing principle of accountability can be found in the updated OECD Guidelines and APEC Privacy Framework, in Convention 108+ and in the GDPR.

It is not sufficient for accountability to be in a law per se; if organisations do not understand it, they will not apply it. It took guidance from the Canadian Commissioners in 2012 to breathe life into the accountability principle enshrined in the 2000 Act. So regulators have accountability work to do, to provide leadership, support and guidance.

Accountability is a process, a continuous responsibility for the processing of personal information which is proactive and demonstrable. It is a toolbox, accompanied by specific mechanisms, such as the privacy officer, privacy by design and default, impact assessments, breach notification and certification. And it is a philosophy, of being a responsible and ethical steward of personal information. Accountable

organisations understand, and are committed to, the work they have to do.

Such accountability has greater potential to provide a bridge between multiple jurisdictions, providing scope for interoperability based on common, accountability-based standards. And accountability is an opportunity, because an accountable organisation that has developed high standards of protection is well equipped to adapt to the specifics required in other jurisdictions.

Of course, where an organisation only pretends to be accountable, and is actually resisting compliance, regulators will have to take enforcement action. In the GDPR it is significant that the criteria underlying the new administrative fines mirror the criteria for accountability and the accountability mechanisms.

So, a decade on, there is cause to celebrate, but lots of work ahead. Accountability is essential for protecting personal data in the digital age. The International Conference has rightly placed it centre stage again.

ICDPPC Global Privacy and Data Protection Awards 2019

At what promises to be a most prestigious occasion, the third ICDPPC Global Privacy and Data Protection Awards will be presented during this year's Gala Ceremony at the Palace of the Brigades on Monday 21 October, in Tirana, Albania. If you are a member of the Conference then you will also have a chance to shape the Awards - we explore more about this below.

Launched in 2017, at the 39th International Conference in Hong Kong, the objective of the awards is to "shine a light on good practice, recognising excellence and innovation amongst member

authorities".

For the 2019 Awards, the ICDPPC Secretariat has received 34 entries from Conference Members in the following awards categories:

- Education and public awareness
- Innovation
- Accountability
- Dispute resolution and enforcement

We warmly invite all newsletter readers to view this year's Awards entries on the [ICDPPC website](#).

This year, the Awards will be assessed for shortlisting by the entire Executive Committee and then the shortlist submitted to a vote by the ICDPPC membership. Details on how to vote will be emailed to all members in September.

The Executive Committee acts in their role as elected representatives from the various global regions of the Conference membership and according to the Conference Rules and Procedures.

READ MORE ON P7 ►

Those entries shortlisted will have been determined by the Executive Committee award jury as providing an outstanding example of good practice in that category.

The Executive Committee will then announce the shortlisted candidates and the ICDPPC Secretariat will launch the voting process, so that each ICDPPC member can cast its vote and

designate the award winner from amongst two or three projects shortlisted in each category.

In addition, all shortlisted entries will compete in the 'People's Choice' category, for which all member authorities will be invited to vote. Voting for the final winners will close in mid-October. The winners from all categories will be announced at the Gala Ceremony

along with the Host Authority's (IDP Albania) own award (details to be revealed later).

In the run-up to this year's Awards ceremony, we asked the award winners from last year to describe their award-winning entries and highlight the impact that winning the Award in their respective categories has had on their authority and their winning project.

Awards Categories

Education and public awareness

This category is largely influenced, albeit not exclusively by the valuable work in the ICDPPC Digital Education Working Group (DEWG). The DEWG has created tools for authorities to make their efforts in digital education available to peers and helped instil a culture of sharing experience in that space. Other public awareness initiatives will also be considered, including those which are not in the digital space.

Innovation

Entries will set out how an initiative or project undertaken primarily by a conference member is working effectively to support innovation and as the case may be, disruptive business models. The award will help illustrate how conference members are using innovation to deliver their own work more effectively.

Accountability

Even when not explicit in the law, accountability of organisations processing personal data and information is implicit in most privacy and data protection laws. This category highlights the projects of member authorities to promote this

concept of accountability and ensure that it makes the successful transition from law to practice?

Dispute resolution and enforcement

This award category builds upon the focus that the Conference has placed on enforcement cooperation in several resolutions in recent years.

This category reflects the multi-faceted roles that Data Protection Authorities perform, which always covers at least one of the following roles:

► **Dispute resolution:** mediating or investigating and resolving issues where it appears to an individual that the law has been breached.

► **Enforcement:** taking many forms, enforcement involves taking formal action in relation to non-compliance with the law.

People's Choice Award

The People's Choice Award will again feature in this year's award line-up! Shortlisted entries in all categories will automatically be entered for this Award.



2018 Winners, ICDPPC Global Privacy and Data Protection Awards

Education and Public Awareness

The Albanian Postage Stamp

In 2018, the Albanian IDP won the ICDPPC 'Education and Public Awareness 2018 Award' for the Albanian Postage Stamp. The development of the Albanian Postage Stamp for Data Protection Day was an idea of the IDP staff in order to celebrate this Day in a national and international context. It took two years to obtain approval from the Albanian Postage Stamp Committee and to be issued by the Albania Post. We also prepared and held an event on the occasion, aimed at presenting the postage stamp and raising the public's awareness about the right to privacy. The event was broadly covered by national media, and received important praise.

A feature of the stamp is the prevalence of the topic of privacy protec-

tion and especially the relationship that the individual has with technology nowadays. The objective of the project was to attract citizens' curiosity when receiving parcels and envelopes to learn more about the right to personal data protection.

The stamp promotes the right to privacy and the Data Protection Day, which will remain in the history of the Albanian philately and will be part of local and foreign collections. On the occasion of "The Education and Public Awareness Award 2018" during ICDPPC 2018, the Commissioner's Office received much praise and encouraging messages from local institutions as well as from the public. We are deeply grateful to all our colleagues for their support and votes.



Innovation and Accountability

PIA Software, CNIL

The GDPR places new obligations on organisations processing personal data, notably by requiring them to carry out Data Protection Impact Assessments (DPIAs) before starting processing operations likely to result in a high risk. Since carrying out a PIA is a complex matter, the CNIL decided to develop guidance and a software tool to help public and private organisations in this task.

This project proved to be a challenging endeavour since it required specific skills, such as design, methodology and flexible software development, to be integrated and coordinated within the departments of the authority.

The PIA tool, in addition to supporting data controllers in their compliance process, proved itself to be a great way to standardise DPIAs received by the CNIL. Thanks to a more structured reporting, the software has helped the CNIL teams



to provide swift feedback on the DPIAs received, notably by allowing a much more efficient reading and analysis.

Overall, the software had a very positive impact on the data protection community in Europe and beyond. Indeed, being available in an open source format, it has been translated into many other languages, facilitating its use by

local data controllers. To date, the software has been downloaded more than 150,000 times and is available in 19 languages. The promotion and further development of this tool has certainly been boosted with the ICDPPC 'Innovation' and 'Accountability' Awards received in 2018, giving it further visibility on the international stage.

Investigation into the use of data analytics for political purposes, ICO

The ICO was very pleased and proud to have received this award. Our project was the largest and most complex undertaken by a data protection authority (DPA) to date, to our knowledge. We investigated micro targeting of millions of people for political purposes. The project focused on uncovering the lack of transparency and accountability in this digital age by a range of organisations in a complex data ecosystem – political parties, campaign groups, social media companies data brokers and data analytics providers.

Key challenges included searches of premises, forensic examination of 700 terabytes of data, interviews of over 30 witnesses, working with international partners and exercising our enforcement powers to issue fines and orders against political parties, social media platforms and data brokers.

A significant impact of the project is the valuable insight we gained into unlawful data processing practices, exposing harmful risks to the information rights of individuals. We published our findings, which helped carve out new supervisory and enforcement opportunities for DPAs globally. The reports, plus the Commissioner's appearances before several parliamentary committees

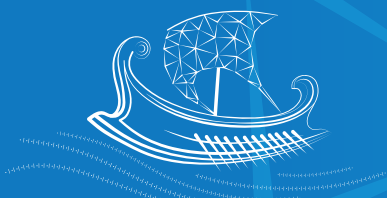


enabled the ICO and other DPAs to hold organisations and sectors to account on a previously unseen scale. Based on key learnings from the project we were also able to strengthen our investigative and enforcement powers and increase the size of the ICO.

Our findings and enforcement actions positioned data protection compliance and the privacy rights of individuals at the top of the political and societal agenda, changing and improving compliance behaviour of political parties, data brokers and social media platforms. At its height, we had 40 people working on the project full-time. The award is due recognition for the hard work

and professional expertise and dedication demonstrated by the ICO in the most challenging circumstances. The project also increased the visibility of the wider ICDPPC community.

To conclude, we hope you enjoy reading about the valuable projects being undertaken within our global community. The learning that we can all gain from this shared experience is one of the highlights of the ICDPPC's work. We look forward to both receiving your votes on the submitted entries and welcoming you to the 2019 ICDPPC Global Privacy and Data Protection Awards Gala Ceremony.



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Investing in human rights for our children's future

In 2015, when I took up the position of inaugural Special Rapporteur on the Right to Privacy, I established five Thematic Action Stream Taskforces while indicating that my priorities would reflect emerging issues and capacity. I also said that a likely additional area would be the privacy of children given the need to better understand and respond to the privacy issues associated with the digital era for young people, including their empowerment.

Digital technologies and platforms have opened up the world to enable more social connections, more learning and educational opportunities, greater creativity opportunities, and new realms of work. But the digital world can come with risks as we see reflected in the media. Policy responses, legislative reform and business models must be guided by human rights principles and the instruments which many countries, including those in which ICDPPC members are based, have signed and ratified.

I have now commenced the preparation of work on children's privacy. The purpose is to identify current work and discourse on digital technologies, children and the right to privacy, as well as opportunities to advance a privacy rights statement, and to recommend an approach to digital technologies and children's right to privacy. The outcome I would like to see is for the process and the proposed statement to be a catalyst for legal, policy and practice reform.

The matters to be considered include, but are not limited to, the human rights context established by international and regional instruments relating both to children and the right to privacy; matters identified by the UN Committee on the Rights of the Child; major influencers on children and young people; the issues emerging in the areas of health, surveillance, Big Data, tech companies and personal development; the privacy

experiences of indigenous youth and young children, children with disabilities, young people exploring their sexuality and gender identity; examples of better practice, and legal protections available and necessary to safeguard the privacy of children and protect against discrimination.



"Policy responses, legislative reform and business models must be guided by human rights principles and the instruments which many countries, including those in which ICDPPC members are based, have signed and ratified."

**JOE CANNATACI
UN SPECIAL RAPPORTEUR**

My preliminary thoughts which I would like to test are that part of the answer lies in strong data governance structures that not only provide and enforce regulation, but also promote the outcomes that arise from protecting the right to privacy. These outcomes include the space to develop as a person, the enjoyment of other human rights such as freedom of association, freedom of expression and freedom to practice one's religion – amongst others.

I would like to formally start consultations by inviting DPAs to contribute what they see as the emerging issues in privacy protection for children; the matters brought to their attention for

assistance concerning those under 18 years; the harms impacting upon children by infringements of their privacy; the work they are undertaking in this area with for example schools and other bodies, and promising directions to follow to address concerns and build upon positive actions. I hope DPAs will participate in this process as the ICDPPC and its members are a key constituency and I remain very interested in understanding the experiences and perceptions of DPAs.

Those interested in the 'privacy and children' work and the gender perspective of privacy are invited to contact Dr. Elizabeth Coombs at ecoom02@sec.research.um.edu.mt

I would like to acknowledge also the commitment to promoting and protecting the human right to privacy internationally across different stakeholders - this support has been extraordinary. While resourcing remains an issue, the diverse support the mandate has received has enabled a lot to be achieved.

I particularly thank those DPAs who have been engaging with the mandate and supporting it by contributing to various consultations - which most recently have focused on the draft Health Related Data recommendation and the 'Privacy: A Gender Perspective' areas of work. On this latter report, I am pleased to advise that an international public consultation will occur on 30-31 October 2019 in New York. I invite those who may be interested in learning more or participating to contact Dr. Elizabeth Coombs (email given above), the Chair of my 'Privacy and Personality' Thematic Taskforce and lead author on the 'Privacy: A Gender Perspective' preliminary report.

You can hear from Joe Cannataci at the 41st ICDPPC Closed Session in Tirana, Albania.

Regional Perspectives

Asia Pacific Privacy Authorities (APPA)

Established in 1992, the Asia Pacific Privacy Authorities is a forum for privacy and data protection authorities from the Asia-Pacific region. APPA was formerly known as PANZA and PANZA+ (Privacy Agencies of New Zealand and Australia plus Hong Kong and Korea). An internal review in 2005, resulted in updating the name of the forum to more accurately reflect its membership.

The objectives of the forum are to facilitate knowledge sharing between the region's privacy authorities, foster co-operation in privacy and data protection, jointly promote privacy awareness activities, promote best practice among privacy authorities, improve regulatory performance, and support efforts to improve cross-border co-operation in privacy enforcement.

APPA currently has 20 members from 12 Asia Pacific countries. It includes national and subnational authorities from across the region. Members come from four continents and together represent almost 900 million people. Privacy and data protection authorities in the Asia Pacific region are eligible for membership if they are an accredited member of the ICDPPC, a participant in the APEC Cross-border Privacy Enforcement Arrangement, or a member of GPEN.

Countries in the Asia Pacific have their own privacy laws and unique cultures. This can create challenges for cross border data protection, but also opportunities to work together to share information, promote privacy awareness, cooperate on enforcement matters, and improve regulatory practices.

External events continue to demonstrate the need for APPA and its members to engage with other global privacy networks and regimes. This is particularly the case when it comes to the extra-territorial application and reach of foreign laws, cross-border cooperation in privacy enforcement, and efforts to achieve



interoperability in privacy laws and standards. Representatives from other privacy networks and jurisdictions often attend APPA's bi-annual meetings to dialogue and engage with APPA members.

APPA has continued to expand its membership and reach. This has led to increased opportunities for data protection authorities in the region to share expertise and to work towards common objectives.



Countries in the Asia Pacific have their own privacy laws and unique cultures. This can create challenges for cross border data protection, but also opportunities to work together.

Several years ago, APPA adopted a more formal structure through the establishment of a Secretariat and governance committee. This has provided consistency in terms of administering the forum, and supporting members as they plan and host APPA's biannual meetings.

APPA's working groups organize and hold Privacy Awareness Week every year; conduct statistical research, including the development of regional benchmarks on public

attitudes to privacy and timeliness in the resolution of complaints; and examine technology issues and developments at the direction of members.

APPA continues to focus on the agreed upon objectives cited above. As a member driven organization, APPA also provides a collaborative and responsive forum for members to highlight and bring forward new and emerging issues. This includes recent and ongoing developments in their own jurisdictions, around the region, and worldwide.

APPA and the ICDPPC are connected in several ways. Most APPA members are also members of the ICDPPC or have held the status of observers. Currently, four APPA members sit on the Conference's executive committee as members or observers, and several others have been on the committee in the past.

APPA meetings include a standing agenda item on the ICDPPC to ensure that members are updated on ICDPPC activities and initiatives. ICDPPC representatives regularly attend APPA meetings, and have used this as an opportunity to consult with members about ICDPPC planning and priorities.

The overlap and links between the forum and ICDPPC creates opportunities for APPA members to consider international priorities in the Asia Pacific context, and to potentially further those goals and objectives through APPA's meetings and working groups.

International Working Group Update

Future of the Conference

Deputy Commissioner Steve Wood, from the Information Commissioner's Office (UK), and Privacy Commissioner Daniel Therrien, from the Office of the Privacy Commissioner of Canada, give an update on the Working Group on the Future of the Conference.

The Working Group on the Future of the Conference was established in 2017, following a strategic consultation with the members of the ICDPPC on three main themes: the Conference's objectives and common future; the Conference's identity; and the Conference's format and structure.

This consultation resulted in the adoption at the 40th ICDPPC annual meeting of the Resolution on a Roadmap on the Future of the Conference which mandated the Working Group on the Future of the Conference with the completion of five papers.



Steve Wood: It has been an exciting and busy year for the Working Group on the Future of the Conference and I am encouraged by how far we have come during that time.

The outcomes of the strategic consultations run in 2017, highlighted the membership's desire for the Conference to move

beyond being merely an annual gathering of privacy and data protection authorities and become a more formally structured and constituted organisation.

To achieve this overall objective, the mandate given to the Working Group by the Conference included developing a number of proposals aimed at recasting some of the Conference's embedded ways of working, from rethinking the way the ICDPPC engages with external stakeholders – in particular civil society organisations – to the establishment of plans to fund the ICDPPC Secretariat so as to equip it with the necessary resources to effectively support the work of the Conference. An additional work stream focussed on examining the possibility of creating an online operational platform for members of the Conference for cooperative exchanges of knowledge.

Currently, the ICDPPC is going through a crucial period of change aimed at shaping its future identity and strategic direction, with the proposals being developed by the Working Group having the potential to play a key role in the developments to come. I know that Daniel shares

my excitement about the prospects for these improvements.

There is still work to be done but the Working Group has made excellent progress and, like Daniel, I am really looking forward to the opportunity to build on the discussions in Tirana later this year.



Daniel Therrien: The mandate of the Working Group has been to advance the priorities set out in the Roadmap Resolution adopted in Brussels. Further to the projects outlined by Steve, the Working Group was also seized with looking at the issue of our annual meetings. During the consultations of 2017 and 2018, members expressed a desire to strengthen the Closed Session – both in content and attendance – and to examine ways to maximize the time that we are all together.

The Working Group has sought innovative ways to improve our annual meeting, including by having our Closed Session discussion planned in a way that advance the proposed multi-annual ICDPPC policy priorities.

A second important project regards the interpretation of the “appropriate autonomy and independence” criteria laid out in our rules. Members have previously indicated that they would like the Conference to broaden its global reach and promote its regional diversity while upholding this central requirement for membership. The Working Group has prepared a background document that we hope will serve to add clarity to what it means to be an autonomous and independent data privacy regulator, and thus assist in future interpretation of this criteria.

I am pleased with the progress the Working Group on the Future of the Conference has made and look forward to the discussion in Tirana regarding the different papers and projects that will be delivered.

Membership

The Membership of the Working Group on the Future of the Conference currently consists of 14 delegations truly reflecting the cultural and legal diversity of the Conference. All members of the Conference are cordially invited to get

in touch through the [ICDPPC Secretariat](#) should they have an interest in joining the Working Group.

If you wish to know more, please visit the Working Group project page on the [ICDPPC website](#).

Get to know your ExCo

Marguerite Ouedraogo Bonane, President, Commission for Information Technology and Civil Liberties, Burkina Faso

As a member of the ICDPPC Executive Committee, tell us about the Commission for Information Technology and Civil Liberties (CIL) Burkina Faso. What are your key priorities for this year and your vision for data protection in Burkina Faso?

Thank you for this opportunity to talk about the Commission that I lead. The Burkina Faso CIL was established by the Law No 010-2004/AN of 20 April 2004, providing protection for personal data in its capacity as the Supervisory Authority charged with ensuring compliance with the afore-mentioned Law, notably by informing people of their rights, and data controllers of their responsibilities when dealing with personal data.

In carrying out the mission entrusted to it by the Government, one of CIL's priorities is to promote the data protection law, which is still not so well known in our society. Hence the multiplicity of information and awareness-raising activities that CIL leads across the country.

At the same time, CIL safeguards people's rights through regulation and oversight of data controllers, by ensuring they are aware of their obligations, and potential sanctions, as provided for in the afore-mentioned Law for those who do not comply.

Cooperation is another fundamental aspect of its mission, as data protection cannot take place in a vacuum, given the cross-border data flows which need to be managed, hence the need to strengthen cooperation.

In addition, individuals who have had their data misused, their accounts hacked and their emails

cloned can turn to CIL who will look into complaints, working together with certain state bodies.

Another major focus of our work is young people; we launched a digital education campaign in 2014, in order to encourage the most vulnerable to adopt sensible behaviours online. To this end, we have established a partnership with our Ministry of Education.

At the same time, CIL responds to requests for advice from public authorities and advises individuals and organisations which come to CIL for assistance. In order to do this, CIL monitors legal and technological developments.

Our vision for the future is to continue to promote data protection rights so that by 2023 we will have established a true data protection culture among the population and the majority of internet users will be taking sensible measures to protect their privacy and that of other users online - fundamental elements for living better together as a community.

As Vice President of the AFAPDP and President of the African Network for the Protection of Personal Data (RAPDP), please explain the role and influence of these organisations in Africa and on the wider data protection landscape?

The cooperation between DPAs today, both through the AFAPDP and the RAPDP, encourages the sharing of experiences and ideas on matters related to their work. At the same time, it enables them to reach out to, and support, countries which have not yet adopted legislation or set up a supervisory authority, or are in the process of doing this. It has to be said that these organisations



Marguerite Ouedraogo Bonane will be speaking at the 41st ICDPPC Open Session in Albania.

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Cooperation is another fundamental aspect of [CIL's] mission, as data protection cannot take place in a vacuum, given the cross-border data flows which need to be managed, hence the need to strengthen cooperation.

provide a collaborative framework to address the issues and challenges which Africa faces around protection of privacy and personal data.

What are the challenges and barriers to better data protection collaboration in Africa?

The language barrier, the independence which each Authority affirms, and illiteracy are just some

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of the challenges I would highlight for improved collaboration among DPAs.

What are the significant 'lessons learnt' that African data protection authorities can bring to the global debate on improving privacy and data protection?

The context is not always the same, and the situations are not always the same, from one continent to another. Certainly, difficulties exist, but they could be overcome through cooperation among DPAs – likewise, if we could promote African legal instruments for privacy and data protection, which meet the realities of our continent. African authorities have a reference base, and regional and international legal texts exist, but the solutions need to be adapted to the difficulties encountered in our environment.

Given your extensive experience in the field of international data protection, what do you believe are the main global data protection opportunities and challenges going forward?

One of the major opportunities is the existence of the global collaborative framework that is the International Conference; this allows entities with different origins but a common mission to cooperate with each other and with other bodies and associations, African or international, to consolidate the right to privacy and to data protection.

What is the significance of the ICDPPC for you at this point in the Conference's development, and what can this organisation do to make a real difference?

We think the ICDPPC has already taken a big step forward and we congratulate them. Some milestones have been set; we need to go further along this path, and to share and build on our experiences. There are basic principles for data protection and privacy which we need to ensure are understood even better by the data controllers. We need to promote bilateral cooperation, among DPAs and networks. In order to achieve its objectives, ICDPPC should maintain its inclusive approach, engaging with civil society and with other bodies and organisations that are evolving in this arena. At the same time, we need to increase activities to strengthen the capacity of DPA personnel, to enable them to carry out their work more effectively. We also need to lobby for Governments to recognise the authorities that have been set up and their missions.

Meet our Member

Steps forward and challenges for privacy protection in Argentina

*Eduardo Bertoni, Director
Access to Public Information
Agency (AAIP), Argentina*

The Argentine Data Protection Act passed in 2000 (N° 25.326).

In 2001, an Executive Order (Decree N° 1558) created the National Data Protection Authority, which reported to the Ministry of Justice and Human Rights. In 2003, the National Data Protection Authority was admitted as an ICDPPC member and Argentina was considered a country with adequate legislation under Directive 95/46.

A major and important step took place in 2016, when, after many years of debate, the country passed a national Law on Access to Public Information that created the Access to Public Information Agency (AAIP), an independent and autonomous body with its own budget and personnel.



A major victory we promoted was that this agency also became the data protection authority, ensuring greater independence than with its previous structure. Argentina

now follows the model of other jurisdictions (like ICO in the UK or INAI in Mexico).

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Historical technological changes, together with the new international legal context, such as the adoption of the EU Data Protection Regulation (GDPR), have driven the AAIP to put together a draft bill to reform applicable legislation.

The bill, if approved, would provide a high level of data privacy, applying new international standards on data protection, while, at the same time, enabling further innovation and investment in Argentina.

After an open process in which there was wide citizen participation, in September 2018, Argentina's President, Mauricio Macri, submitted the bill to Congress, where it is currently pending.

Meanwhile, the Agency has issued a series of resolutions to address the challenges presented by the ever-changing technological circumstances and the entry into force of the GDPR. These include privacy policies for the public sector, security measures, guiding principles on international data transfers, a binding corporate rules model, and guidelines on data processing for electoral purposes.



New technologies can be good news for the wellbeing of humanity, but they could also be used to increase human rights violations, particularly of our privacy.

We have also promoted international dialogues and processes important for the country. For example, Argentina recently became a State Party to "Convention 108". We are currently pushing for the process that may lead to Argentina signing "Convention 108 +" and we are also providing the Argentine government with legal advice on the adequacy process of our regulations with the GDPR. We co-sponsored resolutions and have been part of many working groups at the ICDPPC. In our region, the AAIP became in 2018 a member

of the Executive Committee of the Ibero-American Network of Data Protection Authorities (RIPD).

As the first director of the AAIP since September 2017, and formerly as the Data Protection Authority director, I acknowledge that I face enormous challenges beyond those mentioned above. New technologies can be good news for the wellbeing of humanity, but they could also be used to increase human rights violations, particularly of our privacy. We've heard about artificial intelligence, surveillance, and profiling using big data.

During my five-year tenure, I look forward to working with my great staff and international counterparts to set reasonable regulations that do not affect our privacy while making sure we benefit from technology. For this to happen, it is key to continue strengthening the AAIP's independence and autonomy.

You can hear from Eduardo Bertoni at the 41st ICDPPC Open Session in Tirana, Albania.



ICDPPC key upcoming dates

- **4 OCTOBER** Early bird registration rate deadline for 41st ICDPPC
- **4 OCTOBER** Deadline for Membership comments/co-sponsorship on the Conference documents/resolutions
- **11 OCTOBER** Standard registration rate deadline for 41st ICDPPC
- **11 OCTOBER** Voting closes for the 41st ICDPPC Global Awards
- **20 OCTOBER** 41st ICDPPC Welcome Reception (members and observers), Hotel Tirana International
- **21-22 OCTOBER** 41st ICDPPC Closed Session, Palace of Congresses
- **21 OCTOBER** 41st ICDPPC Gala Dinner (members and observers), Global Awards Ceremony, Palace of Brigades (Presidential Palace)
- **22 OCTOBER** 41st ICDPPC Welcome Reception (all participants), National Historical Museum
- **23-24 OCTOBER** 41st ICDPPC Open Session, Palace of Congresses
- **23 OCTOBER** 41st ICDPPC Gala Dinner (all participants), Palace of Congresses