

ICDPPC Executive Committee Minutes

ICDPPC Executive Committee meeting

22/23 September 2015

Chair: John Edwards, New Zealand
Secretariat: Blair Stewart, Vanya Vida, New Zealand
France: Isabelle Falque-Pierrotin, Florence Raynal, Nicolas De Bouville
Netherlands: Jacob Kohnstamm, Paul Breitbarth
USA: Aaron Burstein, Guilherme Roschke

Apologies: Drudeisha Madhub (MU) and Julie Brill (US).

Meeting opened: 7:15am (NZST)

1. Previous meeting

- a. Minutes of the last meeting (15/16 July 2015) were approved.
- b. All action points from the previous meeting are complete.

2. Standing items

- a. Update from the Secretariat
The Chair reported on correspondence received.

Other matters

A member mentioned that an article had been published in an online UK IT journal 'The Register' reporting the concerns of a civil society privacy advocate regarding the choice of Morocco to host of the 38th Conference. The Chair said that he had corresponded with the advocate explaining the open and contestable selection process that had been followed. He added that the Conference simply selects an independent data protection authority as a host and that conferring hosting privileges on this or any previous occasion does not amount to any kind of endorsement of a national government.

- b. Applications for accreditation
US reported on the evaluation of a number of membership applications from Mexico, Georgia and Switzerland and FR reported upon applications from Ukraine and Bénin. The applications were recommended for membership subject to CNIL providing their written analysis to the Committee for consideration.

FTC advised that a late membership application was received from Côte d'Ivoire. As there is insufficient time to assess the application it was agreed to treat the application as a request for observer status at the forthcoming Conference and leave the membership application to be considered by the new Committee.

Action point: FR to send written analysis of Ukrainian and Bénin membership applications to the Secretariat for circulation to Committee.

Action point: Secretariat to inform Côte d'Ivoire that its application will be processed as an observer application.

Action point: Secretariat to notify applicants of Committee's recommendations.

c. Applications for Observer status

The Secretariat reported on the following observer applications:

- Council of Europe Secretariat
- European Union Agency for Fundamental Rights
- OECD Secretariat
- International Committee of the Red Cross Data Protection Office
- United Nations, Executive Office of the Secretary General
- Information Commissioner's Office for Bermuda
- Information Commissioner's Office, Cayman Islands
- Information Commission, Chile
- Authority for Consumers & Markets, Netherlands
- Department of Homeland Security, Privacy Office, USA
- Federal Communications Commission, USA
- Europol Data protection Office, EU
- Eurojust Data Protection Service, EU.

Applications from Europol and Eurojust had been discussed at the July meeting, but not supported by the Committee, had been brought back for reconsideration by the Committee at the initiative of the Secretariat and the request of the applicants. However, the Committee confirmed its view that the Europol and Eurojust applications could not be supported as both organisations had representation through the membership of their independent Joint Supervisory Authorities and, as a matter of general approach, no advantage to the Conference was seen in granting observer status to the numerous DP Officers attached to institutions of the European Union.

The other applications were recommended for observer status.

Action point: Secretariat to inform applicants of the Committee's recommendations.

d. Conference representation

CNIL confirmed that it will provide a delegate on behalf of the Conference at the meetings of Council of Europe on 30 September and OECD on 2 October.

3. Closed session 2015

a. Day 1

The Chair advised that in addition to Privacy and Civil Liberties Oversight Board the following oversight agencies have been invited to attend the discussion on data protection oversight of security and intelligence as persons with specific expertise:

- EOS Committee, Parliamentary Intelligence Oversight Agency, Norway
- Review Committee on the Intelligence and Security Services, NL

b. Day 2: Agenda

The Committee agree to provide the Chair of the Article 29 Working Party with a 15 minute slot to report on the activities of the working party at the closed session.

c. Executive committee report and resolutions

- Amendments to the rules and Procedures

The Committee discussed the proposed amendments to the rules and procedures prepared by the Secretariat. The Committee agreed to drop the clause outlining functions of the Secretariat and make other changes supported by a majority of Committee members. An additional amendment from FR would be incorporated dealing with simultaneous interpretation.

- Accreditation resolution

The accreditation resolution was discussed.

Action point: Secretariat to update the amendments to the rules and procedures in accordance with the Committee decisions and circulate to Committee before uploading to the closed part of the 37th Conference website.

Action point: Secretariat to circulate a draft of the accreditation resolution and circulate to Committee before uploading to the closed part of the 37th Conference website.

d. Declaration or communique

The Chair requested US and FR to send draft text in relation to genetics to the Secretariat for consideration of inclusion in a possible declaration.

Action point: US/FR to send draft text for inclusion in a possible declaration to Secretariat.

e. Resolution on strategic direction

The Committee discussed the strategic direction resolution.

Action point: Secretariat to circulate a further draft of the strategic direction resolution to Committee before uploading to the closed part of the 37th Conference website.

4. Public conference

NL updated the Committee.

5. 38th Conference

Programme Panel

The host of 38th Conference has requested the Secretariat to provide suggestions for a programme panel. The Chair requested committee members to forward names of suitable candidates for the programme panel to the Secretariat.

Action point: Committee members to forward suitable names of candidates for a programme panel to the Secretariat.

6. Enforcement Cooperation Resolution implementation

The Committee endorsed the notices prepared by the Secretariat for the implementation of the arrangement.

7. Committee transition

The Chair informed the Committee that a member authority from within the Americas has indicated its intention to stand for Committee position that will fall vacant at the forthcoming Conference with the retirement of the US.

8. Next meeting:

25 October 2015 at 17.00 in Amsterdam (final meeting of the current Committee).

Meeting closed: 8:50am (NZST)