

**Meeting of the Executive Committee of the International Conference
15 May 2012
Montréal, Canada**

Minutes

Attendance:

CBP (Netherlands): Jacob Kohnstamm, Dominique Hagenauw
FTC (USA): Julie Brill, Markus Heyder
IFAI (Mexico): Alfonso Oñate
AGESIC (Uruguay): José Clastornik

Absent:

OAIC (Australia)

- 1. a. Adoption agenda**
- b. Adoption minutes last conference call on 27/28 March 2012**
- c. Go through Action List in minutes last conference call**

The agenda and the minutes were adopted. As for the action list, most action points had been done or will be addressed later.

- 2. 34th International Conference - update by Uruguay**
 - a. Invitations**
 - b. Speakers (confirmed / non-confirmed)**
 - c. Side events**

AGESIC informed the Committee that the side meetings will be held on Monday 22 October. The confirmed side events are GPEN, EPIC, Council of Europe, (American network) and IAPP, who wants to meet people in Montevideo. The OECD nor Privacy by Design will be there.

Subsequently AGESIC took us through the list of confirmed speakers, which will also be distributed to the members of the Executive Committee. (Action)

The members of the Executive Committee had some suggestions:

- It would be good to invite someone from [REDACTED] and someone from [REDACTED] FTC Commissioner Julie Brill will contact [REDACTED] representatives of those companies. They could speak in plenary session 1. (Action)
- Plenary session 3 should be about the ongoing developments in legal frameworks around the world, not limited to the EU. Commissioner Brill will be added to the panel to cover North America. Jacob Kohnstamm will moderate the session and [REDACTED] (or alternatively Peter Hustinx) will be contacted to cover the EU. Either Timothy Pilgrim or Marie Shroff could be invited to represent the APEC countries. (Action)
- The Director of the Bureau of Consumer Protection of the FTC, David Vladeck, will be invited to speak in panel B on geolocation. (Action)
- A representative from [REDACTED] who would speak about best practices would be best placed in panel F on cooperation. (Action)

3. Decision on speakers

- a. Public sector
- b. Private sector
- c. Reimbursement of speakers

There will be 3 different sessions in the closed session. On Thursday morning 25 October the public sector will be dealt with, the private sector will be dealt with on Thursday afternoon. Some procedural issues, such as minutes and accreditations, will be dealt with at the beginning of the closed session, but most procedural issues, such as resolutions and declarations, will be scheduled on Friday morning 26 October.

On a public sector speaker there was agreement to invite the representative of

[REDACTED]
[REDACTED] In addition the FTC will contact Jim Dempsey of the CDT to see whether he could be a second speaker. The Polish DPA could also be asked to speak on this topic, considering his expertise in this field. (Action)

On private sector speakers it was a bit more difficult, since all previously identified speakers appeared to be unavailable. The FTC will try to reach out to a

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

(Action)

AGESIC confirmed that speakers can be reimbursed for travel and hotel costs.

4. Update of the work of the Executive Committee

- a. Accreditations – update by FTC
- b. Website – update by Chair
- c. Representation – update by Australia (when necessary)

There are 3 pending accreditations: 2 from the South Korean agencies MOPAS and PIPS and the other from the Peruvian DPA. The FTC learned from PIPS that MOPAS will probably withdraw its application. PIPS itself has lodged an application in January of this year. With regard to Peru, there has not been a response yet to the e-mails sent by the FTC. The updated application forms will be sent to AGESIC. (Action)

The International Conference was granted guest status at the APEC ESG and Markus Heyder of the FTC is willing to represent the International Conference at that occasion. (Action)

¹ <http://www.nytimes.com/2012/02/19/magazine/shopping-habits.html?pagewanted=all>

There was agreement between the members of the Executive Committee that we would not pursue an independent website since many obstacles were identified and the current practice of placing all information on the conference website is sufficient as long as the former host keeps his website in the air until the new host has launched a new website that includes all information needed. This will be reported to the closed session in Uruguay for the members to agree upon.

(Action)

5. Letter to the UN following the International Standards (see mail from CNIL)

None of the members of the Executive Committee can recall a decision being made to invite the UN and ITU to the closed session. Therefore the Chair will reply to the CNIL that we appreciate their work, but that the Executive Committee unfortunately does not recall such a decision and that therefore does not feel it has the mandate to do so. We will suggest to put the issue on the agenda of the closed session and request the CNIL to clearly set out what the exact idea would be (observer status?). (Action)

6. Host 35th International Conference

Since it is very doubtful whether MOPAS will pursue their application to become a member, Poland will probably be the only candidate to host the next International Conference. The Chair will speak with the Polish DPA to again thank him and tell him that as far as we know there are no other candidates and we will all go to Poland in 2013. (Action)

7. Next meeting (teleconference)

The Chair will send an e-mail to all DPAs who are member of the International Conference to tell them that the closed session will consist of 3 sessions, which will be held on Thursday 25 and Friday morning 26 October. The central topic will be profiling and for the public sector speakers have already been identified. For the private sector speakers are approached and we are waiting for their confirmation. A preliminary agenda for the procedural session will be attached to the e-mail as well as the new Rules of Procedure as agreed in Mexico. In that same e-mail we will request all delegations who want to send in Resolutions to do so before the deadlines as in the Rules of Procedure. (Action)

The next teleconference will take place on 6 June 2012 on 4PM Washington time. (Action)

8. Any other business

With reference to the document submitted by Chantal Bernier of the OPC on public safety measures, we will inform her that it will be put on the agenda of the closed session on Friday morning. She will be requested to draft a Resolution to go with it. We will furthermore inform her that considering the topic, the FTC will abstain from discussions on this paper. (Action)

IFAI informs about a questionnaire from “privacy law and business” to make an inventory of all legislation on data breach notification. The CBP informs him that in Europe we do not have such a law yet, though it is in the proposed Regulation. The FTC informs they have a registry of all U.S. state data breach laws , though doubts that anyone would be interested. (Action)

Action List

1. Distribution of the list of confirmed speakers to the members of the Executive Committee – AGESIC
2. Contact ██████████ to see whether they would be willing and able to speak in plenary session 1 – FTC
3. Contact ██████████ to see whether she is available to speak on plenary session 3 – CBP
4. Contact Timothy Pilgrim or Marie Shroff to see whether one of hem would be available to speak on plenary session 3 – AGESIC
5. Invite David Vladeck to speak in parallel panel B on geolocation – AGESIC
6. When invited, a representative from ██████████ could best speak in panel F on cooperation – AGESIC
7. Confirm to the representative from the ██████████ she is invited to come to Uruguay to speak in the public sector session of the closed session of the Conference – CBP
8. Contact ██████████ to see whether he could be a second speaker on the public sector – FTC
9. Try to reach out to New York Times reporter on article regarding profiling in health sector to see whether (s)he could be a private sector speaker – FTC
10. Try to reach out to ██████████ to see whether he could speak at the private sector session of the closed session, or whether he knows someone else – FTC
11. Contact ██████████ to check whether he knows someone who would be able to present on profiling during the closed session private sector session – CBP
12. Send updated application forms to AGESIC – FTC
13. Inform Timothy Pilgrim, who coordinates the representation of the ICDPPC that the FTC (Markus Heyder) is willing and able to represent ICDPPC at the APEC ECSG meeting – CBP
14. Prepare a draft resolution / report that the ICDPPC will not pursue to have its own website. – CBP
15. Inform the CNIL of the outcome of discussions in the Executive Committee on inviting the UN or ITU – CBP

16. Thank the Polish DPA for indicating their willingness to host the 35th International Conference and inform him they are the only candidate as far as we know – **CBP**
17. Send an e-mail to all members of the ICDPPC updating them on the closed session – **CBP**
18. Schedule the next conference call for 6 June 4 PM Washington time – **CBP&FTC**
19. Inform Chantal Bernier that we will put the issues of public safety measures on the agenda of the closed session and ask her to draft an accompanying Resolution – **CBP**
20. Inform “privacy law and business” according to the discussions during the Executive Committee meeting – **IFAI**