

**International Conference of Data Protection and Privacy
Commissioners
Executive Committee**

3rd meeting – March 27/28 2012
Conference Call

Minutes

Attendance:

CBP (NL): Jacob Kohnstamm, Paul Breitbarth, Dominique Hagenauw
FTC (USA): Julie Brill, Yael Weinman, Markus Heyder
IFAI (Mexico): Jacqueline Peschard, Alfonso Oñate
OAIC (Australia): Timothy Pilgrim
AGESIC (Uruguay): José Clastornik, Federico Monteverde, Virginia Pardo and Maria Viega

**1. a. Adoption agenda
b. Adoption minutes 1st meeting**

As to the action list, the following was agreed:

- FTC will resend the preliminary names for their delegation in order to make hotel reservations **[Action]**
- FTC notes there is another update needed for the Rules of Procedure, since not all amendments agreed upon in Mexico have been included (especially regarding the advance circulation of legally or technically complex conference resolutions). The notes of the Closed Session 2011 need to be checked in this regard. **[Action]**
- CBP will present a proposal for a permanent website at the Montréal meeting of the Executive Committee. **[Action]**

2. 34th International Conference (Uruguay)

The Conference Website will be available in the week of 16 April. Any documents that need to be on the site can be sent to AGESIC so they can be included on the site. **[Action]**

AGESIC informs the Committee that the agenda for the open session will be finalised on 30 March by the Privacy Board of its agency. The title for the Conference is: "Privacy and Technology in Balance". The draft agenda looks as follows:

1st day (Tuesday)

Opening session

Plenary – New tendencies in the information society on personal data

Plenary - Data protection & e-government

Panels - open government, geolocation, health, governance & dissemination tools
Panels - forensic tools, cooperation tools

2nd day (Wednesday)

Panels – OBA, biometrics, smart data
Panels - Informal consent, fundamental rights, challenges related to piracy
Plenary - European legal framework
Plenary - Latin American personal data protection
Closing ceremony

For many of the open sessions, speakers have been confirmed. Amongst them are academics, representatives from the public and private sector and DPAs. Invitations for the Conference will be sent out in the week of 23 April. A national event will be held in the first week of May to announce the Conference again. AGESIC invites Jacob Kohnstamm to attend this event.

As to the side conferences: so far, most side conferences held last year have been reconfirmed, except for the OECD Conference. FTC suggests to also schedule a meeting of GPEN, open to all DPAs. **[Action]**

3. Decision on speakers

A number of possible speakers for the closed session have been discussed.

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

AGESIC informs the Committee about other speakers that have been approached for the open session, so there could be an overlap between the two. The names of [REDACTED] were mentioned, but AGESIC will also send round all names in an e-mail. **[Action]**

As to possible speakers for the discussion on public sector profiling, the following persons were briefly mentioned.

- [REDACTED]
- [REDACTED]

CBP and FTC will be in contact to discuss further possible speakers regarding the public sector. **[Action]**

Decisions on speakers need to be made during the Montréal meeting. The Committee agrees to steer clear of representatives of private companies that are or may be currently under investigation by a DPA.

As to costs, it was noted that the Committee has no budget and thus no possibility to fund any expenses or fees. AGESIC was requested to cover any expenses from the Conference fee and sponsor money and agreed to do so. Costs would probably be limited to expenses for travel and lodging. Payment of fees has so far not been considered.

4. Update work Executive Committee

a. Accreditations

FTC informs the Committee on the 3 pending applications:

- South Korea – Ministry of Public Administration and Security (MOPAS) filed an application in 2011, which was rejected by lack of clarity regarding independence. FTC has reached out to MOPAS to gain insight in the situation, but has not yet heard back.
- Peru – National Authority for Data Protection also filed an application in 2011, which was rejected due to the late reception. FTC has reached out to the Peru DPA as well, but not yet heard back either. This is probably due to the work currently being done on the new Peruvian data protection legislation, which is due in April 2012.
- South Korea – Personal Information Protection Commissioner (PIPC) has filed a new application that is currently being assessed by FTC. PIPC is already a member of GPEN and APPA.

FTC furthermore informs the Committee on the updated application form with references to the Mexico resolution. The document is ready to be uploaded on the Conference Website. **[Action]** It seems that also a document needs to be drafted to apply for observer status to the Conference, which the FTC has kindly offered to do. Reference to such a document is being made in the Rules of Procedure, but it doesn't yet seem to exist. **[Action]**

b. Representation

The OAIC has drafted a list of possible fora and conference where representation of the International Conference may be appropriate. However, there is only very

limited capacity to ensure attendance in person at this time. OAIC will thus not make any suggestions for additional representation now, but will draft a discussion paper for the coming Closed Session. Other DPAs could then come forward to represent the Conference at fora they already attend. For now it is decided to focus on those organisations we are already attending.

The OAIC furthermore informs the Committee on a contact with the Polish DPA, who will act as liaison to Russia and the CIS countries. France (Florence Raynal) has been requested to attend the next meeting of the APEC Data Privacy Subgroup on our behalf. Also, APEC has been requested to grant the International Conference a 3 year observer status, to avoid renewed request every year.

c. Website

The CBP had unfortunately been unable to make progress on this, due to the great amount of work the staff of the international office had to carry out to draft and have adopted the Article 29 Working Party opinion on the proposals for a new data protection legal framework presented by the European Commission at the end of January. **[Action]**

5. Host 35th International Conference

Poland is seriously considering to offer to host the 35th International Conference. The Chairman suggests the CBP also contacts the South Koreans (MOPAS) in a diplomatic way to see if they also still consider hosting a Conference in the near future, since they were a candidate last year. This would only work if MOPAS is to be accepted as a member of the Conference this year. **[Action]**

6. Next meeting

Confirmed in Montreal on 15 May in the afternoon. The OAIC will not be able to participate.

7. AOB

The Chairman will send an e-mail to all members of the Closed Session to update them on our work and the topic for the next Closed Session. The timing will be coordinated with the sending out of invitations by AGESIC. **[Action]**

Action List

1. Send details of delegation 34th Conference to AGESIC in order to confirm hotel rooms – **FTC**
2. Draft proposal for a cheap, simple and static website for the Conference – **CBP**
3. Check notes of Closed Session 2011 and update rules of procedure regarding advance distribution of complex resolutions – **FTC/IFAI**
4. Send documents to AGESIC that need to be included in the Conference Website, including previous years' resolutions and application forms - **All**
5. Formally request AGESIC to schedule GPEN side meeting – **FTC**
6. Circulate NY Times profile [REDACTED] **FTC**
7. Help AGESIC in their contacts with [REDACTED] on possible speaker slots – **FTC**
8. Distribute list of names of speakers invited for the open session – **AGESIC**
9. Draft list of names of possible speakers on public sector profiling – **FTC/CBP**
10. Draft application form for new observers – **FTC**
11. Contact MOPAS with a diplomatic letter to see if they still plan to be a candidate to host the 2013 Conference – **CBP**
12. Inform all DPAs about the progress in the Executive Committee and the topic for the Closed Session - **CBP**