

OECD with the support of the Global Privacy Assembly (GPA)

Online Workshop on **Addressing the Data Governance and Privacy Challenges in the Fight against COVID-19**

15 April 2020, 12h00-15h00 (Paris time) via Zoom

FINAL AGENDA

Attendance by invitation

As the novel coronavirus (COVID-19) is seriously affecting human lives and global economies, it presents unprecedented challenges. Governments are taking an extremely wide range of measures to contain the pandemic, protect the vulnerable, and limit community transmission. To achieve these objectives, data (including, in some cases, personal data) and data analytics are being used to better understand and control the rates and location of infections, as well as to boost the recovery and reduce the number of deaths.

Timely, secure and reliable data access and sharing – within and outside borders, and between organisations and individuals, including within the public sector or between the public and private sectors – are critical in this context. Benefits to data sharing include understanding the virus and its spread, improving the effectiveness of government policies, and fostering global co-operation in the race to develop and distribute therapies and vaccines. Data protection and privacy authorities have recognised these benefits and often proactively provided additional timely guidance to organisations and the public wherever it is most needed.

However, the worldwide response to COVID-19 has already given rise to a number of data governance and privacy challenges. For instance, concerns have been raised as the innovative use of digital technologies – particularly technologies that track population movements – combined with extensive sharing of personal data are being explored as possible avenues to contain the pandemic. Such concerns have included that these measures may disproportionately impact the privacy of individuals, while putting additional burden on data protection and privacy enforcement authorities to regulate at a time when public resources are squeezed and economies are struggling across the board.

Privacy and data protection frameworks generally facilitate data collection, analysis and sharing when it is in the interests of national security and public safety – including public health. Nevertheless, given the unprecedented circumstances, stakeholders face legal uncertainties on how to enable the collection, analysis, effective anonymisation and sharing of personal data to fight against COVID-19, while ensuring the protection of individuals' privacy.

This workshop is co-organised by the OECD Working Party on Data Governance and Privacy in the Digital Economy (WPDGP) with the support of the Global Privacy Assembly (GPA) to discuss emerging trends and early lessons learned on:

- How best to address data protection and privacy challenges in front-line responses to COVID-19;
- How to facilitate data access and sharing between organisations including within the public sector and across jurisdictions to ensure that all relevant stakeholders have the information needed, while minimising potential risks to stakeholders; and
- How to better inform and engage all stakeholders to build and reinforce data sharing partnerships and trust across society.

11:40 – 12:00	Meeting registration and check-in
12:00 – 12:15	<p>Opening and welcome remarks</p> <ul style="list-style-type: none"> • Elizabeth Denham CBE, GPA Chair and UK Information Commissioner • Andrew Wyckoff, Director for Science, Technology and Innovation, OECD
12:15 – 13:35	<p>Session 1: Data protection and privacy challenges in front-line responses to COVID-19</p> <p>This session seeks to identify practical solutions to the data protection and privacy challenges that policymakers, data protection and privacy enforcement authorities (PEAs) and other stakeholders are facing in their front-line responses to the COVID-19 pandemic. In particular, it will focus on the challenges posed by the use of digital technologies (including tracking apps and biometrics) and data collection and sharing arrangements (including through mobile geolocation data) in the fight against COVID-19.</p> <p>The session will focus on questions such as:</p> <ul style="list-style-type: none"> • What digital technologies and data collection/sharing arrangements are proving most useful in assisting governments to manage the public health crisis posed by COVID-19? What, if any, data protection and privacy challenges do they pose and what practical solutions may be available? • How can PEAs work most effectively with governments, the private sector and other stakeholders to mitigate privacy and data protection risks? What can we learn from countries, particularly in relation to voluntary or mandatory approaches to data sharing with authorities, health advice and reporting apps, contact-tracing and employee testing for COVID-19?

- What more can be done in terms of sharing best practice, international co-operation and cross-jurisdictional common approaches to address these challenges?

Moderator: Steve Wood, Deputy Commissioner (Policy), UK ICO and Chair of the WPDGP

Lead discussants [7 mins each]:

- Yves-Alexandre de Montjoye, Assistant Professor, Imperial College London (United Kingdom)
- Thomas Wiegand, Professor, Fraunhofer Heinrich-Hertz-Institut (Germany)
- Giuseppe Busia, Secretary General to the Italian DPA (Italy)
- Stephen Kai-yi Wong, Privacy Commissioner (Hong Kong, China)
- Rohit Chopra, Federal Trade Commissioner (USA)
- Barbara Bucknell, Senior Policy Analyst, Ministry of Innovation, Science and Economic Development (Canada)

Open discussion [approx. 35 mins]

13:35 – 13:40

Short break

13:40 – 14:55

Session 2: How to better inform and engage all stakeholders to build and reinforce data sharing partnerships and trust across society

Ensuring the protection of privacy and personal liberties in times of upheaval and sudden change requires a massive, co-ordinated effort from multiple stakeholders. This session seeks to explore how all stakeholders (including public, private, civil society, and individuals) can best work together to respond to the pandemic with privacy preserving initiatives.

The session will focus on questions such as:

- What practical solutions exist to better inform and engage all stakeholders to build and reinforce data sharing partnerships and trust across society?
- What actions can be taken to raise awareness among citizens of the privacy and data protection issues raised by tracking technologies and the legal basis for them? How can citizens exercise some control in relation to the choices being made in the present situation?
- Can PEAs quickly converge on a privacy checklist or set of considerations for users (including government users) to take into account when selecting, for example, a COVID-19 contact tracing or health advice app, in order to inspire greater confidence and use of such apps?

Moderator: Angelene Falk, Australian Information and Privacy Commissioner and member of the GPA Executive Committee

Lead discussants [7 mins each]:

- Effy Vayena, Co-Chair, World Health Organisation Working Group on AI and Ethics and Professor, Bioethics, ETH Zurich (Switzerland)
- Marc Rotenberg, President and Executive Director, Electronic Privacy Information Center
- Yeong Zee Kin, Deputy Commissioner, Personal Data Protection Commission (Singapore)
- Wojciech Wiewiórowski, European Data Protection Supervisor
- William Malcolm, Director, Privacy, Google, *with* Gary Davis, Global Director of Privacy & Law Enforcement Requests, Apple

Open discussion [approx. 35 mins]

Closing remarks

14:55 – 15:00

- Steve Wood, Deputy Commissioner (Policy) of the UK ICO and Chair of the OECD WPDGP