



**41<sup>st</sup> International Conference of Data Protection and Privacy Commissioners**

**Tirana, 2019**

**Closed Session Report on Proceedings**

In October 2019, the International Conference of Data Protection and Privacy Commissioners met in annual session for the 41<sup>st</sup> time. We welcomed more than 700 participants to the event across the week of Closed and Open Sessions. For the Closed Session, there were 220 participants and almost 50 speakers representing 90 data protection and privacy authorities, and many observers from various eligible sector categories.

The meeting was chaired by Elizabeth Denham, ICDPPC Executive Committee Chair and UK Information Commissioner.

**Day 1: Monday 21 October 2019**

<b>Time</b>	<b>Item</b>	<b>Notes</b>	<b>Agreed action (if any)</b>
08:50	<b>Opening Speeches</b>	<p>The day began with a series of opening and welcoming speeches from:</p> <ul style="list-style-type: none"> <li>• <b>Besnik Dervishi</b>, IDP Host Authority</li> <li>• <b>Gramoz Ruçi</b>, Chairman of the Parliament of Albania</li> <li>• <b>Elizabeth Denham CBE</b>, ICDPPC Executive Committee Chair and Information Commissioner, UK</li> </ul>	N/A.
09.15 – 10.00	<b>Governance Matters</b>	The Conference reviewed and adopted the Minutes of the 40 <sup>th</sup> Annual Meeting.	<b>Adopted: 40<sup>th</sup> <a href="#">Closed Session Minutes</a></b> adopted.

		<p>The Conference resolved to accredit 5 new member authorities and welcomed 8 organisations as new Observers.</p> <p>The Chair presented for adoption the Annual Report of the activities of the Executive Committee.</p> <p>The Chair announced the voting decisions to be taken during the Closed Session, including the election of a new Executive Committee Member and the Resolutions to be adopted by the Conference.</p>	<p><b>Adopted:</b> <a href="#">Accreditation Resolution</a> adopted.</p> <p><b>Adopted:</b> <a href="#">Annual Report 2018-2019</a></p> <p><b>Adopted:</b> The meeting adopted a formal <a href="#">voting list</a> including the new members.</p>
<p>9:45 – 11.30</p>	<p><b>Closed Session – Topic A</b></p> <p><b>Practical workshop follow up to the AI and ethics debate at the 40th Conference – From Theory to Practice</b></p>	<p>The Chair introduced the morning’s first panel session – a practical follow up to the theoretical debate on ethics and AI, which was the topic of the 40<sup>th</sup> ICDPPC Annual Meeting in Brussels.</p> <p>The session began with a <a href="#">keynote speech</a> by Dr. Ing. Konstantinos Karachalios, Managing Director, Institute of Electrical and Electronics Engineers, (IEEE).</p> <p>This was followed by a panel discussion attended by:</p> <ul style="list-style-type: none"> <li>• <b>Dr. Ing. Konstantinos Karachalios</b></li> <li>• <b>Dr. Rumman Chowdhury,</b> Managing Director, Accenture AI</li> <li>• <b>Wojciech Wiewiòrowski,</b> Acting Supervisor, European Data Protection Supervisor (EDPS)</li> </ul> <p>The panel was moderated by <b>Ali Shah</b>, ICO Head of Technology, and</p>	

		concluded with a Q&A session with the audience.	
11.30 – 12.00	<b>Networking Break</b>		<i>Continued overleaf.</i>

<p>12.00 – 13.00</p>	<p><b>Closed Session – Topic B</b></p> <ul style="list-style-type: none"> <li>• <b>Running an Effective Data Protection/ Privacy Authority</b></li> <li>• <b>ICDPPC Tools – introducing the ICDPPC New Member Welcome Kit</b></li> </ul>	<p>The ICDPPC Deputy Chair, Steve Wood, presented the new ICDPPC New Member Welcome Kit developed by the Secretariat, which was adopted by the Conference.</p> <p>The Deputy Chair thanked those members which provided valuable feedback on the New Member Welcome Kit.</p> <p>This was followed by a panel, moderated by the Deputy Chair, which focussed on the challenges data protection authorities from different regions encounter in carrying out their day-to-day duties.</p> <p>Panellists included:</p> <ul style="list-style-type: none"> <li>• <b>Marcelo Drago</b>, Past President and Current Commissioner, Chilean Transparency Council</li> <li>• <b>Patricia Poku</b>, Executive Director and Commissioner, Ghana DPC</li> <li>• <b>Hielke Hijmans</b>, Chair of the Litigation Chamber, Belgian DPA</li> </ul> <p>The second part of the session, also moderated by the ICDPPC Deputy Chair, was a panel discussion on actions that data protection authorities can take to overcome these challenges and the support available to members through the ICDPPC.</p> <p>Panellists included:</p> <ul style="list-style-type: none"> <li>• <b>Wojciech Wiewirowski</b>, Acting Supervisor, EDPS, EU</li> </ul>	<p><b>Adopted:</b> <a href="#">Welcome Kit</a>.</p>
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		<ul style="list-style-type: none"> <li>• <b>Gregory Smolynec</b>, Deputy Privacy Commissioner of Policy and Promotion, OPC Canada</li> <li>• <b>Besa Tauzi</b>, Adviser to the Commissioner, IDP Albania</li> </ul> <p>Both sessions concluded with a Q &amp; A with the audience.</p>	
13.00 – 14.15	<b>Lunch Break</b>		
	<p>During the lunch break, a lunch break-out session was held as a continuation to the 12.00 noon session on the practical day-to-day management strategies for running an effective DPA/privacy authority. The session was led by two members of the Executive Committee, EDPS and OPC Canada, with assistance from Hielke Hijmans of the Belgian DPA. This was attended by 40 representatives of various member DPAs from most global regions.</p>		
14.15 – 16.15	<p><b>Closed Session – Topic C</b></p> <p><b>Future of the Conference Matters</b></p>	<p>The session was introduced by the ICDPPC Chair Authority, representative Steve Wood. The discussion unfolded as follows:</p> <ul style="list-style-type: none"> <li>• presentation by Francisco Javier Acuña Llamas from INAI (Mexico) on the Conference new name and visual identity.</li> <li>• presentation by Daniel Therrien from OPC Canada on the Articulation between the Open and</li> </ul>	<p><b>Adopted:</b> New Name – Global Privacy Assembly – and Logo adopted (to be launched after the conference). CNIL requested a sub-title clearly identifying the Assembly as a forum of data protection and privacy authorities to be added in relevant documents and the website. This was agreed by the Conference.</p> <p>The Conference endorsed the papers with the following amendments:</p> <ul style="list-style-type: none"> <li>- inclusion of Convention 108 + as point of reference for the assessment of independence in the</li> </ul>

		<p>Closed Session and the Background Document on the Interpretation of the Autonomy and Independence Criteria.</p> <ul style="list-style-type: none"> <li>• presentation by Steve Wood from the ICO on the proposal for the establishment of the ICDPPC Reference Panel, Plans for the establishment of a Stable Secretariat and paper on the Creation of an ICDPPC Secure Online Platform.</li> </ul>	<p>Background document paper;</p> <ul style="list-style-type: none"> <li>- toning down the language in the paper on the articulation between the closed and open sessions in order to make it less prescriptive;</li> <li>- reviewing recommendations 1 and 5 to ensure they are presented as 'desirable' and left at the discretion of the Host authority.</li> </ul> <p>The Conference endorsed:</p> <ul style="list-style-type: none"> <li>- the paper on the ICDPPC Reference Panel with no amendments;</li> <li>- the paper on the creation of the Secure Online Platform with no amendments.</li> </ul> <p>The CNIL requested that the paper on the plans for the establishment of a stable Secretariat be expanded to include a comprehensive analysis on the creation of the Secretariat as a separate legal entity.</p>
<p>16.15 – 16.45</p>	<p><b>Networking Break</b></p>		
<p>16.45 – 17.30</p>	<p><b>Presentations from the ICDPPC Working Groups</b></p>	<p>The following ICDPPC working groups gave presentations on their activities to the Conference:</p>	

		<ul style="list-style-type: none"> <li>• <a href="#">Digital Education</a> (DEWG) – <i>Presentation by the Working Group Coordinator, CNIL, France</i></li> <li>• <a href="#">International Enforcement Cooperation</a> (WGIEC) – <i>Presentation by the Dutch Data Protection Authority (AP) and the UK Information Commissioner’s Office (ICO)</i></li> <li>• <a href="#">AI/Ethics</a> (AI WG) – <i>Presentation by the Co-chairs of the Working Group: EDPS; CNIL, France; PCPD, Hong Kong</i></li> <li>• <a href="#">Digital Consumers and Citizens</a> (DCCWG) – <i>Presentation by the Co-chairs of the Working Group: OPC Canada and OAIC Australia</i></li> <li>• <a href="#">Data Metrics</a> (DMWG) – <i>Presentation by the Chair of the Working Group, OPC New Zealand</i></li> </ul>	
17.30 – 18.00	<b>Presentations from the ICDPPC Observers at International Organisations</b>	<p>ICDPPC member authorities which are representing the ICDPPC as Observers gave presentations about their attendance in the following fora:</p> <ul style="list-style-type: none"> <li>• Council of Europe – <i>Presentation by the CNIL, and France, EDPS</i></li> <li>• OECD – <i>Presentation by the CNIL, France</i></li> <li>• APEC – <i>Presentation by the Philippines NPC</i></li> <li>• UN Counter Terrorism Committee – <i>Presentation by the OPC Canada</i></li> </ul>	N/A.

18.00 – 18.15	<b>Presentations from the Berlin Group</b>	<b>Maja Smolczyk,</b> Berlin Commissioner for Data Protection and Freedom of Information, gave a short presentation on the recent activities of the Group.	N/A.
18.15	Due to lack of time the presentation from the ICDPPC regional, linguistic, and topic-specific networks was postponed to the following day.  <i>Continued overleaf.</i>		



Time	Item	Notes	Agreed action (if any)
09.00 – 09.30	<b>Update on UNSR activities</b>	The UN Special Rapporteur on the Right to Privacy, Prof. Joseph Cannataci, gave an <a href="#">update</a> on the UNSR activities.	
09.30 – 10.00	<b>Updates from the regional/linguistic/topic-specific networks</b>	The following regional networks gave an update to the Conference of their activities: <ul style="list-style-type: none"> <li>• African Network – <i>by the CIL, Burkina Faso</i></li> <li>• APPA – <i>by the PPC, Japan, Host APPA, 2019</i></li> <li>• EDPB – <i>by the Chair of EDPB, Austrian DPA</i></li> <li>• AFAPDP – <i>by the Chair of AFAPDP, Tunisian DPA</i></li> <li>• Ibero-American Network – <i>by the Network Chair, Uruguayan DPA</i></li> <li>• CTN – <i>by the CTN Co-chair, Ghana DPC</i></li> <li>• GPEN – <i>by OPC Canada, GPEN Committee Member</i></li> </ul>	
10.00 – 10.45	<b>Presentation of ICDPPC Policy Strategy</b>	<p>The ICDPPC Chair gave a presentation on the Conference Policy Strategy, opening by noting that the focus of the Executive Committee during the year was to deliver on the mandate agreed in Brussels in the Roadmap Resolution on the Future of the Conference to develop a new clear strategic orientation for the Conference.</p> <p>The Chair summarised the detail of the three pillars in the Policy Strategy and the plans for its implementation, including the establishment of a new Strategic Direction Sub-Committee within</p>	<b>Adopted:</b> the <a href="#">Resolution on the Conference's Strategic Direction (2019 - 2021)</a> was adopted with a minor wording amendment to Pillar 1 proposed by the Council of Europe.

		the Executive Committee to act as a 'project manager' on the Strategy Delivery and the establishment of the WG on International Enforcement Cooperation as a permanent Working Group.	
10.45 – 11.00	<b>Presentation (by video) of new international research: Privacy and International Democratic Engagement</b>	Prof. Colin Bennett, from the University of Victoria, gave a presentation on the <a href="#">report</a> , commissioned by the ICDPPC Chair, on the challenges for data protection authorities on the topics of privacy, voter surveillance and democratic engagement.	<i>(continued overleaf)</i>

<p>11.00 – 12.00</p>	<p><b>ICDPPC Resolutions</b></p>	<p>The Conference considered and adopted 5 resolutions.</p> <p>The <b>Resolution on the promotion of new and long-term practical instruments and continued legal efforts for effective cooperation in cross-border enforcement</b> was presented by ICO Deputy Commissioner, James Dipple-Johnstone. The resolution was adopted by consensus. The Turkey data protection authority intervened to request to be added to the list of co-sponsors.</p> <p>The <b>Resolution on privacy as a fundamental human right</b> was presented by Daniel Therrien, OPC Canada Privacy Commissioner. The resolution was adopted by consensus. The Chile data protection authority intervened to request to be added to the list of co-sponsors. US FTC abstained because the resolution relates to matters outside the scope of its jurisdiction.</p> <p>The <b>Resolution to support and facilitate regulatory co-operation between data protection authorities and consumer protection and competition authorities to achieve clear and consistently high standards of data protection in the Digital Economy</b> was presented by Elizabeth Hampton from the Office of the Australian Information and Privacy Commissioner and Brent Homan from OPC Canada.</p>	<p><b>Adopted:</b> <a href="#">Resolution on the promotion of new and long-term practical instruments and continued legal efforts for effective cooperation in cross-border enforcement.</a></p> <p><b>Adopted:</b> <a href="#">Resolution on privacy as a fundamental human right.</a> (US FTC abstained).</p> <p><b>Adopted:</b> <a href="#">Resolution to support and facilitate regulatory co-operation between data protection authorities and consumer protection and competition authorities to achieve clear and consistently high standards of data protection in the Digital Economy.</a></p>
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		<p>The Resolution was adopted by consensus.</p>	
		<p>The <b>Resolution to Address the Role of Human Error in Personal Data Breaches</b> was presented by Elizabeth Hampton from the Office of the Australian and Privacy Commissioner. The Resolution was adopted by consensus.</p> <p>The <b>Resolution on social media and violent extremist content online</b> was presented by John Edwards from OPC New Zealand. After some discussion about whether this kind of Resolution was aligned to the ICDPPC mission and whether it was within the remittance of all conference member data protection/privacy authorities, the Resolution was adopted by consensus.</p> <p>US FTC abstained because the resolution relates to matters outside the scope of its jurisdiction.</p> <p>The Argentina National Direction for Personal Data Protection, European Data Protection Supervisor, Italy Data Protection Commission, Portugal National Data Protection Commission and Switzerland Federal Data Protection Commissioner also abstained from this resolution.</p>	<p><b>Adopted:</b> <a href="#">Resolution to Address the Role of Human Error in Personal Data Breaches</a>.</p> <p><b>Adopted:</b> <a href="#">Resolution on social media and violent extremist content online</a>.</p> <p>(US FTC, Argentina DPA, EDPS, Italy DPA, Portugal DPA and the Swiss Federal DPA abstained).</p>

<p>12.30 – 13.00</p>	<p><b>Executive Committee 2019-2020</b></p>	<p>Raymond Liboro, ICDPPC Executive Committee Member and Privacy Commissioner of National Privacy Commission of the Philippines, introduced the candidate for the vacant seat to the Executive Committee. The candidate was Eduardo Bertoni, Director of the National Access to Public Information Agency of Argentina. Dr Bertoni gave a short oral statement in support of his candidacy. He was elected as the new member of the ICDPPC Executive Committee by consensus.</p> <p>Mr Liboro presented for adoption a clarification of the ICDPPC Conference Rules and Procedures relating to the Chair and Executive Committee tenure. The clarification was a technical amendment aimed at clarifying the process by which members of the Executive Committee, including the Chair, seek re-election as well as the procedure for stepping down should they not wish to renew their position for a second term, thereby improving transparency and organisation in the future ICDPPC Executive Committees.</p> <p>Following the adoption of the amendment, Mr Liboro introduced two candidates standing for re-election in the Executive Committee. These were Elizabeth Denham from the UK Information Commissioner’s Office and Marguerite O. Bonane, President of the Commission Nationale de l’Informatique et des Libertés Burkina Faso.</p>	<p><b>Elected:</b> The authority from Argentina was elected to the Executive Committee.</p> <p><b>Adopted:</b> <a href="#">amendment</a> to Rule 3.1. of the <a href="#">Rules and Procedures</a>.</p>
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		Both candidates were re-elected on the Executive Committee by consensus.	<b>Re- elected:</b> The authorities from Burkina Faso and the United Kingdom were re-elected to the Executive Committee as a member and ICDPPC chair respectively.
13.00 – 13.05	<b>Presentation of the 2020 Conference in Mexico</b>	A short video authored by INAI – next year’s Annual Meeting Host Authority – was shown.	.
13.05 – 13.10	<b>Announcement of the 2021 Conference Host</b>	The Chair of the ICDPPC announced the 2021 Annual Meeting Host – OPC New Zealand.	.