# GPA Closed Session 2020
## At your desk

**42nd Global Privacy Assembly Closed Session Report on Proceedings**

**13 – 15 October 2020**

In October 2020, the Global Privacy Assembly met in annual session for the 42nd time.

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

Day 1: Tuesday 13th October 2020

| Time | Item | Notes | Agreed action (if any) |
|------|------|-------|------------------------|
| 11:00 | **GPA Chair's Welcome** | The day began with a welcome from the GPA Chair which highlighted the changes 2020 brought in light of the conference and work carried out this year. The Chair highlighted continued modernisation of the GPA, collaboration and community as the values of the GPA which stood out in the current work.<br><br>Chair's Opening Remarks [link] | N/A |
| 11:15 – 11:20 | **(1.1) Accreditation of new members and observers** | New members were welcomed. The new members were subject to a Member objection procedure on accreditation prior to the start of the Closed Session. | Link to GPA 2020 Accreditation Resolution (when available) |
| 11:20 – 11.30 | **Key achievements: the three GPA strategic priorities** | **The Chair** highlighted the great progress of the SDSC before handing over for a summary of key achievements and overview of the three strategic priorities provided by **Angelene Falk,** the GPA Strategic Direction Sub-Committee Chair and Information and Privacy Commissioner, OAIC, Australia.<br><br>**The SDSC Chair** highlighted the support of fellow commissioners to ensure the GPA's Strategic Plan materialised. | N/A |

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| 11.30 – 12.45 | **(1.2) Discussion on strategic priority 1: Advancing global privacy in the digital age** | **The SDSC Chair** advised that each Working Group Chair would briefly summarise their Working Group's achievements in delivering the GPA's Strategic Plan and Policy Strategy in 2020, year 1 of the Policy Strategy, and their plans for year 2 in 2021. <br><br> 1. Policy Strategy Working Group 1 was presented by **Chair Steve Wood, Deputy Commissioner, ICO, UK** <br> 2. Policy Strategy Working Group 2 was presented by **Chair Brendan Van Alsenoy, Legal Advisor, EDPS, EU** <br> 3. Policy Strategy Working Group 3 was presented by **Chair Gregory Smolynec, Deputy Commissioner, OPC Canada** <br> 4. The International Enforcement Cooperation Working Group (IEWG) was presented by **Co-Chair James Dipple-Johnstone ICO, UK** <br> 5. Ethics and Data Protection in AI was presented by **Co-chair, Wojciech Wiewiòrowski, Supervisor, EDPS, EU** <br> 6. Digital Education Working Group by **Chair Pascale Raulin-Serrier, Head of Digital Education, CNIL, France** <br> 7. Digital Citizen and Consumer Working Group was presented by **Co-Chair Deputy Commissioner Brent Homan OPC Canada**. <br><br> **Q&A** <br><br> Emphasis was placed on human rights and privacy in this Q&A.  Discussion covered practical examples from the Digital Citizen Working Group around cooperation and collaboration of Data Protection and anti-trust authorities, including . Secondments and sharing of information; practical cooperation on approaches to videoconference apps during the Covid-19 pandemic investigation, and the strong and pragmatic informal network amongst regular authorities in different spheres. <br><br> **GPA Chair** thanked the **SDSC Chair** for the work of the SDSC, and to the working groups for all their work over the last year. She noted how their work was clearly connected to the strategic plan. | N/A |
| 12.40 – 13.00 | | **Lunch Break** | |

| | Day one (continued) | | |
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| 13:00 - 13:55 | **(1.3) Discussion on strategic priority 2: Maximising the GPA's voice and influence** | This session highlighted the GPA's external engagement in 2020 to maximise its voice and influence through the Executive Committee, Working Groups and GPA observers to external organisations. Consideration was given by **the GPA Chair** to GPA's observations of other networks' activities e.g. Council of Europe, OECD, APEC and the UN Counter-terrorism community. A presentation and discussion on the proposal for a mechanism on GPA joint statements on emerging global issues was held in advance of the core business session - Thursday 15 October - where the Draft Resolution on Joint Statements on Emerging Global Issues had been tabled for adoption. If adopted, the GPA Rules and Procedures would be updated to reflect the new changes to the GPA's voice. **SDSC Chair Angelene Falk** explained the different methods of producing joint statements which would provide the GPA with the ability to converge as a membership and provide leadership when needed via a formal mechanism. **A question was** raised about whether having an opt out solution rather than opt-in solution for statements had been considered. **GPA Chair** advised that many options had been considered and the proposal tabled balances a process to achieve a statement in an efficient and effective way. General support for the resolution was provided by multiple members. | N/A |
| 13.35 – 13.55 | **Discussion on strategic priority 3: Capacity building** | **GPA Chair** introduced this item and referenced the cooperation and support, capacity building, and practice shared by the AI Working Group which helps authorities at different stages in their own development. **Raymund Liboro, Executive Committee member, Chair of the GPA Covid-19 Taskforce and Privacy** | N/A |

| | | **Commissioner and Chairman, NPC Philippines** referenced over 3 collaborative webinars as examples. Importance of regional diversity and effective response to emerging issues were highlighted.<br><br>**Marguerite Ouedraogo Bonane, Executive Committee member and President of CIL, Burkina Faso** emphasised the protection of the rights of individuals during the health crisis, and that a programme to build capacity existed within the African Union, in collaboration with the Council of Europe. | |
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| 13.55 –14:00 | **Chair's Conclusion** | **GPA Chair** highlighted the importance of continuing progress and maintaining momentum; reflected on the achievements of the day, and ongoing practical benefits: interoperability, cooperation, valuable work with AI and children's privacy. | N/A |

| Time | Item | Notes | Agreed action (if any) |
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| 11:00 –11:10 | **GPA Chair's Welcome** | **GPA Chair** provided a short welcome and introduction to the GPA COVID-19 Taskforce, providing an emphasis on the uptake in the use of digital services, and the questions asked of the privacy community that have been a hallmark of the pandemic.<br><br>Three areas of focus were outlined; continued modernisation, collaboration and community. **GPA Chair** also acknowledged the need to celebrate achievements during this difficult period, as raised by the **SDSC Chair the previous day**. | N/A |
| 11.10 –11.25 | **(2.1) Recap of Taskforce Activities, May to September 2020** | **Commissioner Raymond Liboro, COVID-19 Taskforce Chair** provided an overview of the taskforce starting with its initial strategy.<br><br>This included progress since the first meeting in May 2020 where objectives agreed were:<br><br>1. To collate evidence and case studies.<br>2. A compendium to compile experiences, best practices and this can be updated as issues emerge.<br>3. To provide appropriate outreach to stay focussed.<br>4. Develop capacity building activities.<br>5. Engage with appropriate stakeholders to inform the regulatory response.<br>6. Develop a resolution. | N/A |
| 11.25 –11.55 | **(2.2) Presentation on Taskforce Deliverable 2** | **Privacy Commissioner, Ms. Ada Chung**, PCPD, Hong Kong (Taskforce sub-group 1 lead) provided a presentation on the deliverable to collate evidence and provide case studies of good privacy practice which emerged in the context of the COVID-19 pandemic. This has resulted in the COVID-19 Compendium of Best Practices which draws from a consultation with the GPA membership community.<br>Possibly (link to compendium pending).<br><br>**Ada Chung** also advised that the compendium document should be updated regularly. | N/A |

| | | (2.3) Presentation on Taskforce Deliverables 3 & 4 | A presentation on deliverable 3 and 4 (capacity building and other outreach activities) was provided, including how these have contributed to the advance of the GPA Strategic Objectives. | |
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| 11.55 –12.25 | | | | N/A |

A presentation on deliverable 3 and 4 (capacity building and other outreach activities) was provided, including how these have contributed to the advance of the GPA Strategic Objectives.

Significance was placed on the outreach to external stakeholders within the Webinars and the Taskforce Virtual Workshop.

**Ali Shah, ICO UK** highlighted the collective power of GPA shown at the capacity building webinar event on contact tracing solutions with senior leaders at Google and Apple. . The webinar had demonstrated how authorities should seek to rapidly understand these contact tracing solutions and be agile in supplying advice to operators on how to integrate privacy controls into the solutions compatible with differing legal frameworks around the globe.

**Angelene Falk OAIC, Australia** advised that the Taskforce has brought to fruition global cooperation during this difficult period. There were three points to take away from the July Webinar:

1. There is a diversity of roles that Data Protection Authorities play, we have a chance to pause and reflect on the unique and different roles in different contexts.
2. We must consider the universal application of key privacy and data protection principles of necessity and proportionality.
3. There is universal value for data protection in establishing community trust. Trust and transparency a common theme, in building towards a regulatory environment with high standards.

**Steve Wood as Chair of the OECD Working Party on Data Governance and Privacy** provided highlights and key points to take away from the two OECD-GPA Covid 19 Workshops this year.

**The first workshop** looked at the emerging issue of contact and location tracking, privacy by design, public consent, strategies for when public health emergency is over, what the next steps should be.

**The second workshop** reflected on lessons learned and looked ahead to new issues such as the growing importance of digital identity

| | | solutions, debates about immunity passports and certificates, the role of trust and confidence with these solutions in the future, and the role of necessity and proportionality. **Another workshop will take place next year** which will look at measurement and effectiveness of COVID-19 responses. Steve Wood highlighted the importance of GPA members coming together to have a joint understanding of how we can measure the effectiveness of these responses during the pandemic. | |
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| 12:25 - 12:40 | **Lunch break** | | |
| 12:40 - 13:10 | **(2.4) Presentation of the Draft Resolution on the Privacy and Data Protection Challenges arising from the COVID-19 Pandemic** | **Commissioner Raymund Liboro, Taskforce Chair** presented the Draft Resolution on the Privacy and Data Protection Challenges arising from the COVID-19 Pandemic prepared by the Taskforce and outlined the plans for the continuation of this work after the Closed Session.<br><br>**Taskforce Chair** addressed and responded to an outstanding issue related to the proposed resolution wording and suggested a slight amendment for adoption on 15 October. | Members were encouraged to support the resolution. |
| 13:10 - 13:50 | **(2.5) Question and Answer/ Discussion** | A Question and Answer session covered work completed to date by the Taskforce and a discussion on the r continuing privacy and data protection issues in the context of the pandemic, as have emerged from the Survey conducted by the Taskforce in June 2020.<br><br>Discussion also covered the future of the COVID-19 related work and where the GPA can collectively do more to enhance capacity building for more effective responses by individual members in the GPA membership community to the COVID-19 pandemic. This work can be pursued next year by the new Temporary Working Group, proposed to replace the Taskforce (subject to mandate granted via the Resolution on COVID-19 later in the Closed Session).<br><br>Several members issued individual comment on their agreement on the resolution and establishment of the temporary working group to take over in 2021 the work started by the Taskforce. | N/A |

| 13:50 - 14:00 | **Chair's Conclusion** | **GPA Chair** thanked members for their support, and advised that an amendment to the agenda had been made for Thursday 15 October, as the GPA reference panel discussion was extended.<br><br>The Secretariat reminded members about voting before the close of the voting poll that same day. | N/A |
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| Time | Item | Notes | Agreed action (if any) |
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| 11:00 –11:05 | **GPA Chair's Welcome** | **GPA Chair** highlighted the importance of the GPA Reference Panel proposal to be debated later in the agenda. | N/A |
| 11.05 –11.25 | **(3.1) Future of the Conference – update on remaining work** | **Paula Hothersall ICO, UK** highlighted the work this year on the Future of the Conference (FOTC) Working Group workstreams.<br><br>COVID-19 presented two obstacles to greater progress on FOTC: the GPA Census, which intended to gather necessary budgetary information was delayed due to the pandemic. The move to an online conference also reduced time available for the discussion. Some of the FOTC work was therefore postponed to 2021.<br><br>The focus for future work on a future Secretariat model for the GPA was on data gathering, exploring external funding models, a member consultation to explore barriers and overcoming those barriers – running consultation and establishing what the issues are in each jurisdiction.<br><br>Q & A highlighted challenges to overcome in the coming work on a future Secretariat model. There is a need to identify budgetary solutions, using financial information in the Census 2020. | Postponing the decision on FOTC until 2021 was agreed. |
| 11.20 – 11.40 | **(3.2) Announcement of voting results on Working Group Reports, Report of the Executive Committee 2020, and Report of the 41st Conference 2019** | The Conference considered and adopted the following reports by means of simple majority electronic vote i<br>• 3.2a version 1.0 Secretariat's Compendium of all Executive Summaries and Forward Looking Plans from those WG reports already received.<br>Reports for adoption as follows:<br>• 3.2b version 1.0 Policy Strategy Working Group Work Stream 1<br>• 3.2c version 1.0 Policy Strategy Working Group Work Stream 2<br>• 3.2d version 1.0 Policy Strategy Working Group Work Stream 3<br>• 3.2e version 1.0 International Enforcement Cooperation Working Group<br>• 3.2f version 1.0 Ethics and Data Protection in AI Working Group<br>• 3.2g version 1.0 Digital Education Working Group | All reports will be published on the GPA website here and here.<br><br>The report of the 41st Conference Closed Session was published here. |

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| | | • 3.2h version 1.0 Digital Citizen and Consumer Working Group<br>• 3.2i version 1.0 Future of the Conference Working Group<br>• 3.2j version 1.0 Data Protection Metrics Working Group<br>• 3.2k version 1.0 GPA Executive Committee Annual Report 2020<br>• 3.3l version 1.0 GPA 41st Conference Closed Session Report 2019<br><br>*The Chair presented the following report for information only* and noted the positive ongoing cooperation between the Berlin Group (IWGDPT) and the GPA.<br><br>3.2m version 1.0 Report to the GPA from the International Working Group on Data Protection in Telecommunications – Berlin Group (non-GPA Working Group) | |
| 11.40 – 12.35 | **((3.3) Discussion of Resolutions and adoption (Live vote) of Resolutions** | The Conference considered and adopted the following resolutions:<br><br>The **Facial Recognition Technology Resolution** was presented by Deputy Commissioner Steve Wood ICO, UK. The resolution was adopted by consensus.<br><br>The **Resolution on the role of personal data protection in international development aid, international humanitarian aid and crisis management** was presented by, Adrian Lobsiger, Commissioner, Federal Authority FDPIC, Switzerland. The resolution was adopted by consensus.<br><br>The **Resolution on Accountability in the Development and Use of Artificial Intelligence** was presented Commissioner Ada Chung, Commissioner, Hong Kong. The resolution was adopted by consensus.<br><br>The **Resolution on Privacy and Data Protection Challenges arising in the Context COVID-19 pandemic** presented by Commissioner Raymond Liboro NPC Philippines and COVID-19 Taskforce Chair. The resolution was adopted by consensus. | Link to all resolutions adopted in 2020 here: [https://globalprivacyassembly.org/document-archive/adopted-resolutions/](https://globalprivacyassembly.org/document-archive/adopted-resolutions/) |
| 12:35 - 12:50 | | **BREAK** | |
| 12:50 - 13:20 | **3.6) New GPA Reference Panel –** | **GPA Chair** presented a revised proposal on the GPA Reference Panel to the membership following the | Members were invited to |

| | Announcement of voting results on membership list and road map | receipt of two objections to the original proposal . These objections are received immediately prior to the Conference. The revised proposal would extend the process to select Reference Panel members and involve additional GPA members from all geographical regions in the process. The revised proposal was adopted by consensus. The membership mandated the Executive Committee to form the panel as soon as possible before the 2021 conference in Mexico. | contact the Secretariat should they wish to join the extended panel selection process |
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| 13:20 - 13:35 | **(3.4) Discussion and adoption of Resolution and update of GPA Rules on GPA Voice – live vote** | The proposed procedure, developed by the GPA's Strategic Direction Sub-committee, to allow the Assembly to co-operatively work together in a proactive way throughout the year to have an active voice which promotes a global regulatory environment based on commonly held principles of data protection, was adopted by consensus. | Link to resolution: https://globalprivacyassembly.org/wp-content/uploads/2020/10/FINAL-GPA-Resolution-on-Joint-Statements-on-Emerging-Issues-EN.pdf |
| 13:35 - 13:45 | **(3.5) Executive Committee Elections - announcement of results** | **The Chair** thanked Raymund Liboro, Commissioner, Philippines NPC, for completion of his two-year term on the Executive Committee.<br><br>**Angelene Falk**, **Information and Privacy Commissioner, OAIC, Australia** was re-elected for a second term.<br><br>**Ulrich Kelber BfDI**, **Information Commissioner, Federal Republic of Germany,** was the sole candidate for the seat vacated by the Philippines and he was elected.<br><br>Both candidates were elected via simple majority electronic vote in view of the remote nature of the GPA Closed Session 2020. | |
| 13:45 - 13:50 | **Statement from Next Conference Host** | **President Commissioner Francisco Javier Acuña Llamas**, **National Institute for Transparency, Access to Information and Protection of Personal Data (INAI),** Mexico, advised of INAI's commitment to organise the next assembly in 2021. | |
| 13:50 - 14:00 | **Chair's Conclusion** | **GPA Chair** highlighted achievements, welcomed new members, and announced next steps. **GPA Chair** also thanked everyone for contributions to organising the conference. The **SDSC Chair** thanked the **GPA Chair** for her leadership and for having ensured that 2020 was an active year for the GPA despite the challenging COVID-19 circumstances. | Event press release. |