



GPA

Global Privacy Assembly

Data Protection and Other Rights and Freedoms Working Group

Working Group Report – July 2023

Chair authority: OPC Canada

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Executive Summary

The Data Protection and Other Rights and Freedoms Working Group (DPORF) began its mandate following the Global Privacy Assembly's (GPA) 41st Annual Conference in 2019, where the [Resolution on privacy as a fundamental human right and precondition for exercising other fundamental rights](#) was adopted. That resolution committed our group and its members to “developing a narrative to highlight the integral relationship of data protection to other rights and freedoms” in 2020-21. Our research of that report, consultation and writing culminated in the publication and adoption of the [Privacy and Data Protection as Fundamental Rights: A Narrative](#) at the 2021 GPA conference.

Additionally, at that same event, GPA members adopted the [Resolution on the Conference's Strategic Direction](#) which introduced our Strategic Plan for 2021-23, and set out new roles and responsibilities for all of the GPA Working Groups. As a result, the DPORF was charged with promoting the narrative and its recommendations on behalf of the GPA. In particular, we recommended strengthened protection of privacy rights at the domestic level, as well as further investment and development of existing international data protection instruments.

In the second year of our mandate, the DPORF engaged in outreach activities to promote our report and completed most remaining parallel actions identified in our two-year work plan. In terms of specific projects, over the past year:

- The working group promoted its narrative report at various international fora. Last October, the DPORF gave presentations on our efforts and accomplishments at the Association francophone des autorités de protection des données personnelles (AFAPDP) General Assembly in Tunisia and at the GPA Annual Conference in Turkey. In November, in Strasbourg, we presented before the Council of Europe Consultative Committee of the Convention for the Protection of Individuals With Regard to the Automatic Processing of Personal Data (T-PD), as well as at the Asia-Pacific Privacy Association (APPA) Conference in Singapore. Finally, this April the working group received an invitation and made presentations at the Venice Privacy Symposium.
- The DPORF developed and distributed promotional materials, including visual slides, infographics, maps, charts, speaking notes, and a pre-recorded video presentation to support our promotional efforts in communicating with a general audience. These materials were also translated into French and distributed to working group members. The promotional package was also provided to the GPA Digital Education Working Group (DEWG) for inclusion in their online resources portal.
- The DPORF strengthened relationships with civil society organizations through hosting a workshop for members with the University of Toronto's Citizen Lab on digital transnational repression.
- The DPORF presented its proposal for a GPA “privacy and human right” award before the Assembly's Executive Committee. Following this presentation, the DPORF updated its proposal and drafted a resolution to approve the award proposal at the 2023 GPA Conference in Bermuda.

- The DPORF continues to work with the United Nations’ Special Rapporteur to the Right to Privacy (“UN SRP”) to explore possibilities for joint presentation at an international venue. The working group met with the UN SRP this past February and April to discuss this possibility, and discussions are still ongoing to augment ties between the SRP work and GPA initiatives.

Introduction

The GPA has noted previously that at an international level, data protection and privacy rights are enshrined in important global instruments such as the [Universal Declaration of Human Rights](#), [Convention 108](#), and the [International Covenant on Civil and Political Rights](#). Furthermore, in many parts of the world, privacy and data protection are recognized as a fundamental right on their own, providing a crucial legal underpinning for the exercise of other rights. This recognition anchors the projects of our working group.

In 2021, at the GPA’s 43rd Annual Conference, members adopted the Assembly’s Resolution on the Assembly’s Strategic Direction, which established the GPA’s 2021-23 Strategic Plan and renamed the PSWG3 to the Data Protection and Other Rights and Freedoms Working Group. The DPORF’s mandate is taken from the Plan’s “Strategic Priority #3 (Capacity Building) Pillar 3 (Policy Focus Areas)” which is twofold:

- Consider and take forward recommendations from the adopted narrative on the integral relationship of data protection to other rights and freedoms.
- Promote the narrative with relevant stakeholders.

Working Group Members

The DPORF is chaired by the Office of the Privacy Commissioner of Canada (‘OPC Canada’) and is comprised of the following members and observers:

- Data Protection Commissioner’s Office, Albania
- The National Directorate for Personal Data Protection, Argentina
- National Data Protection Authority, Belgium
- Catalan Data Protection Authority, Catalonia, Spain
- Chilean Transparency Council
- Council of Europe
- L’Autorité de Régulation des Télécommunications, de Côte d’Ivoire
- Dubai International Financial Centre
- European Data Protection Supervisor
- European Union Fundamental Rights Agency (as observer)
- Personal Data Protection Service of Georgia
- Federal Commissioner for Data Protection and Freedom of Information, Germany

- Office of the Information Commissioner, Jersey
- Garante per la protezione dei dati personali, Italy
- National Institute for Transparency, Access to Information and Personal Data Protection, Mexico
- Institute for Access to Public Information of Mexico City
- Institute for Transparency, Access to Information and Data Protection of Michoacán
- National Center for Privacy and Data Protection, Moldova
- Commission de Contrôle des Informations Nominatives, Monaco
- Office of the Information and Privacy Commissioner, Newfoundland and Labrador, Canada
- Personal Data Protection Office, Poland
- Autorità Garante per la Protezione dei Dati Personali, Republic of San Marino
- Personal Data Commission, Senegal
- Information Regulator, South Africa
- Federal Data Protection and Information Commissioner, Switzerland
- Instance nationale de protection des données personnelles, Tunisia
- Information Commissioner's Office, United Kingdom
- Department of Justice, United States of America (as observer)
- Federal Trade Commission, United States of America (as observer)
- Office of the Victorian Information Commissioner, Victoria

Working Group Activities

Promotional Work

Following the development of an outreach strategy plan, the DPORF working group initiated its promotional work, giving presentations at various international fora. Last October, the Swiss Federal Data Protection and Information Commissioner gave a presentation on the working group's behalf at the AFAPDP General Assembly in Tunis. Later that month, the OPC Canada gave two presentations summarizing the DPORF's work at both the GPA Conference's Closed and Open Sessions. In November, the DPORF also promoted its narrative report at the Council of Europe's T-PD Consultative Committee as well as at the APPA conference. Finally, in April the Council of Europe invited the DPORF to give three presentations at the 2023 Venice Privacy Symposium.

Privacy and Human Rights Award Proposal

In addition to our promotional work, the DPORF is also advancing a resolution to approve its proposal for a GPA Privacy and Human Rights Award. Last Fall the DPORF presented its award concept to the GPA's Executive Committee ('ExCo') to seek their views, which was subsequently updated to reflect their feedback. Following this step, the DPORF was asked to develop a resolution to approve the award concept. If approved, the working group will form a sub-committee later this year to assess award candidates and determine the winner. Our hope is to present the inaugural Privacy and Human Rights Award at RightsCon in 2024.

Parallel Actions

The DPORF's workplan identified additional action items to be completed in parallel with our promotional work. These actions include developing a shareable opinion-editorial (op-ed) article on our project and holding a joint presentation alongside the UN SRP at a UN-sanctioned event. The op-ed was completed this past summer and distributed amongst working group members for publication in local media outlets. Earlier this February the DPORF met with the UN SRP to discuss the possibility of a joint presentation at the UN General Assembly. The UN SRP expressed interest in the proposal and agreed to explore the possibility of a joint presentation at an international venue, including for example the UN General Assembly. Discussions remain ongoing; however, we hope to give this presentation later this fall.

Conclusion

As of the date of writing this report (June 2023), the DPORF Working Group has largely delivered upon its current mandate with promoting its narrative report on the relationship between privacy, data protection and other fundamental rights. We would like to sincerely thank all working group members for providing vital feedback, time, and efforts to finalize the DPORF's outreach plan, the Privacy and Human Rights Award Concept Note, and the DPORF's promotional materials.