



GPA

Global Privacy Assembly

Data Protection and Other Rights and Freedoms Working Group

Working Group Report – July 2024

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, with the adoption of the [Resolution on privacy as a fundamental human right and precondition for exercising other fundamental rights](#). 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. Following this report, the DPORF was mandated with promoting the narrative and its recommendations on behalf of the GPA.

In 2023, GPA members adopted the GPA's Strategic Plan 2023-2025, establishing new roles and responsibilities for all GPA Working Groups. As a result, the DPORF was charged with building on the group's previous work of promoting the relationship between privacy and human rights. This work includes developing further linkages between privacy and other fundamental human rights, including democratic rights, as well as engaging with relevant stakeholders and facilitating discussions on this relationship. Additionally, the 2023 conference saw members adopt the DPORF's [Resolution to Approve the GPA Privacy and Human Rights Award](#). As a result, the working group's focus for much of its first year has been preparing materials to support the Privacy and Human Rights Award, including its launch on 17 June 2024.

In terms of specific projects, over the past year:

- On December 8, 2023, published a Joint Statement on the relationship between Privacy and Democratic Rights alongside the United Nations' Special Rapporteur to the Right to Privacy (“UN SRP”). This statement is [available](#) on the OPC Canada website in both English and French.
- In February 2024, the working group approved its new two-year plan in response to the GPA's Strategic Direction 2023-25.
- In June 2024, launched the GPA's Privacy and Human Rights Award.

Introduction

The GPA has previously noted 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 2023, at the GPA's 45th Annual Conference, members adopted the Assembly's Strategic Plan for 2023-2025, which renewed the DPORF's mandate. This new mandate includes the following responsibilities:

- Pilot the new GPA Privacy and Human Rights Award program for the first edition of the Award in 2024.
- Encourage GPA members to produce documents and materials on Privacy and Data Protection (PDP) and its relationship with other fundamental rights with partner organizations, including translation of existing DPORF materials into other languages.
- Engage with academic entities developing research on PDP and its relationship with other fundamental rights.
- Facilitate discussion within the PDP community on linkages to other fundamental rights.
- Encourage GPA members to develop arguments and collect evidence on the intersection between privacy and other rights.

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)
- L'Autorité pour la Protection des Données Personnelles et de la Vie Privée du Gabon
- 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
- Liechtenstein Data Protection Authority
- 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
- Commission de Contrôle des Informations Nominatives, Monaco
- Office of the Information and Privacy Commissioner, Newfoundland and Labrador, Canada
- New York City Office of Information Privacy
- 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

New Working Group Members

This year the DPORF welcomed several new members to the working group, they are:

- l'Autorité pour la Protection des Données Personnelles et de la Vie Privée (APDPVP) du Gabon
- Kosovo National Data Protection Agency
- Nigeria Data Protection Commission

Working Group Activities

Joint Statement on Privacy and Democratic Rights

In December 2023, the DPORF and UN SRP, Dr. Ana Brian Nougrères, drafted a joint statement on the relationship between privacy and democratic rights. The statement, signed by the Privacy Commissioner of Canada, Philippe Dufresne (as DPORF Chair) on the working group's behalf, notes that privacy is an essential precondition for citizens' other freedoms, as well as a keystone right for democracy. It also highlights the ways in which privacy facilitates democratic rights, including the right to expression and autonomy, and calls upon government, industry, and regulators to recognize the right to privacy and its role in the democratic process.

DPORF 2023-2025 Work Plan

The DPORF working group met virtually in February, where members were presented a copy of the DPORF's draft work plan for 2023-2025. The work plan contains action items aimed to align and advance the GPA's Strategic Direction 2023-25. Action items are grouped into three categories, (i) Privacy and Human Rights Award, (ii) promotional work, and (iii) capacity building. Following this teleconference, members adopted the DPORF's work plan for 2023-2025.

Privacy and Human Rights Award

At the 45th GPA Conference in Bermuda, members adopted the Resolution to Approve the GPA's Privacy and Human Rights Award. This resolution calls on the DPORF to establish a new GPA award focusing on the intersections of privacy, data protection, and other fundamental human rights. The DPORF's work plan identifies the action items necessary for implementing this award. This includes establishing the committee responsible for reviewing award nominations, developing the committee's mandate, and drafting a rubric used to score and rank award nomination forms. The working group also prepared all the required materials to promote the award. This includes the GPA's award webpage, email communications, and social media content. Finally, in order to make this award as accessible as possible, our working group also translated these materials into the GPA's three official languages. The Global Privacy and Human Rights Award was successfully launched on June 17 and will be accepting nominations until September 1. Following this date, the Award Selection Sub-Committee will begin reviewing award nominations and identify the award winner. Our expectation is to present the inaugural Privacy and Human Rights Award at RightsCon 2025 in Taipei, Taiwan in February 2025.

Forward-Looking Plans 2024-2025

With the successful launch of the GPA's Privacy and Human Rights Award, the DPORF will be shifting its focus towards capacity-building and promotional work. The DPORF's work plan includes actions to identify prominent privacy and human rights experts and schedule workshops to increase members' understanding of the ways in which privacy and data protection affect other fundamental human rights. The DPORF also has plans to promote its work at the 2024 GPA Conference and RightsCon 2025.

Conclusion

In the first year of its renewed mandate the DPORF working group has started to implement the GPA's Strategic Direction 2023-2025. This is shown through the working group's efforts in drafting its joint statement with the UN SRP, as well as the adoption of the working group's work plan. Most significantly, the working group successfully launched the Global Privacy and Human Rights Award. This award was originally an action item from the Policy Strategy Working Group 3's 2019 workplan and represents a key output from our working group. We would like to sincerely thank all working group members for providing vital feedback, time, and efforts in getting this award, in addition to our other initiatives, up and running.