



**GPA**

Global Privacy Assembly

# International Enforcement Working Group

Report – July 2024

## Chair Authorities:

The Office of the Data Protection Authority of Gurnsey (ODPA)

Superintendence of Industry and Commerce of Colombia (**SIC**)

Office of the Privacy Commissioner of Canada (**OPC**)

Norwegian Data Protection Authority (**Datatilsynet**)

Office of the Privacy Commissioner for Personal Data of Hong Kong (**PCPD**)



## **EXECUTIVE SUMMARY**

The International Enforcement Cooperation Working Group (IEWG) is pleased to present this report to the Global Privacy Assembly (GPA) on its activity, progress, and successes between July 2023 – July 2024.

Heading towards its fifth year in operation as a permanent Working Group of the GPA, the IEWG is co-chaired by the Office of the Privacy Commissioner of Canada, the Superintendence of Industry and Commerce of Colombia, the Norwegian Authority for data protection, the Office of the Privacy Commissioner of Hong Kong and the Office of the Data Protection Authority of Guernsey.

The IEWG's work continues to be integral to the GPA, particularly in advancing its objectives to promote and support enforcement cooperation in Pillar 2 of the Policy Strategy in the GPA Strategic Plan. To that end, the IEWG co-chairs are pleased to report that due to the interest of diversifying the contributions and members of the group, since the year 2021 the co-chairs are representatives from Europe, North America, Asia and Latin America. The IEWG continues to focus on practical activities, and this has been reflected in: (i) the publication of guides and manuals to materialize the cooperation; (ii) the development of tools that allow sharing the importance of privacy in different regions of the world and (iii) in the transfer of operational expertise and knowledge through the organization of capacity building workshops and closed enforcement sessions

The combination of tangible products has been the group's strength, such as the publication of the updated Enforcement Cooperation Handbook, the Safe Space Framework and Capacity Building Sessions, the active participation of members at the designated subgroups that have focused on Data Scraping, Credential Stuffing, AdTech, Cybersecurity etc.

Moving forward, and in line with the strategic priorities of the GPA over the next year, the IEWG will look to maintain the momentum of its work, while also broadening its scope with a continuing focus on: capacity building; further increasing the regional and linguistic diversity of the group; and exploring cooperation opportunities, within the GPA with the Digital Citizen and Consumer Working Group, as well as with other networks such as: Global Privacy Enforcement Network (GPEN), Asia Pacific Privacy Authorities (APPA), IberoAmerican Data Protection Network (RIPD) and the Organization for Economic Cooperation and Development (OECD).



## INTRODUCTION

Building on the work of previous, temporary, enforcement cooperation working groups, the International Enforcement Cooperation Working Group (IEWG) was established as a permanent working group of the Global Privacy Assembly (GPA) following the 41<sup>st</sup> Conference in Tirana in 2019. The overarching mandate of the IEWG is derived from Pillar 2 of the Policy Strategy in the [GPA's 2019-2021 Strategic Plan](#). This called for the IEWG to refresh its objective as:

“...an active group considering live issues and concerns related to enforcement, with a focus on sharing experience, tactics and approaches to tackling specific aspects, including common experience in investigating multinational companies.”

In its first year of operation as a permanent working group (2019-2020), the IEWG made good progress in working towards delivery of its mandate, as set out in its [annual report to the virtual GPA in 2020](#). Key achievements during this period include the introduction of ‘safe space’ sessions to support and encourage live enforcement cooperation, and the development of the ‘regional champions’ model to promote the work of the IEWG and increase the diversity of membership and participation in the group.

In its second year (2020-2021), the IEWG committed to build on these achievements by making substantive progress on other aspects of its work plan, including updating and refreshing practical tools to support enforcement cooperation such as the publication of the updated Enforcement Cooperation Handbook, and reaching out of other networks of data protection and privacy enforcement authorities to explore potential cooperation opportunities.

In its third year (2021-2022), the IEWG advanced the goals of its thematic sub-working groups which culminated in the publication of guidance on Credential Stuffing and in the identification of principles that should govern the use of personal information in Facial Recognition Technology. The IEWG launched the Transnational Case Map which highlights in an innovative manner enforcement cooperation activities that have a transnational impact around the world.

In its fourth year (2022-2023) the IEWG completed and/or advanced goals in its multiple work streams. The year commenced with a highly successful Capacity Building workshop held in Istanbul where DPAs exchanged strategies and experiences on managing backlogs. Further, the IEWG has held several Closed Enforcement Sessions to facilitate cooperation and strategic sharing on key global privacy priorities including: the social media platform Tik-Tok and the Large Language Model (LLM) ChatGPT. Finally, the IEWG has updated the Transnational Case Map, and delivered its strategic forward plan on the 2022 GPA Cyber-Security Resolution.

In its fifth year (2023-2024) the IEWG continue advancing in various of its goals in its multiple work streams. The Joint Statement on Data Scraping, advanced to its final stage with an elevated level of global interest and additional DPAs signing on. The statement that has received, even mentioned by the OECD “AI, DATA GOVERNANCE AND PRIVACY SYNERGIES AND AREAS OF INTERNATIONAL CO-OPERATION”<sup>1</sup>.

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<sup>1</sup> Please refer to page 23 of said document: [https://www.oecd.org/en/publications/2024/06/ai-data-governance-and-privacy\\_2ac13a42.html](https://www.oecd.org/en/publications/2024/06/ai-data-governance-and-privacy_2ac13a42.html)



With respect to Capacity Building, continuing the success of the complaints-handling workshop held in Istanbul, during GPA conference at Bermuda we had a second capacity building workshop regarding Data Breach management.

The mandate of the co-chairs was renewed with an additional authority accompanying the leadership (Guernsey DPA).

### **CO-CHAIRS & SECRETARIAT**

In October 2021, the mandate to lead this working group for the period 2022-2023 was granted to the authorities of **Norway, Canada, Hong Kong, and Colombia**. Likewise, the Secretariat's mandate was entrusted to the Superintendence of Industry and Commerce (Colombia).

With this period having elapsed, it became necessary to renew the leadership mandate of this crucial working group. Hence, in January 2024, the International Enforcement Working Group elected the Superintendence of Industry and Commerce of Colombia (SIC) as the Secretariat and the following authorities as co-chairs to serve from 2024 to 2025:

- **Canada** - Office of the Privacy Commissioner of Canada (OPC)
- **Hong Kong** - Office of the Privacy Commissioner for Personal Data (PCPD)
- **Norway** - Norwegian Data Protection Authority (Datatilsynet).
- **Guernsey** – The Office of the Data Protection Authority (ODPA)
- **Colombia** – Superintendence of Industry and Commerce (SIC)

### **WORK PLAN**

Focusing on the areas of the IEWG's work that would add most value to its members and the wider GPA, the co-chairs prioritized the following items from the IEWG's work plan for progression in 2023-2024:

- **Priority 1 – Foundations:** Lay the foundations for the IEWG and GPA to facilitate practical enforcement cooperation, focusing on organizations and issues with significant global impact on people's data protection and privacy rights.
  - Objective 1 - Develop 'safe space' enforcement cooperation framework focused on multinationals.
  - Objective 2 - Use of and evaluation of the framework in practice.
  - Objective 3 – Develop an annual “transnational case map” for authorities to use to learn from other colleague's work.
  - Objective 4 – Hold physical and virtual capacity building workshops for members to exchange experiences and perspectives on various enforcement topics.
- **Priority 2 – Tools:** Build on the previous work of the IEWG to further develop practical tools for enforcement cooperation.
  - Objective 1 – Promote and share with other members how to use the *Enforcement Cooperation Handbook*.
  - Objective 2 – Maintain and promote the enforcement cooperation repository.



- **Priority 3 - Awareness and communication:** Ensure that the IEWG has a good awareness of the global Privacy Enforcement Authority (PEA) network landscape and maintain or established mutual lines of communication and observation to coordinate and leverage activities.
  - Objective 1 – Analyze global PEA networks and make recommendations on coordination.
  - Objective 2 – Promote and strengthen the communication channels between PEAs of each region.
  - Objective 3 – Develop existing and new mutual observation agreements.
  - Objective 4 – Improve our communication outreach.
  - Objective 5 – Facilitate, to the best of our abilities and capacities, the use of different languages in the working group’s deliverables and activities.

## **WORKING GROUP ACTIVITIES**

### **GOVERNANCE MEETING**

On June 18<sup>th</sup> of 2024 the Co-Chairs of the International Enforcement Working Group convened a governance meeting with all the IEWG members.

The meeting provided a space to discuss amongst all IEWG members the status of the work that has been developing over the past two years. Additionally, it was an opportunity for all of the members to express their intention to collaborate in current lines of work within the IEWG or to propose new lines of work.

### **SAFE SPACE FRAMEWORK/CLOSED ENFORCEMENT SESSIONS**

In 2019-20, the IEWG took the first steps towards establishing itself as an active forum for enforcement cooperation on live and pressing issues. It did so through the development of safe space sessions. These provided a secured environment for IEWG members to discuss in confidence emerging privacy and enforcement matters of global impact and explore collaborative opportunities.

The framework (developed by the ICO with support from the GRA and the EDPS) documents what the safe space sessions are and how and why they’re run. It puts a structure around the sessions to make them more replicable and accessible for any IEWG member to participate or lead. It does this by:

- Establishing three principles that underlie the development of sessions:
  - Global – focusing on issues of global impact,
  - Practical – encouraging consideration of options for cooperation,
  - Inclusive – urging proactive consideration of ways to engage members.
- Setting out a flexible timetable for sessions across the year.
- Explaining how to prepare to lead a session, including selecting an appropriate topic, setting objectives for the session, carrying out research and preparing background materials.



- Describing how to run a session, including the provision of a template slide pack, and recommendations for chairing a discussion.
- Providing a process for following-up a session, including reviewing objectives, circulating a meeting note, and establishing sub-groups where appropriate.

At present, the same framework continues to be used for the Sessions; however, the terminology has changed. '*Closed enforcement session*' is the new name for the IEWG's safe space sessions, this new concept provides the same environment for IEWG members to engage in candid discussions, without losing the essence of the original Safe Space Sessions.

Our latest Closed Enforcement Session was the following:

- May 2<sup>nd</sup> of 2024 - PCPD Hong Kong's investigation against Worldcoin, along with general global enforcement case updates.

## **CAPACITY BUILDING WORKSHOPS**

The International Enforcement Cooperation Working Group ("IEWG") organized a capacity building workshop on the margins of the 45th Closed session of the Global Privacy Assembly.

During this workshop, the Data Protection Authorities of: Canada, Philippines, the United Kingdom, Guernsey, Abu Dhabi, Colombia, Hong Kong and Norway shared their experiences and strategies regarding data breaches.

The motivation for the topic stems from the fact that data breaches pose a significant threat to the privacy and security of individuals' personal information, as well as to the integrity and reputation of organizations. Data Protection Authorities (DPAs) play a critical role in safeguarding personal data and ensuring compliance with data protection laws. Hence, proactively addressing data breaches helps enforce compliance with data protection regulations. It sends a clear message to organizations about the importance of adhering to data security standards and the consequences of non-compliance. In conclusion, helping DPA address data breaches is essential to ensure compliance, and to foster a trustworthy digital environment.

Building on the success of this workshop, the IEWG is planning for a third edition at the 46th Global Privacy Assembly in Jersey, focused on "Priority Setting by DPAs".

Owing to the popularity and value of these workshops the IEWG has introduced a complementary virtual series.

. These virtual sessions aims to foster dialogue on different topics of shared global priority. The sessions will be presented as a panel of DPA who will exchange on best practices, use cases, challenges and much more. The sessions commenced in June with a well attended Breach Workshop chaired by Guernsey with panelists from Canada, Hong Kong and the new DPA in Somalia.



The topics for the additional sessions are as follows:

- **August:** Investigation and complaints
- **September:** Promotion of compliance
- **November:** International cooperation

Following these four sessions, the IEWG co-chairs will assess the success of these virtual capacity building sessions towards identifying topics for future sessions.

Following these four sessions and the workshop to be held at the 46<sup>th</sup> GPA Conference, the IEWG co-chairs will assess the success of these virtual capacity building sessions and evaluate the possibility of carrying on with more sessions in the future.

### **DATA SCRAPING**

On 24 August 2023, twelve members of the International Enforcement Working Group (IEWG) adopted a joint statement to address the issue of data scraping on social media platforms and other publicly accessible sites. The group noted that web scraping raises significant privacy concerns as it can be exploited to collect personal information in contravention of privacy laws and use it for several purposes, including monetization through reselling data to third-party websites and malicious actors, private analysis and intelligence gathering.

The joint statement: i) outlines the key privacy risks associated with data scraping; ii) sets out how social media companies (SMCs) and other websites should protect individuals' personal information from unlawful data scraping to meet regulatory expectations; and iii) provides steps that individuals can take to minimize the privacy risks from data scraping.

Since the statement was published, the IEWG members have engaged with several of the world's largest social media companies as well as other industry stakeholders under the leadership of Canada OPC, a concluding statement will be prepared and published within 2024.

The Joint Statement has received a significant amount of global media and industry attention and has been showcased at panels taking place at Global IAPP (Washington DC), the Privacy Symposium (Venice) in addition to a virtual IAPP broadcast.

The signatories of the Joint Statement are:

- Office of the Australian Information Commissioner
- Office of the Privacy Commissioner of Canada
- Information Commissioner's Office – United Kingdom
- Office of the Privacy Commissioner for Personal Data – Hong Kong, China
- Federal Data Protection and Information Commissioner – Switzerland
- Datatilsynet – Norway
- Office of the Privacy Commissioner – New Zealand
- Superintendencia de Industria y Comercio – Colombia
- Jersey Office of the Information Commissioner



- CNDP (Commission Nationale de contrôle de la protection des Données à caractère Personnel) - Morocco
- AAIP (Agency for Access to Public Information) - Argentina
- INAI (National Institute for Transparency, Access to Information and Personal Data Protection) - Mexico

## TRANSNATIONAL CASE MAP

The “Transnational Case Map” seeks to identify all the cases that IEWG members have had with transnational implications. Such cases can include administrative fines, Administrative orders or any other kind of enforcement tool that any of IEWG members have used with implications beyond its borders.

The following information can be consulted for each case:

- Jurisdiction
- Data Protection Authority
- Year in which the investigation was initiated
- Year in which the enforcement measure was imposed
- Case number / name
- Type of the institution of the data controller/processor
- Description of the case
- Enforcement tool used
- Transnational implication of the case
- Enforcement cooperation mechanisms used (if any)
- Technologies involved in the case (if any)
- Hyperlink to the case

This year, we called upon our members to submit all the cases carried out in 2023 and the first semester of 2024 that have transnational implications. The update of the map is in progress and will be published upon completion. As of the date of this report was sent, the IEWG had received 12 responses from its members.

## CYBERSECURITY

Following adoption of a [resolution on cybersecurity](#) at the 44<sup>th</sup> GPA in 2022, the IEWG undertook some exploratory activity to develop a better understanding of the remits and responsibilities of GPA members in relation to cybersecurity and explore options for cooperation, knowledge and information sharing.

Findings from this work informed recommendations for further international activity on cybersecurity which were adopted as part of the [IEWG’s Annual Working Group Report](#) at the 45<sup>th</sup> GPA in 2023. One of the recommendations was to establish a Cybersecurity Community of Practice (CoP) across the GPA and Global Privacy Enforcement Network (GPEN).

Over the last year, the IEWG has progressed delivery on this recommendation under the leadership of the ICO. Amongst other things, we have developed proposals to host the CoP on GPEN’s website and drafted Terms of Reference (ToR) for the group. The ToR sets out the group’s objectives to connect





staff specializing in cybersecurity from different authorities; enable sharing of experience and best practice; and support identification of cooperation opportunities.

Following consultation over the summer, in September we will present the ToR to GPA and GPEN members in a webinar and launch a call for members. We will also promote the CoP during the 46<sup>th</sup> GPA in Jersey in October 2024.

### **ENFORCEMENT COOPERATION HANDBOOK**

The GPA's Enforcement Cooperation Handbook was originally created in 2015 and updated in 2016. Based on contributions and experiences of members from across the GPA, it provides guidance and a common foundation for authorities wishing to engage in enforcement cooperation. It sets out: the issues an authority may face in preparing for, and engaging in, enforcement cooperation; models, approaches, and solutions to address such issues; and how to choose appropriate strategies in different circumstances.

Working with colleagues in the Digital Citizen and Consumer Working Group (DCCWG), the IEWG undertook in 2021 several activities to deliver the objective of updating the Handbook to reflect the wealth of experience gained and lessons learned through enforcement cooperation since it was last updated, both between data protection / privacy enforcement authorities and in a cross-regulatory context. This work has been undertaken by the OPC (overall lead), the SIC and the Jersey Office of Information Commissioner, with additional support from the ICO.

To better understand how the Handbook has been used by authorities, what works well and what areas of improvement there might be, the OPC developed a survey which was circulated, key findings from this analysis included:

- Most respondents indicated they had the legal and practical ability to cooperate, including in a cross-regulatory context, but there were limited concrete examples provided of cooperation on specific investigations.
- Most respondents also reported that they had not actually used the handbook to support them in cooperation enforcement projects.
- Many respondents were keen for real-world examples of how to apply the theoretical concepts encompassed in the handbook in practice.

In November, as mentioned before, the Co-Chairs will be having a capacity building workshop dedicated, among other things, to stand out the importance and usefulness of the cooperation handbook.



## **FORWARD LOOKING PLAN 2024**

Please find attached a document with the IEWG working plan for 2024-2025.

### **Conclusion**

The IEWG has evolved as an integral global enforcement forum for cooperation but impactful action. From its Closed Enforcement Sessions to its Capacity Building Workshops, to its high-impact enforcement initiatives (e.g. Data-Scraping), it has demonstrated its importance by bringing together authorities around the world to address shared global privacy risks.

Thanks to the efforts of the secretariat, to the co-chairs together with the commitment of all the members of the group, it has been possible to materialize concrete initiatives, such as:

- Publishing the Data Scraping Joint Statement.
- Updating our Transnational Map.
- Capacity building workshops on operational activities both virtually and in person.
- Delivering on the GPA's cybersecurity resolution mandates.

We commit to maintaining the momentum for this working group and continue to deliver on concrete activities that expand the members' capacities. Looking ahead, and with a renewed leadership mandate of this crucial working group the five elected co-chairs will maintain their position until December of 2025, as will the secretariat.