# International  Conference of Data Protection and Privacy Commissioners Executive Committee

2nd meeting – January 18/19, 2012
Conference Call

## Minutes

**Attendance:**

CBP (NL): Jacob Kohnstamm (Chair), Dominique Hagenauw, Paul Breitbarth
FTC (USA): Julie Brill, Yael Weinman, Markus Heyder
IFAI (MX): Alfonso Oñate, Arturo Ríos, Gabriela Archundia
OAIC (AUS): Timothy Pilgrim, Kieran Colreavy
AGESIC (UY): José Castornik, Virginia Pardo

1.  **a. Adoption agenda**
    **b. Adoption minutes 1st meeting**

    Both the agenda and the minutes are adopted without change.


2.  **34th International Conference - Update by AGESIC**

    AGESIC gives an update on the state of play regarding the 34th conference, which will take place in Punta del Este, Uruguay. AGESIC has set up a working group (20 persons) working on the preparations of the Conference. Locations seem to be in order. Conference Bureau hired for assistance.


    There may be a problem with hotel room availability at the Conference facility. To be in the main hotel where the Conference will be held, reservations need to be made as soon as possible. AGESIC can do this in advance for the members of the executive committee, but they need details regarding the number of rooms and names of the attendees. **[action]**

    There will be both an open and closed session, as well as one day for the Ibero-American authorities. Also an OECD Conference is expected to be held. The 1,5 day closed session will be on Thursday and Friday morning.

    The Conference agenda will be set up, with an emphasis on the information society in the presentations. First confirmation of speakers is the president of the Worldwide Internet Society. The Conference working group is working on approaching other speakers. Any suggestions related to the general topic are welcome.

    The Chair requests that AGESIC sends an e-mail to the committee in the coming month to further define the topic "information society" and bring some more

focus. This will help the other members of the Executive Committee to come forward with names. They promise to do so. **[action]**

3. **Update of the work of the Executive Committee**

   **a. Accreditations (FTC)**

   Last year's committee IE, HK, ES has sent the dossiers that are pending, which areMOPAS (Korea) and Peru. Korea was denied as a full member at the 33rd International Conference because of a lack of independence. Peru could not be assessed in time, since the application was filed after the deadline.

   The FTC proposes to contact the Korean agency MOPAS to discuss wether they want to pursue their application and how to address the independence issue. The CBP informed all that the Korean agency KISA was also present in Mexico City and could also be regarded as a data protection agency, so it would be valuable to explore what the relationship between the agencies is and who will and/or could (succesfully) file an application. **[action]**

   Peru will be contacted to confirm their application. **[action]** The work could probably be done within the regular timeframe. The FTC furthermore informs the Executive Committee on the accreditation form, which needs to be revised following the latest amendments adopted in Mexico. The question still is how future applicants could find the application forms; where can they befound? In any case on the next Conference's website. **[action]**

   **b. Rules of Procedure (IFAI)**

   IFAI informs that the Rules of Procedure as amended by the Conference 2011 have been uploaded to the website of that Conference (http://privacyconference2011.org/). IFAI will make sure the updated Rules are distributed in the coming two weeks to all participants of the Closed Session 2011. **[action]**

   **c. Representation (OAIC)**

   The OAIC pays tribute to Blair Stewart who has coordinated the representation of the International Conference in the past years. The Conference has been represented over the last couple of years at APEC, the Consultative Committee on Convention 108 of the Council of Europe, ISO and the OECD.

   After checking four of the eight members of the former Steering Committee[1] have so far replied they are willing to continue doing the representative work, the others have yet to answer. The CNIL (Florence Raynal) has offered to attend the APEC meeting in Moscow in February and probably also the meeting at the end of the year. The OAIC will ask for confirmation that guest status will

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[1] Carman Baggaley (CAN), Gary Davis (IE), Peter Hustinx (EDPS), Rafael Garcia (ES), Silke Harz (DE), Allan Chiang (HK), Blair Stewart (NZ), Antonio Caselli (IT)

be granted again and will also try to arrange the guest status will be given for 3 years

Canada (Steve Johnson) has been contacted to continue work on ISO. The Council of Europe and OECD representations have previously been done by the CNIL, and has been asked to continue to do so., but so far no response has been received. Poland has kindly offered to act as a liaison with regard to Russia and confederated states (of the Commonwealth of Independent States CIS). The Chair will send the address of the Commissioner to the OAIC. **[action]**

There may be other fora where representations are needed or desirable. The OAIC will draft a list of options and circulate it to the Executive Committee. **[action]**

### d. Website (CBP)

The Chair has consulted Michael Donohue and Carman Baggaley on the state of play regarding the website. The situation seems to be rather complex. It has been decided in the past the OECD would host the website. However, it has appeared the OECD is not able to do so, because they are only allowed to do so for enforcement purposes. Also, the Conference has no legal personality, so it is not possible to enter into a MoU. Finally, the language problems remain. The more languages, the more expensive the website gets.

The Chair is still considering alternative options. For now, the Committee welcomes the fact that AGESIC has offered to host a website for the 34th Conference that could be used for the coming year. The OAIC considers we may have tried to over-engineer the website and that we should consider going back to basic and just create a very basic website to at least hold and store the documentation we do have (resolutions, accreditation documents, rules of procedure, etc.), like OAIC has done for the APEC DPA's. Such a website could be hosted on the website of one of the DPAs.

IFAI informs the documents from previous Conferences will remain on the website for the time being. They will also forward them to AGESIC for this years website. **[action]** The FTC considers that an own website is still a long term goal.

The Chair proposes to see what possibilities exist for an easy to maintain, static website with limited costs. The Chair and OIAC will have a look at this and try to come up with a proposal for the next meeting. **[action]**

4. **Brainstorm possible topics for the Closed Session**

The Chair introduces the topic "profiling" as proposed by the CBP for the next Closed Session.

The OAIC has no other suggestions at this point in time, but is interested to discuss cross-border cooperation and enforcement. The paper on profiling is

however interesting. The OAIC is supportive of the topic to be discussed in the closed session. The Chair thinks we do need time in the closed session to discuss cross-border cooperation and enforcement anyway, also as a follow up to the Montréal conference.

IFAI, the FTC and AGESIC are also supportive of the idea. The Chair proposes to maybe invite ███████████████████████ who have developed a computational algorithm enhancing profiling, to the Conference for a keynote speaking slot. The article will be send around to the Executive Committee.[2] Also other suggestions for speakers are welcome. **[action]**

The Chair concludes to discuss profiling both in the private and public sector, as well as the consequences it has on data protection.

5. **Next meeting**

It has been agreed to have a meeting *en marge* of the enforcement conference in Montréal, Canada in May. The OAIC can not yet confirm his participation, but has no objections to the others meeting. He'll make sure to contribute in writing beforehand.
Furthermore, it would be good to have another conference call at the end of March to discuss progress, both on the agenda and the background information needed.

The Chair will in the coming weeks propose a date and time for the next conference call that will be scheduled at the end of March. Also, the Canadian colleagues will be contacted to see where and when the meeting in Montréal can take place. **[action]**

6. **Any other business**

AGESIC would like to receive the contact details of the people in the working groups supporting the Conference. The Chair proposes that IFAI forwards the contact details of the 2011 closed session. IFAI agrees. **[action]**

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**Action List**

1. Send details of delegation 34ᵗʰ Conference to AGESIC in order to confirm hotel rooms – all

2. Suggest names for keynote and session speakers 34th Conference to AGESIC - all

3. Contact MOPAS and KISA regarding membership application – FTC

4. Contact Peruvian DPA regarding membership application – FTC

5. Update application forms – FTC

6. Distribute updates Rules of Procedure to participants closed session 2011 – IFAI

7. Send contact details of Polish DPA to OAIC – CBP

8. Draft a list of international fora where representation of the Conference may be desirable – OAIC

9. Upload previous resolutions and general Conference documents to the 2012 Conference website - AGESIC

10. Draft proposal for a cheap, simple and static website for the Conference – CBP/OIAC

11. Suggests speakers for closed session topic "profiling" – all

12. Set date for next conference call – CBP

13. Set date for Committee meeting in Montréal upon consultation of the Canadian DPA – CBP

14. Forward contact details of closed session participants to AGESIC - IFAI