



Strasbourg, 14 November 2013

CAHDATA (2013)RAP01Abr

**AD HOC COMMITTEE ON DATA PROTECTION
(CAHDATA)**

1st meeting

Strasbourg, 12 – 14 November 2013

ABRIDGED REPORT

Directorate General of Human Rights and Rule of Law

The Ad hoc Committee on data protection (CAHDATA), set up by the Committee of Ministers under Article 17 of the Statute of the Council of Europe and in accordance with Resolution CM/Res(2011)24 on intergovernmental committees and subordinate bodies, their terms of reference and working methods, held its 1st meeting in Strasbourg on 12-14 November 2013 with Mr Seamus Carroll (Ireland) in the Chair. The list of participants¹ is set out in Appendix 1.

The CAHDATA:

1. Adopted the agenda as set out in Appendix 2 to this report;
2. Elected Seamus Carroll (Ireland) as Chair and Monique Cossali Sauvain (Switzerland) as Vice-Chair;
3. Took note of the information provided by Mr Boillat, Director General (Directorate General Human Rights and Rule of Law) and by the Secretariat in respect of the setting-up, mandate and working methods of the CAHDATA;
4. Took note of the information provided regarding the latest developments occurred in the field of data protection at the European Union (EU), the Organisation for Economic co-operation and development (OECD) and the Asia Pacific Economic Cooperation (APEC) levels;
5. Carried out an exhaustive reading of the modernisation proposals adopted by the Consultative Committee of the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (CETS 108) which will enable the production of a new working document for the second CAHDATA meeting;
6. Granted observer status to the International Committee of the Red Cross;
7. Decided to hold its second meeting in Strasbourg on 28 – 30 April 2014.

¹ 73 participants: 43 men and 30 women.

APPENDIX 1

LIST OF PARTICIPANTS

MEMBERS / MEMBRES

ALBANIA / ALBANIE (apologised / excusé)

ANDORRA / ANDORRE

Solà Amat Regina, Deputy to the Permanent Representative

ARMENIA / ARMÉNIE

Vahagn Harutyunyan, Deputy - Head of Division of Struggle against High-tech Crimes, General Department of Combat Against Organized Crime, Republic of Armenia Police

AUSTRIA / AUTRICHE

Natalie Fercher, LL.M., Federal Chancellery – Constitutional Service, Directorate Data Protection

AZERBAIJAN / AZERBAÏDJAN

Samir Akhundov, Senior specialist, Ministry of National Security of the Republic of Azerbaijan

BELGIUM / BELGIQUE

Marc Tysebaert, Directeur Législation au SPF Justice

Valérie Verbruggen, Conseiller Juridique, Commission de la protection de la vie privée, Rue Haute 139, 1000 Bruxelles

BOSNIA AND HERZEGOVINA / BOSNIE HERZEGOVINE

Vesna Pehar, Assistant Director, Department for International Cooperation and Public Relations, Personal data protection Agency

BULGARIA / BULGARIE (apologised / excusé)

CROATIA / CROATIE

Dubravka Dolenc, Deputy Director of the Personal Data Protection Agency

Sanja Silaj Zeman, Head of Department for International Cooperation and European and Legal Affairs

CYPRUS / CHYPRE

Constantinos Georgiades, Officer, Office of the Commissioner for Personal Data Protection,

CZECH REPUBLIC / RÉPUBLIQUE TCHÈQUE (apologised / excusé)

DENMARK / DANEMARK (apologised / excusé)

ESTONIA / ESTONIE

Julia Antonova, Counsellor, Ministry of Justice / Permanent Representation of Estonia to the EU

FINLAND / FINLANDE (apologised / excusé)

FRANCE

Paul Hiernard, Magistrat, Ministère des Affaires Etrangères, Chargé de mission auprès du Directeur des affaires juridiques

GEORGIA / GÉORGIE

Nino Sarishvili, Head of International Relations and Communications Department, Office of the Personal Data Protection Inspector

GERMANY / ALLEMAGNE

Rainer Stentzel, Leiter der Projektgruppe, Reform des Datenschutzes in Deutschland und Europa, Federal Ministry of the Interior

Elena Bratanova, Federal Ministry of the Interior, Project Group on Data Protection Reform in Germany and Europe, Directorate-General V (Public Law, Constitutional Law, Administrative Law)

GREECE / GRÈCE

Evaggelos Papakonstantinou, Attorney At Law

HUNGARY / HONGRIE

Gergő Kocsis, Hungarian Permanent Representation to the Council of Europe

ICELAND / ISLANDE (apologised / excusé)

IRELAND / IRLANDE

Seamus Carroll, Principal Officer, Civil Law Reform Division, Department of Justice and Equality

ITALY / ITALIE

Giuseppe Busia, Garante per la protezione dei dati personali, Secretary General

Alessandra Pierucci, Garante per la Protezione dei Dati Personali

LATVIA / LETTONIE

Jekaterina Macuka, Head of Division of Policy development and Religion Affairs, Sectorial policy department, Ministry of Justice of the Republic of Latvia

LIECHTENSTEIN (apologised / excusé)

LITHUANIA / LITUANIE

Povilas Drižas, Senior Expert of the Ministry of Justice of the Republic of Lithuania

LUXEMBOURG

Gérard Lommel, Président de la Commission Nationale pour la protection des données

MALTA / MALTE

Ingrid Camilleri B.A., Head of Legal Unit, Office of the Data Protection Commissioner

REPUBLIC OF MOLDOVA / RÉPUBLIQUE DE MOLDOVA

Nicolae Lungu, Head of the Legal Affairs Division and Public Relation for the National Center for the Data Protection

MONACO

Gabriel Revel, Adjoint au Représentant Permanent de Monaco

Isabelle Rouanet-Passeron, Conseiller Technique, Département de l'Équipement, de l'Environnement et de l'Urbanisme

MONTENEGRO

Aleksa Ivanovic, member of the Council of the Agency for Personal data Protection and Free Access to Information

NETHERLANDS / PAYS-BAS

Lotte Valkenburg, Ministry of Security and Justice, Legislation Department

Dr. Heleen L. Janssen, Senior legal specialist, Ministry of the Interior and Kingdom Relations, Department of Constitutional Affairs and Legislation

NORWAY / NORVÈGE

Mari Vindedal Strand, Higher Executive Officer, Ministry of Justice and Public Security, Legislation Department

POLAND / POLOGNE

Marcin Olender, Head of UE and International Affairs Unit, Information Society Department, Ministry of Administration and Digitization

PORTUGAL

João Pedro Cabral, Legal Adviser, Directorate General of Justice Policy, Ministry of Justice

ROMANIA / ROUMANIE

Eugen Dobreanu, 1st Secretary, Department for Legal Affairs, Ministry of Foreign Affairs of Romania

RUSSIAN FEDERATION / FÉDÉRATION DE RUSSIE

Igor Milashevskiy, Advisor to the Minister of communication and mass communications of the Russian Federation

Alexandra Aronova, Counselor of the Department for regulation of radio frequencies and communication networks, Ministry of communication and mass communications of the Russian Federation

Konstantin Kosorukov, Deputy for Legal Affairs to the Permanent Representative of the Russian Federation at the Council of Europe

SAN MARINO / SAINT MARIN

SERBIA / SERBIE

SLOVAK REPUBLIC / RÉPUBLIQUE SLOVAQUE

Stanislav Ďurina, Head of the International Relations Department, Office for Personal Data Protection of the Slovak Republic

SLOVENIA / SLOVÉNIE

Peter Pavlin, Secretary, Ministry of Justice of the Republic of Slovenia, Directorate for Legislation in the Justice Area - Department for Punitive Law and Human Rights

SPAIN / ESPAGNE

Agustín Puente Escobar, Agencia Española de Protección De Datos, State Attorney - Head of the Legal department

SWEDEN / SUÈDE

David Harrby, Legal Adviser, Division for Constitutional law, Ministry of Justice

SWITZERLAND / SUISSE

Monique Cossali Sauvain, La cheffe, Département fédéral de justice et police DFJP, Office fédéral de la justice OFJ, Domaine de direction Droit public, Unité Projets et méthode législatifs

“THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA” / « L’EX-RÉPUBLIQUE YOUGOSLAVE DE MACÉDOINE »

Igor Kuzevski, Head of Unit for Public Sector Inspection Supervision, Directorate for Personal Data Protection

TURKEY / TURQUIE

Mustafa Karakaya, Judge Rapporteur, Ministry of Justice of the Republic of Turkey

UKRAINE

Markiyam Bem, Head of the Department for Personal Data Protection of the Secretariat of the Ukrainian Parliament Commissioner for Human Rights

UNITED KINGDOM / ROYAUME-UNI

John Bowman, Head of EU Data Protection Policy, Ministry of Justice

URUGUAY

Maria José Viega, Head, Citizen Rights Division, Regulatory and Control Unit of Personal Data

PARTICIPANTS

MOROCCO / MAROC (apologised / excusé)

The Consultative Committee of Convention 108 (T-PD) / Le Comité Consultatif de la Convention 108 (T-PD)

Jean-Philippe Walter, [Chair of the T-PD], Préposé suppléant, Préposé fédéral à la protection des données et à la transparence, Chancellerie fédérale

The European Committee on Legal Co-operation (CDCJ) / Le Comité européen de coopération juridique (CDCJ)

Rok Janez Šteblaj, Sektor za civilno zakonodajo, Direktorat za zakonodajo s področja pravosodja, Ministry of Justice and Public Administration, Republika Slovenija

COMMITTEE ON BIOETHICS / COMITE BIOETHIQUE (DH-BIO)

Carlos de Sola, Head of Department / Chef de Service, Council of Europe/ Conseil de l'Europe

The Data Protection Commissioner of the Council of Europe / Le Commissaire à la protection des données du Conseil de l'Europe (apologised / excusé)

European Union / Union Européenne

EUROPEAN COMMISSION / COMMISSION EUROPEENNE

Katerina Dimitrakopoulou, Policy Officer, Directorate C: fundamental rights and Union citizenship, Unit C3 Data Protection

COUNCIL OF THE EUROPEAN UNION / CONSEIL DE L’UNION EUROPEENNE

Pawel Nalewajko, Fundamental Rights and Criminal Justice, DG D - Justice and Home Affairs General Secretariat of the Council of the European Union

EUROPEAN DATA PROTECTION SUPERVISOR (EDPS) / LE CONTRÔLEUR EUROPEEN DE LA PROTECTION DES DONNÉES (CEPD)

Anne-Christine Lacoste, Conseil juridique – Coordinateur, Office of the European Data Protection Supervisor (EDPS) / Bureau du Contrôleur Européen de la Protection des Données (CEPD)

Antje Prisker, Conseil juridique – Coordinateur, Office of the European Data Protection Supervisor (EDPS) / Bureau du Contrôleur Européen de la Protection des Données (CEPD)

EUROPOL

Daniel Drewer, European Police Office, Head Data Protection Office

JAPAN

Emi Maeda, Senior Specialist, Consumer Affairs Agency

Emiko Saito, Consulat, Researcher

MEXICO / MEXIQUE

Mrs Wanda Sigrid Arzt Colunga, Commissioner, Federal Institute for Access to Information and Data Protection (IFAI)

Santiago Oñate Laborde, Observateur Permanent / Permanent Observer, Mission Permanente du Mexique auprès du Conseil de l'Europe / Permanent Mission of Mexico to the Council of Europe,

UNITED STATES OF AMERICA (USA) / ETATS-UNIS D'AMERIQUE

Lara A. Ballard, Special Advisor for Privacy and Technology, U.S. Department of State

OBSERVERS / OBSERVATEURS

BENIN

Gnamy Giono Morel, Premier Secrétaire à l'Ambassade du Bénin à Paris chargé de la Communication des Affaires Culturelles, Scientifiques et Techniques

BURKINA FASO

Ouedraogo Ahmed Hissène Ange Marie Noël, Directeur des Affaires juridiques, Directeur des Affaires Juridiques et du Contentieux de la Commission de l'informatique et des libertés

SENEGAL / SÉNÉGAL (apologised / excusé)

TUNISIA / TUNISIE

Mohamed Kadhem Zinelabidine, Magistrat, Membre permanent auprès de l'Instance Nationale de Protection des Données Personnelles

FRENCH-SPEAKING ASSOCIATION OF PERSONAL DATA PROTECTION AUTHORITIES / ASSOCIATION FRANCOPHONE DES AUTORITÉS DE PROTECTION DES DONNÉES PERSONNELLES (AFAPDP) (apologised / excusé)

INTERNATIONAL COMMISSION ON CIVIL STATUS (ICCS) / COMMISSION INTERNATIONALE DE L'ÉTAT CIVIL (CIEC)

Jonathan Sharpe

INTERNATIONAL CHAMBER OF COMMERCE (ICC) / CHAMBRE DE COMMERCE INTERNATIONALE (CCI) (apologised / excusé)

INTERNATIONAL CONFERENCE OF DATA PROTECTION AND PRIVACY COMMISSIONERS / CONFERENCE INTERNATIONALE DES COMMISSAIRES A LA PROTECTION DES DONNEES ET DE LA VIE PRIVÉE

Laurent Lim, Juriste chargé de mission, Service des affaires européennes et internationales, CNIL

ORGANISATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT (OECD) / ORGANISATION DE COOPÉRATION ET DE DÉVELOPPEMENT ÉCONOMIQUE (OCDE)
(apologised / excusé)

INTERNET SOCIETY / SOCIÉTÉ DE L'INTERNET (ISOC)

Christine Runnegar, Director, Public Policy

AFRICAN UNION (AU) / UNION AFRICAINE (UA) (apologised / excusé)

ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS) / COMMUNAUTÉ ÉCONOMIQUE DES ETATS DE L'AFRIQUE DE L'OUEST (CEDEAO) (apologised / excusé)

ASIA PACIFIC ECONOMIC COOPERATION (APEC) / COOPÉRATION ÉCONOMIQUE ASIE PACIFIQUE (APEC) (apologised / excusé)

SCIENTIFIC EXPERTS / EXPERTS SCIENTIFIQUES

Cécile de Terwangne, Professeur à la Faculté de Droit, Directrice de recherche au CRIDS (Centre de Recherches Informatique, Droit et Société), Facultés Universitaires Notre-Dame de la Paix (FUNDP)

Jean-Philippe Moïny, juriste

SECRETARIAT

**DG I – HUMAN RIGHTS AND RULE OF LAW /
DG I - DROITS DE L'HOMME ET ÉTAT DE DROIT**

Philippe Boillat, Director General / Directeur général

Media, Information Society, Data Protection and Cybercrime Department / Service des médias, de la société de l'information, de la protection des données et de la cybercriminalité

Jan Malinowski, Head/Chef de service

Data Protection and Cybercrime Division / Division de la protection des données et cybercriminalité

Alexander Seger, Head of Division/ Chef de Division

Data Protection Unit / Unité de la protection des données

Sophie Kwasny, Secretary of CAHDATA / Secrétaire du CAHDATA

Maria Michaelidou, Programme Advisor / Conseillère de programme

Szilvia Simond, Assistant / Assistante

INTERPRETERS /INTERPRETES

Nicolas Guittonneau
Sylvie Boux
Katia Di Stefano

APPENDIX 2

AGENDA

OPENING OF THE 1st CAHDATA MEETING

- I. ADOPTION OF THE AGENDA
- II. ELECTION OF THE CHAIR AND VICE-CHAIR
- III. ROLE, WORKING METHODS AND PRIORITIES OF THE CAHDATA
- IV. RECENT DEVELOPMENTS IN THE FIELD OF DATA PROTECTION
- V. MODERNISATION OF CONVENTION 108
- VI. ADOPTION OF THE LIST OF DECISIONS AND ARRANGEMENTS FOR THE NEXT MEETINGS
- VII. OTHER BUSINESS : request of observer status by the International Committee of the Red Cross