



Strasbourg, 15 October 2013

T-PD30(2013)OJ_en

**CONSULTATIVE COMMITTEE OF THE CONVENTION FOR THE PROTECTION OF
INDIVIDUALS WITH REGARD TO AUTOMATIC PROCESSING OF PERSONAL DATA
[ETS No. 108]
(T-PD)**

30th Plenary meeting

**15 October 2013 (9.30 a.m.)
18 October 2013 (4 p.m.)**

Strasbourg, Agora Building, Room G02

AGENDA

I. OPENING OF THE MEETING

II. ADOPTION OF THE AGENDA

III. STATEMENT BY THE SECRETARIAT

Mr Philippe Boillat, - Director General, General Direction of Human Rights and Rule of Law - [link to the speech](#) (French only)

- [T-PD-BUR\(2013\)RAP30Abr](#) Abridged report of the 30th meeting of the Bureau of the T-PD (28-30 May 2013)
- [T-PD-BUR\(2013\)RAP29Abr](#) Abridged report of the 29th meeting of the Bureau of the T-PD (5-7 February 2013)
- [T-PD \(2012\)RAP29Abr](#) Abridged Report of the 29th Plenary meeting of the T-PD (27-30 November 2012)
- [T-PD\(2012\)Rules](#) T-PD's rules of procedure
- [DP\(2013\)CASE LAW](#) List of ECHR judgments

(non-exhaustive)

IV. MODERNISATION OF CONVENTION 108

Required action: The T-PD will take note of the information provided by the Secretariat concerning the Ad hoc Committee (CAHDATA) and will examine the draft explanatory report and the information elements on the evaluation and follow-up mechanism.

- [T-PD-BUR\(2013\)3Rev2](#) Draft Explanatory report of the modernised version of Convention 108
- [T-PD-BUR\(2013\)02Rev3](#) Information elements on the evaluation and follow-up mechanism

Related documents:

- [CAHDATA\(2013\)ToR](#) Terms of reference of the Ad hoc Committee (CAHDATA) on Data Protection
- [T-PD\(2012\)04Rev4](#) Final document on the modernisation of Convention 108
- [T-PD\(2012\)10](#) Memorandum on introducing the concept of jurisdiction into Article 1 of Convention 108 (Update, 5/09/2012)
- [CDDH\(2012\)R75 Addendum II](#) Reply of the CDDH following the request of the T-PD Bureau concerning the modernisation of the Convention for data protection (STCE 108)
- [T-PD\(2012\)04Mos](#) Final document on the modernisation of Convention 108 (Proposals and compilation of comments received, June 2012)
- [T-PD-BUR\(2012\)01Rev2](#) Modernisation of Convention 108 : new proposals (April 2012)
- [T-PD-BUR\(2012\)03Mos](#) Compilation of the comments received on the modernisation of Convention 108 (April 2012)
- [T-PD-BUR\(2011\)01mosRev6](#) "Consultation concerning the modernisation of Convention 108: results"
- [T-PD-BUR\(2010\)09](#) Report on the lacunae of the Convention for the protection of individuals with regard to automatic processing of personal data (ETS 108) resulting from technological developments

- [T-PD-BUR\(2010\)13rev](#) *Report on the modalities and mechanisms for assessing implementation of the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (ETS 108) and its Additional Protocol*
 - [T-PD-BUR\(2011\)15](#) *Modalities for the amendment of Council of Europe treaties*
 - [T-PD-BUR\(2011\)25](#) *Secretariat Comments on the strengthening of the Convention's follow up mechanism*
- Ms Cécile de Terwangne, Professor Law Faculty, Namur University (FUNDP), CRIDS Research Director
 - Ms Marie Georges, Scientific Expert: modalities and mechanisms for assessing the implementation of Convention 108

V. DATA PROTECTION USED FOR EMPLOYMENT PURPOSES

Required action: The Committee will consider the draft revised version of the Recommendation of 1989.

- [T-PD\(2013\)09](#) *Compilation of comments received
(updated! 09 10 2013)*
- [T-PD\(2013\)05Rev](#) *Draft revised Recommendation on the protection of personal data used for employment purposes*
- [T-PD\(2013\)05rev_en](#)
Addendum *German comments (new! 15 10 2013)*

Related documents:

- [T-PD-BUR\(2010\)11FIN](#) *Study on Recommendation (89)2 on the protection of personal data used for employment purposes and to suggest proposals for the revision of the above-mentioned Recommendation by Mr Giovanni Buttarelli.*
- [Recommendation \(89\)2](#) *on the protection of personal data used for employment purposes*

VI. DATA PROTECTION AND POLICE

Required action: The Committee will examine the final report of the expert and will decide on the following work.

- Recommendation (87)15 – “Twenty-five years down the line”: Final experts’ Report **(restricted)**
- [Recommendation \(87\)15](#) of the Committee of Ministers to the member States on

regulating the use of personal data in the police sector

Mr Joseph Cannataci, Chair in European Information Policy & Technology Law, University of Groningen, Adjunct Professor SECAU Security Research Centre

VII. RECOMMENDATION ON MEDICAL DATA

Required action: The Committee will take note of the work proposals and agree on the next steps.

- [Topics for questionnaire and interviews](#) (new! 09 10 2014)
- [Recommendation N° R \(97\) 5](#) on the protection of medical data (13 February 1997)

VIII. EXPERTS' REPORTS

Required action: The Committee will take note of the draft reports prepared by the scientific experts and will decide on the necessary follow-up.

- [T-PD\(2013\)06](#) Progress report on the application of the principles of Convention 108 to the collection and processing of biometric data
Mr Paul De Hert and Mr Koen Christianen, Tilburg Institute for Law, Technology, and Society (TILT) Tilburg University
- [T-PD\(2013\)07](#) The use of the Internet & related services, private life & data protection: trends & technologies, threats & implications
Mr Douwe Korff, professor of international law at London Metropolitan University, London, UK
- [T-PD\(2013\)08](#) Nanotechnology, Ubiquitous Computing and The Internet of Things: "Challenges to Rights to Privacy and Data Protection Draft Report to the Council of Europe"
Mr Matthew Kearnes and Ms Georgia Miller, University of New South Wales

Mr Douwe Korff, Professor of international law at London Metropolitan University, UK

Mr Paul De Hert, Professor of European Criminal Law, Tilburg Institute for Law, Technology, and Society (TILT) Tilburg University

IX. OVERVIEW OF ACTIVITIES AND MAJOR DEVELOPMENTS IN THE FIELD OF DATA PROTECTION SINCE THE LAST PLENARY MEETING

Required action: The Committee will take note of the information presented and will have an exchange of views on these points.

- [T-PD\(2013\)03Mos](#) Information on the recent developments at national level in the data protection field
- [T-PD\(2013\)03Mos Addendum](#)
- [T-PD\(2013\)01Mos](#) Compilation of reports of T-PD representatives in other committees and fora as well as other events and conferences

X. DATA PROTECTION DAY

Required action: The Committee will take note of the information provided by the Secretariat.

XI. EXCHANGE OF VIEWS

Required action: The Committee will hold an exchange of views on the subject of data protection and the International Organization for Standardisation (ISO).

[“Work and Projects in ISO/IEC JTC 1/SC 27/WG 5 “Identity Management & Privacy technologies” \(new! 09 10 2014\)](#)

Mr Kai Rannenber, Deutsche Telekom Chair of Mobile Business & Multilateral Security, Goethe University Frankfurt.

XII. WORK PROGRAMME

Required action: The Committee will discuss the draft programme for 2014-2015 and finalise it.

- T-PD(2013)WP Work programme for the T-PD for 2014 and 2015
- [T-PD\(2012\)WP](#) Work programme for the T-PD for 2012 and 2013
- [Council of Europe Internet Governance Strategy \(2012-2015\)](#)

XIII. COOPERATION WITH OTHER COUNCIL OF EUROPE BODIES

Required action: The Committee will take note of the information provided.

- Steering Committee on Media and Information Society (CDMSI)
 - Conference of Council of Europe Ministers responsible for Media and Information Society, Freedom of Expression and Democracy in the Digital Age, Opportunities, Rights, Responsibilities (Belgrade, 7 and 8 November 2013)
 - Committee of Experts on Rights of Internet Users (MSI-DUI)
- European Committee on Legal Cooperation (CDCJ)
- Cybercrime Convention Committee (T-CY)

- Committee on Bioethics (DH – Bio)
- Enlarged Partial Agreement on Sport (EPAS) – Sport Conventions Division
- Council of Europe Parliamentary Assembly (PACE)
 - *Massive Eavesdropping in Europe - Motion for a Resolution*
<http://assembly.coe.int/ASP/XRef/X2H-DW-XSL.asp?fileid=20050&lang=EN>
 - [Recommendation 2024 \(2013\)](#) “National security and access to information”
 - [Resolution 1954 \(2013\)](#) “National security and access to information”
- DG PROG : Cooperation programs

XIV. OPINIONS

Required action: The Committee will examine the draft opinion and will take note of the finalised ones.

- [T-PD\(2013\)10](#) Draft Opinion on the revised Recommendation (Rec(2006)4 on research on biological materials for humans (DH-Bio)
- [T-PD\(2013\)02](#) Compilation of opinions

XV. STATE OF SIGNATURES, RATIFICATIONS AND ACCESSION

Required action: The Committee will take note of the information provided.

- [Overview Convention 108](#)
- [Overview additional Protocol](#)

XVI. OBSERVERS

Required action: The admission of a new observer will be welcomed (Australian Privacy Foundation) and it will be taken note of the information presented by the observers.

XVII. DATA PROTECTION COMMISSIONER

Required action: The Committee will take note of the information provided by the Council of Europe Data Protection Commissioner.

- [Secretary General's Regulation](#)

XVIII. CONTACT POINTS AND NATIONAL INFORMATION

Required action: The Committee will take note of the information provided by the Secretariat concerning the joint OECD-APEC-Council of Europe list of contact points and the Council of Europe web site.

XIX. NEXT MEETINGS

Required action: The Committee will take note of the proposed dates for the next meetings of the Bureau and of the Plenary meeting of the T-PD in 2014.

XX. OTHER BUSINESS

**DRAFT ORDER OF BUSINESS
(PROVISIONAL AND SUBJECT TO CHANGE IN LIGHT OF THE DISCUSSIONS)**

	15 October	16 October	17 October	18 October
<i>Opening</i>	9:30 am	9:00/ 9:30am	9:00/ 9:30am	9:00/ 9:30am
	Items I, II, III, VI, VII.	Item IV.	Item IV.	Items VIII.-X.
<i>Lunch</i>	01:00-2:30 pm	12:30/1:00 pm - 2:00/2:30 pm	12:30/1:00 pm - 2:00/2:30 pm	12:30/1:00 pm - 2:00/2:30 pm
	Item V.	Item IV.	Items IV, XI.	Items XII-XX.
<i>End</i>	6:00 pm	5:30 / 6:00 pm	5:30 / 6:00 pm	4:00 pm
<i>Informal gathering</i>	8 pm			