Council of Europe - HELP Course launch Data Protection and Privacy Rights

Data Protection and Privacy Rights

Start   Exit

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Implemented by the Council of Europe

Launch Date: 1 October 2024

Duration: 4 months

Format: online tutored course

Open to: relevant institutions from Southern Mediterranean

Language: English/Arabic with interpretation (launch event);

Arabic (course implementation)

Council of Europe HELP Certificates delivered for successful participants

Launch of the HELP regional course on

Data Protection and Privacy Rights

Concept paper and Agenda

Date	1 October 2024
Location	Online (https://us02web.zoom.us/j/84577827869)
Language	English/Arabic with simultaneous interpretation
Participation	Representatives of relevant institutions in the Southern Mediterranean region

Background

The **Council of Europe (CoE) Programme for Human Rights Education for Legal Professionals (HELP)[1]** is aimed at supporting the CoE member States in implementing the European human rights standards at the national level, focusing on the European Convention on Human Rights (ECHR), other key CoE instruments, and since 2015, EU law. This is done by raising the capacities of legal professionals to apply those instruments in their daily work. Since 2019, HELP has been progressively introduced in the co-operation in the Southern Mediterranean region.

The objective of HELP is to provide high quality education on human rights to judges, lawyers and prosecutors throughout Europe and beyond. Law enforcement authorities such as police and prison staff are also targeted by HELP. Thanks to HELP courses, legal professionals can better protect human rights on a national level and keep up to date with the ever-evolving standards and case law of the European Court of Human Rights (ECtHR).

HELP is:
1. the only pan-European Network of national training institutions for judges, prosecutors and lawyers in the 46 CoE Member States.
2. an e-learning platform with free on-line courses on human rights.
3. a human rights training methodology for legal professionals.

In the framework of the HELP in the Southern Mediterranean initiative, HELP online courses have been translated into Arabic (link here), while other HELP online courses have been adapted to the specific needs of the beneficiaries and implemented at regional or bilateral level in line with the HELP training

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[1] For more information on HELP please visit HELP's website: www.coe.int/help

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methodology. This ensures ownership of the courses developed and peer exchange through the participation of beneficiaries from the Southern Mediterranean in the HELP Network.

HELP in the Southern Mediterranean is currently implemented as part of the joint European Union/Council of Europe South Programme V whose main objective is the enlargement of a common legal space between Europe and the Southern Mediterranean region based on key CoE Conventions and standards.

One of the priority areas of the fifth phase of the South Programme is to support its partner authorities in the Southern Mediterranean region in improving the protection of personal data. This objective is pursued through several means: the development or, where appropriate, strengthening of domestic laws on the protection of personal data, in line with international standards and in particular Council of Europe Convention 108+; providing support and capacity-building to national authorities for the protection of personal data; and fostering regional cooperation between counterpart authorities. Indeed, in an ever more globalised world, and in particular in view of international economic exchanges, it is crucial that all countries reach and demonstrate a comparable level of privacy and data protection to foster a free but safe flow of personal data and respect of individuals' human rights and dignity, which are the key objectives of Convention 108+.

It is based on the significant interest demonstrated by partners in the region and needs identified at the regional level that this Course was developed with the objective of raising awareness of international standards, building capacities of professionals in the region to better tackle this issue, while also allowing for exchanges within the Southern Mediterranean region.

Outline of the HELP course on Data Protection and Privacy Rights

People can easily become victims of data protection violations brought on by the widespread use of information and communication technologies by public and private bodies. Web-based activities, direct marketing, and video surveillance account for most violations. Even when remedies exist in civil, criminal and administrative law, enforcement is not always ensured.

The right to privacy and personal data are protected both by the legal instruments developed by the Council of Europe (CoE) and the European Union (EU). Article 8 of the European Convention of Human Rights (ECHR) guarantees the right to respect for private and family life, home and correspondence. The wording of Article 7 of the EU Charter of Fundamental Rights (EU Charter) is almost identical. In addition, the EU Charter explicitly mentions in Article 8 the right to data protection, considering it as a fundamental right in itself.
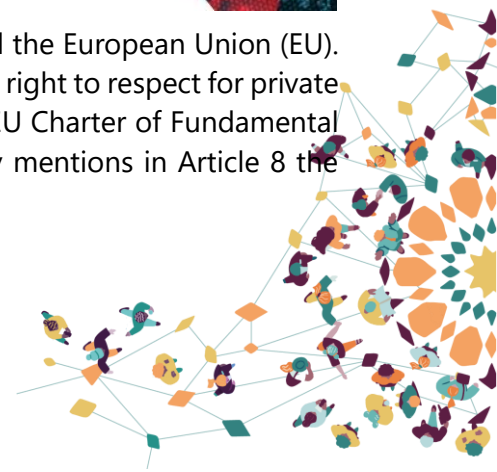
The two rights –privacy and data protection- are not absolute and may be subject to limitations. Any restrictions with regard to these rights must be made in accordance with the law, pursue legitimate aim(s) and be necessary in a democratic society.

The HELP course on Data Protection and Privacy Rights addresses this need and offers a comprehensive curriculum which covers in an interactive way the key concepts, the legal framework of the CoE and the EU (directly applicable at national level), the case law or the European Court of Human Rights (ECtHR) and of the Court of Justice of the European Union (CJEU) and specific areas of data protection. One of the key reference materials to develop this course has been the Handbook on Data Protection developed jointly by the EU FRA and the CoE together with the Registry of the ECtHR.

Existing case law on data protection and privacy rights covers topics such as medical sector, media (traditional and non-traditional), development of new technologies (i.e. GPS, drones, CCTV), e-communication and marketing, and workplace surveillance.

Course outline (Ten modules).
I. **Basic knowledge about the right to privacy and data protection**:
   1. Legal framework
   2. Key concepts
   3. Key principles
II. **Topical Areas:**
   4. **Health data**
      ✓ Protection of medical data as sensitive data (regulatory framework, main principles, jurisprudence)
      ✓ Challenges related to electronic medical records
      ✓ Anonymisation and pseudonymisation in health, clinical trials
      ✓ New technologies, wearables, internet of things in health sector
   5. **Media (traditional & non-traditional)**
      ✓ Balancing freedom of expression and the right to privacy
      ✓ Special role of media, protection of journalistic sources of information
      ✓ Challenges related to online media (managing online newspapers' archives, restrictions of access to media content via search engines, liability for the third- party content, journalistic use of unverified Internet sources)
      ✓ Personal data protection and media (journalistic exemption)
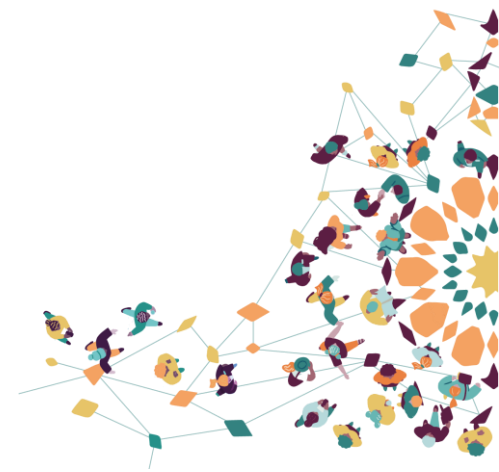   6. **E-communications & marketing**
      ✓ Confidentiality of electronic communications
      ✓ Privacy policies, cookies regime
      ✓ Profiling, selling of data
      ✓ Spam
      ✓ Data retention
      ✓ Cyber security
   7. **New technologies**
      ✓ Surveillance technology (CCTV, drones, GPS etc.)
      ✓ Internet of things, cloud computing, big data
   8. **Workplace**
      ✓ Notion of privacy in a professional field

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- ✓ Surveillance of communication in a workplace, processing employees' data (including the issue of consent)
- ✓ Protection of whistleblowers
- ✓ Professional secrecy

III. Enforcement:

9. Administrative, criminal and civil remedies
- ✓ Data subjects' rights
- ✓ Legal remedies available to victims of violations of the right to privacy/data protection (civil, criminal and administrative law regimes) and sanctions for breaches
- ✓ Role of Data Protection Authorities

10. International data flows (principles of transferring data to third countries, grounds for transferring data)

Target audience

This course is primarily addressed to representatives of data protection authorities, representatives of Government and other entities responsible for data protection and/or involved in the development of national framework for the protection of personal data. Additionally, the course can be addressed to legal professionals such as judges, prosecutors and lawyers.

The online launch

The **launch event will be held online**. Its main goal is to introduce participants to the HELP platform and the course page on which the group will follow the course with the assistance of their respective tutors. The working languages of the launch event will be **English and Arabic** with simultaneous interpretation provided. Participants will then be able to go through the tutored course in Arabic.

The course preparation and implementation

Before the online launch event, participants should create an account on the HELP e-learning platform (https://help.elearning.ext.coe.int/)

For creating your HELP account, please follow these steps:
- go to this link and fill in the form (it takes about 2 mins): https://help.elearning.ext.coe.int/login/signup.php
- once submitted, you will receive an activation link on the email you used for creating the account
- go to your email inbox and click on the link to activate your account.

VIDEO TUTORIAL
how to create a HELP account

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During the launch event, the participants will be registered on their course page, prepared in advance by their respective tutors. Over the following weeks and based on the planning set by the tutors, the participants will go through the **online course,** complemented by the additional materials and resources prepared by their respective tutors.

The participants who have successfully completed the course and passed the evaluation set by the tutors will receive **certificates issued by the HELP Programme of the Council of Europe**.

Registration

Interested participants should:

- be available to **attend the launch event.**
- undertake to **follow and complete the online tutored course** (approx. 1-2 hours of work per week)
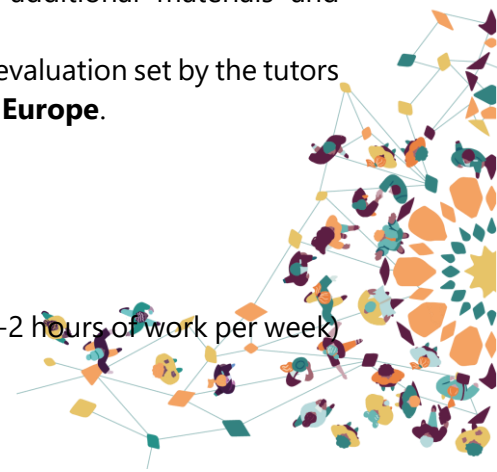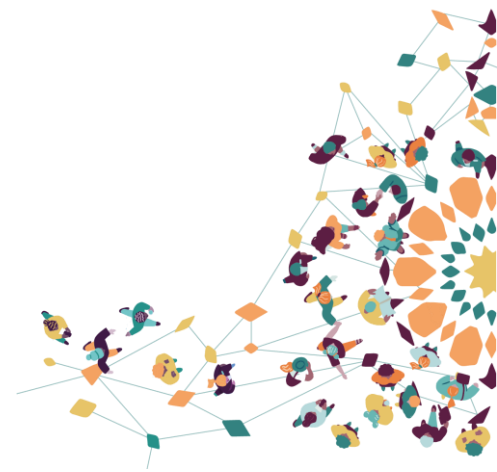
- **register** for the event.
- have a laptop/tablet/smartphone available for accessing the HELP e-learning platform.

Further information

For any information, do not hesitate to **contact the project team**:
- Imen BAHRI, Project Officer, Data Protection Unit: imen.bahri@coe.int
- Narjes TIRA, Programme Manager, HELP in the Southern Mediterranean: narjes.tira@coe.int

Agenda

UTC+1 (Alger, Rabat and Tunis time)

	Tuesday, 1 October 2024
09.15 – 09.30	Online connection Link for online participants: https://us02web.zoom.us/j/84577827869
09.30 – 09.40	**Welcome address** **Stefano DOTTO**, Head of Sector, Good Governance and Security, Directorate General for Neighbourhood and Enlargement Negotiations (DG NEAR), European Union **Pilar MORALES**, Coordinator of the Neighbourhood Policy with the Southern Mediterranean, Executive Director of the North-South Centre, Council of Europe
09.40 – 10.00	**Global data protection - overview of the main aspects** **Albina OVCEARENCO**, Head of Data Protection Unit, Council of Europe
10.00 – 10.20	**Data protection in the Southern Mediterranean region** **Chawki GADDES**, Council of Europe expert
10.20 – 10.40	**Data Protection and Privacy Rights - comparative perspective** **Pierre EL KHOURY**, HELP tutor
10.40 – 11.00	**Presentation of the HELP Programme: walk through the e-learning platform** **Valentina BOZ**, Head of Unit, Capacity building and co-operation projects – South Mediterranean region, Council of Europe
11.00 – 11.30	**The implementation of the course: presentation of the course pages, planning, evaluation** **Pierre EL KHOURY** and **Ahmed HAMOUDA**, HELP tutors
11.00 – 12.00	**Tour de table** Moderated by Council of Europe
12.00	**Q/A session and conclusions**