



Strasbourg, 29 September 2023

T-PD-BUR(2023)59RAPAbREN

**BUREAU OF THE CONSULTATIVE BUREAU OF THE CONVENTION
FOR THE PROTECTION OF INDIVIDUALS WITH REGARD TO
AUTOMATIC PROCESSING OF PERSONAL DATA**

(Convention 108)

59th meeting

Paris, 27-29 September 2023

ABRIDGED REPORT

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- Item 1 **Opening of the meeting / Statement by the Chair**
The Bureau took note of the information provided by the Chair.
- Item 2 **Adoption of the agenda**
The Bureau adopted the agenda.
- Item 3 **Statement by the secretariat**
The Bureau took note of the information provided by the secretariat.
- Item 4 **Convention 108+ state of play**
The Bureau took note of the information provided by the secretariat on signatures and ratifications of the Protocol amending Convention 108 (CETS No. 223, hereafter Convention 108+): 45 signatures, out of which 28 ratifications. In 2023, Iceland, France, Argentina, Liechtenstein, Slovakia, Slovenia, Bosnia and Herzegovina and Switzerland have ratified amending Protocol CETS No. 223, and Cabo Verde signed it. The Bureau had decided to hold another tour de table at the next plenary meeting in November 2023.
- As regards Costa Rica, the Bureau took note of the information provided by the secretariat on the latest developments regarding the procedure in Costa Rica.
- Item 5 **Model contractual clauses for the transfer of personal data**
The Bureau took note of the information provided by the rapporteur and the secretariat on the draft second module of the MCC targeting the transfer of personal data from controllers to processors, held an exchange of views, agreed on further amending the text and instructed the secretariat, together with the rapporteur, to gather written comments on the amended text for finalisation at the November T-PD plenary meeting.
- Item 6 **Interpretation of Article 11 of the modernised Convention 108**
The Bureau took note of the information provided by the rapporteur and the secretariat, held an exchange of views on the draft Guidelines, and instructed the secretariat, together with the rapporteur and the working group (GT-Art.11), to further amend the text for discussion at the next plenary meeting.
- Item 7 **Data Protection, including biometrics, within the framework of vote and elections**
The Bureau took note of the information provided by the secretariat, held an exchange of views and instructed the secretariat, with the assistance of the expert, to further amend the text and gather written comments on the amended text for discussion at the November T-PD plenary meeting.
- Item 8 **Work Programme 2022-2025**
The Bureau took note of the information provided by the secretariat, held an exchange of views and decided to propose the T-PD to start working on data protection in the context of neurosciences.
- Item 9 **Cooperation with other Council of Europe bodies and entities**
The Bureau took note of the information provided by the secretariat and Bureau members, held an exchange of views on the latest working draft of the Framework Convention on artificial intelligence, and decided to send a letter to the CAI Chair presenting the position of the Bureau on the current working draft.
- Item 10 **Developments and activities in the field of data protection**
The Bureau took note of the information provided by Bureau members and the secretariat.

- Item 11 **Council of Europe Data Protection Commissioner**
The Bureau took note of the information provided by the Commissioner notably on his latest visit to the Council of Europe.
- Item 12 **Next meetings**
The Bureau took note of the dates of the next plenary meetings to be held on 15-17 November 2023 (45th), 5-7 June 2024 (46th) and 4-6 November 2024 (47th), as well as of the next Bureau meetings on 13-14 December 2023 (60th), 13-15 March 2024 (dates to be confirmed) (61st), 11-13 September 2024 (62nd).
- Item 13 **Stefano Rodotà Award**
The Bureau took note of the information provided by the secretariat regarding the 2024 competition.
- Item 14 **Any Other Business**

APPENDIX I

ANNOTATED AGENDA

	1. Opening of the meeting
	Statement by the Chair
T-PD(2023)44RapAbr <i>Pro memoria</i>	Abridged report of the 44th Plenary meeting (14-16 June 2023)
T-PD(2023)58RapAbr <i>Pro memoria</i>	Abridged report of the 58 th Bureau meeting (22-24 March 2023)
T-PD(2021)WP2022-2025 <i>Pro memoria</i>	Work programme of the Committee 2022-2025
TPD43(2022)7 <i>Pro memoria</i>	Rules of procedure
	2. Adoption of the agenda
	3. Statement by the Secretariat
	4. Convention 108+ State of play
	Information provided by the Secretariat <u>Required action:</u> The Bureau will take note of the information provided by the Secretariat
- Consolidated text of the modernised Convention ETS No. 108 - Explanatory report - Amending protocol CETS No.223	<ul style="list-style-type: none"> • Protocol CETS No. 223 – chart of signatures and ratifications • Convention ETS No. 108 – chart of signatures and ratifications
T-PD(2020)08Rev Expert Report	Costa-Rica Information provided by the Secretariat <u>Required action:</u> The Bureau will take note of the information, will hold an exchange of views on the latest developments and decide on the necessary follow up.
	5. Model contractual clauses for transborder data flows of personal data
Model Contractual Clauses (Module 2)	Presentation by the Rapporteur and the Secretariat
Model Contractual Clauses (Module 1) Standard Contractual Clauses - EU	<u>Required action:</u> The Bureau will take note of the information provided, will hold an exchange of views and decide on the next step.

	6. Interpretation of Article 11 of the modernised Convention 108
T-PD(2021)7rev2	Information provided by the Secretariat <u>Required action:</u> The Bureau will take note of the information provided by the Secretariat, will hold an exchange of views and decide on the next step.
	7. Data Protection, including biometrics, within the framework of vote and elections
T-PD(2023)2rev1 Expert report (only in English)	Presentation by the Secretariat <u>Required action:</u> The Bureau will take note of the information provided, will hold an exchange of views on the draft document and decide on the necessary follow-up.
	8. Work Programme 2022-2025
T-PD(2021)WP2022-2025 <i>Pro memoria</i>	<u>Required action:</u> The Bureau will hold an exchange of views on the state of play of implementation of the work programme and decide on the necessary follow-up.
	9. Cooperation with other Council of Europe bodies and entities
CAI: consolidated working draft framework convention	<u>Required action:</u> The Bureau will take note of the information provided by the Bureau members and the Secretariat regarding the latest working draft.
	10. Developments and activities in the field of data protection
	<u>Required action:</u> The Bureau will take note of the information provided by the Bureau members and the Secretariat.
	11. Data Protection Commissioner
Activity report 2020-2022 <i>Pro memoria</i> CM Resolution on the new Council of Europe Regulations on the Protection of Personal Data <i>Pro memoria</i>	<u>Required action:</u> The Bureau will take note of the information provided by the Commissioner.

	12. Next meetings
	<p><u>Plenary meetings:</u> 45th Plenary: 15-17 November 2023 (Strasbourg) 46th Plenary: 5-7 June 2024 (Strasbourg) 47th Plenary: 4-6 November 2024 (Strasbourg)</p> <p><u>Bureau meetings:</u> 60th Bureau: 13-14 December 2023 61st Bureau: 13-15 March 2024 (Paris) (TBC) 62nd Bureau: 11-13 September (Paris)</p> <p><u>Required action:</u> The Bureau will take note of the information provided by the Secretariat</p>
	13. Stefano Rodotà Award
	<u>Required action:</u> The Bureau will take note of the information provided by the Secretariat on the 2024 edition.
	14. Any other business
	<u>Required action:</u> The Bureau will take note of the information provided by Bureau members and the Secretariat.

APPENDIX II

LIST OF PARTICIPANTS / LISTE DES PARTICIPANTS

BUREAU MEMBERS / MEMBRES DU BUREAU

Elsa Mein, Chair/Présidente

Caroline Gloor Scheidegger, first Vice-Chair / première Vice-présidente

Awa Ndiaye, second Vice-Chair / seconde Vice-présidente

Roxana Legezynska, Bureau member / membre du Bureau

Pablo Manuel Mateos Gascueña, Bureau member / membre du Bureau

Anamarija Mladinić, Bureau member / membre du Bureau

Gonzalo Sosa Barreto, Bureau member / membre du Bureau

Alessandra Pierucci, Former T-PD Chair / Ancien Président du T-PD

COMMITTEE MEMBERS AND DELEGATIONS / MEMBRES DU COMITÉ ET DÉLÉGATIONS

BULGARIA / BULGARIE

Kristina Radkova – Staneva, Commission for Personal Data Protection (CPDP)

FRANCE

Najma Bichara, Commission Nationale Informatique et Liberté (CNIL)

GERMANY / ALLEMAGNE

Stefan Niederer, Office of the Federal Commissioner for Data Protection and Freedom of Information

UNITED KINGDOM / ROYAUME UNI

Blandine Cassou-Mounat, Information Commissioner's Office (ICO)

OBSERVERS AND PARTICIPANTS / OBSERVATEURS ET PARTICIPANTS

Council of Europe data protection Commissioner / Commissaire à la protection des données du Conseil de l'Europe

Jean-Philippe Walter, Commissioner / Commissaire

DG Justice and Consumers, European Commission, EU, Unit 1 / DG justice et Consommateurs, Commission Européenne, UE, Unité 1

Alisa Vekeman

European Data Protection Supervisor / Contrôleur européen de la protection des données - EDPS

Claire-Agnès Margnier

**COUNCIL OF EUROPE BODIES AND SECRETARIAT /
ORGANES ET SECRETARIAT DU CONSEIL DE L'EUROPE**

Data Protection Unit / Unité de la protection des données

Isabelle Servoz-Gallucci, Secretary of the Committee / Secrétaire du Comité
Péter Kimpiàn, Programme Advisor / Conseiller de programme

Interpreters / Interprètes

Abigail Mccomish
Léa Ouedraogo