



Strasbourg, 28 September 2012

T-PD-BU(2012)RAP28Abr

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

28th T-PD Bureau Meeting

Strasbourg, 27-28 September 2012

ABRIDGED REPORT

The Bureau of the Consultative Committee of the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (T-PD-BU) held its 28th meeting in Strasbourg on 27 and 28 September 2012, with Jean-Philippe Walter (Switzerland) in the chair. The agenda, as adopted by the T-PD Bureau, and the list of participants appear in Appendices I and II respectively.

The T-PD Bureau:

1. took note of the information presented by Jan Kleijssen, Director, Information Society and Action against Crime, DGI, on the modernisation of Convention 108 and the major developments since the 28th plenary meeting of the Consultative Committee (19-22 June 2012);

2. considered the revised **proposals for modernisation of Convention 108** (document T-PD(2012)4rev of 17 September) and instructed the secretariat to review these proposals in the light of the discussions, with a view to their submission to the delegations and examination at the 29th plenary meeting (27 to 30 November 2012);

3. took note of the **request from the Kingdom of Morocco** to be invited to accede to Convention 108 and other Council of Europe conventions, and asked its secretariat to send the relevant draft opinion to the delegations, underlining the need to be part, as of now, of the wider effort to improve the effectiveness of the implementation of the convention and to allow such requests to be discussed in plenary in the future;

4. took note of the revised draft **Recommendation on the protection of personal data used for employment purposes** and asked the secretariat to send this draft to the delegations for comments and consideration at the 29th plenary meeting;

5. took note of the information provided on **future events** and personal data protection activities, in particular:

- the 34th International Conference of Data Protection and Privacy Commissioners (23-24 October, Punta del Este, Uruguay)

- the Internet Governance Forum (IGF) (6 – 9 November, Baku, Azerbaijan)

- the 4th International Workshop on data protection in international organisations (8 and 9 November, World Customs Organization, Brussels, Belgium)

- the International Telecommunication Union's World Conference on International Telecommunications (WCIT) to review the International Telecommunications Regulations (3-14 December, Dubai, United Arab Emirates);

6. took note of the co-operation between the Council of Europe and the **Agency for Fundamental Rights** in preparing a "Handbook on European data protection law";

7. took note of the request received by the secretariat concerning the current work to amend **ICANN's** ("Internet Corporation for Assigned Names and Numbers") Registrar Accreditation Agreement, and of the Article 29 group's position in this regard, and asked its secretariat to reply to the request from NCUC (Non-Commercial Users Constituency);

8. took note of the timetable for consulting the delegations about the **requests for observer status** from the Internet Society and the Personal Information Protection Commission of South Korea, and also of the information presented by the **observers**, in particular the holding of the 6th Conference of Francophone Personal Data Protection Commissioners in Monaco on 22 and 23 November 2012;

9. examined the **draft agenda for the 29th plenary** meeting and decided to invite the delegations to hold, during this forthcoming meeting, an exchange of views on the data protection issues which may arise in the context of the use of Google's services.

ANNEXE I.



Strasbourg, 17 September 2012

T-PD-BUR 28 (2012)OJ_en

**BUREAU OF THE CONSULTATIVE COMMITTEE OF THE CONVENTION FOR THE
PROTECTION OF INDIVIDUALS WITH REGARD TO AUTOMATIC PROCESSING OF
PERSONAL DATA
[ETS n° 108]**

28th meeting, Strasbourg, Agora room G01

**From 27 September 2012
– 9:30 am
to 28 September 2012 – 5
pm**

AGENDA

1. OPENING OF THE MEETING

- T-PD(2012)RAP28Abr Abridged report of the 28th Plenary meeting of the Consultative Committee (19-22 June 2012)
- T-PD(2012)RAP28 Draft Report of the 28th Plenary meeting of the Consultative Committee (19-22 June 2012)
- T-PD-BUR(2012)RAP27 Report of the 27th meeting of the Bureau of the Consultative Committee (16-18 April 2012)
- T-PD-BUR(2012)RAP26 Report of the 26th meeting of the Bureau of the Consultative Committee (6-8 February 2012)
- T-PD(2011)RAP27Abr Abridged report of the 27th Plenary meeting of the Consultative Committee (29 November-2 December 2011)
- T-PD(2012)WP Work programme of the T-PD
- T-PD(2012)Rules T-PD's rules of procedure

2. ADOPTION OF THE AGENDA

STATEMENT BY THE SECRETARIAT

Mr JAN KLEIJSSSEN, DIRECTOR, INFORMATION SOCIETY AND ACTION AGAINST CRIME

3. MODERNISATION OF CONVENTION 108

- Ms Cécile de Terwangne, Professor Law Faculty, CRID Research Director, Namur University (FUNDP): Presentation of the proposals for modification of the Convention.
- Mr Jean-Philippe Moïny, CRID Researcher (Research Center on IT, Law and Society), Namur University (FUNDP)
 - T-PD(2012)04REV
New document Final document on the modernisation of Convention 108
 - T-PD(2012)04MOS Final document on the modernisation of Convention 108
 - [T-PD-BUR\(2012\)01Rev2](#) Modernisation of Convention 108: new proposals
 - [T-PD-BUR\(2012\)03Mos](#) Compilation of comments on the modernisation of Convention 108
 - [T-PD-BUR\(2012\)01Rev](#) Modernisation of Convention 108 : new proposals
 - [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

4. OPINIONS

DRAFT OPINION

- T-PD(2012)09 Request of Morocco to accede to Convention 108
New document

FINALISED AND TRANSMITTED OPINIONS

- T-PD(2012)01 Compilation of opinions

5. OBSERVERS

- Request from the Internet Society (ISOC)

6. EVENTS AND DATA PROTECTION ACTIVITIES AS WELL AS WORK OF OTHER INTERNATIONAL ORGANISATIONS AND INSTITUTIONS: OVERVIEW

- **34TH INTERNATIONAL CONFERENCE OF DATA PROTECTION AND PRIVACY COMMISSIONERS**
(23 - 24 OCTOBER, PUNTA DEL ESTE)
 - **INTERNET GOVERNANCE FORUM (IGF)**
(6 - 9 NOVEMBER, BAKU)
 - **ITU - WORLD CONFERENCE ON INTERNATIONAL TELECOMMUNICATIONS (WCIT)**
(3-14 DECEMBER, DUBAI)
 - **AGENCY FOR FUNDAMENTAL RIGHTS – HANDBOOK ON EUROPEAN DATA PROTECTION LAW**
- T-PD-BUR(2012)02Mos Compilation of reports of T-PD representatives in other committees and fora as well as other events and conferences

7. OTHER ISSUES

- Draft recommendation on the protection of personal data used for employment purposes

[T-PD-BUR\(2010\)11FIN](#)

Study on Recommendation (89)2 on the protection of personal data used for employment purposes – propositions for the revision of the above-mentioned Recommendation by Mr Giovanni Buttarelli

[Recommendation \(89\)2](#)

- ICANN

8. NEXT MEETINGS

- Draft agenda of the 29th Plenary meeting of the T-PD (27-30 November 2012)

ANNEXE II.



Strasbourg, 28 September 2012

T-PD-BUREAU 28(2012)LP

**BUREAU OF THE CONSULTATIVE COMMITTEE OF THE CONVENTION FOR THE
PROTECTION OF INDIVIDUALS WITH REGARD TO AUTOMATIC PROCESSING OF
PERSONAL DATA
[ETS 108]**

**BUREAU DU COMITE CONSULTATIF DE LA CONVENTION POUR LA
PROTECTION
DES PERSONNES A L'EGARD DU TRAITEMENT AUTOMATISE
DES DONNEES A CARACTERE PERSONNEL
[STE n° 108]**

(T-PD-BUREAU)

LIST OF PARTICIPANTS

LISTE DES PARTICIPANTS

**DG – I Human Rights and Rule of Law
DG – I Droits de l'Homme et Etat de droit**

MEMBERS OF THE BUREAU / MEMBRES DU BUREAU

CZECH REPUBLIC / RÉPUBLIQUE TCHÈQUE

Hana Štěpánková, [*First Vice-chair*], Head of the Press Department, Spokeswoman, Office for Personal Data Protection

FRANCE

Catherine Pozzo-di-Borgo, [*Seconde Vice-présidente*], Commissaire du Gouvernement adjoint auprès de la CNIL, Secrétariat Général du gouvernement

PORTUGAL

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

SERBIA / SERBIE

Nevena Ružić, Head of Office, Commissioner for Information of Public Importance and Personal Data Protection

SPAIN / ESPAGNE

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

SWITZERLAND / SUISSE

Jean-Philippe Walter, [*Président*], Préposé fédéral à la protection des données et à la transparence (PFPDT), Chancellerie fédérale

MEMBERS OF THE T-PD / MEMBRES DU T-PD

GERMANY / ALLEMAGNE

Claudia Thomas, Desk Officer Data Protection Unit, Bundesministerium des Innern, Ref. V II

IRELAND / IRLANDE

Noreen Walsh, Civil Law Reform Division, Department of Justice and Equality

UNITED KINGDOM / ROYAUME-UNI

Daniel Johns, EU and International Data Protection Policy, Ministry of Justice

OBSERVERS / OBSERVATEURS

EUROPEAN COMMISSION / COMMISSION EUROPEENNE

Bruno Gencarelli, Directorate C: fundamental rights and Union citizenship, Unit C3 Data Protection,

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

ASSOCIATION EUROPEENNE POUR LA DEFENSE DES DROITS DE L'HOMME / EUROPEAN ASSOCIATION FOR THE DEFENSE OF HUMAN RIGHTS (AEDH)

Marise Artiguelong, Déléguée, AEDH

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

Floriane Leclercq, Chargée de mission, Commission nationale de l'informatique et des libertés

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

Laurent Lim, CNIL, Juriste chargé de mission, Service des affaires européennes et
internationale **EUROPEAN DATA PROTECTION SUPERVISOR (EDPS) / LE CONTRÔLEUR
EUROPEEN DE LA PROTECTION DES DONNÉES (CEPD)**

Alba Bosch Moline, Legal officer, European Data Protection Supervisor (EDPS)

TURKEY / TURQUIE

Izzettin Usumez, Judge, Ministry of Justice of Turkey, General Directorate of International Law
and Foreign Relations

Mustafa Taskin, Head of Department, Ministry of Justice of Turkey, General Directorate of Laws

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, Chercheur au CRIDS (Centre de Recherches Informatique, Droit et
Société), Doctorant FNRS, Facultés Universitaires Notre-Dame de la Paix (FUNDP)

SECRETARIAT

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

Human Rights Directorate / Direction des droits de l'Homme

Jörg Polakiewicz, Head of the Human Rights Policy and Development Department / Chef du
Service des politiques et du développement des droits de l'homme

**Information Society and Action against Crime Directorate / Direction de la Société de
l'Information et de la lutte contre la criminalité**

Jan Kleijssen, Director/Directeur

**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 of Media, Information Society, Data Protection and Cybercrime
Department

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

Alexander Seger, Head of Division/ Chef de Division

Sophie Kwasny, Secretary of the TPD / Secrétaire du T-PD

Nicolas Wevelsiep, Programme officer / Gestionnaire de programmes

Szilvia Simond, Assistant / Assistante

TRAINEES / STAGIAIRES

BIENIAS Michal

CDDH SECRETARIAT / SECRETARIAT CDDH

Valentina BOZ trainee/stagiaire

Stefano ANGELERI trainee/stagiaire

Fénicia GOUSSE trainee/stagiaire

INTERPRETERS / INTERPRETES

Rémy Jain

William Valk

Katia Di Stefano