



Strasbourg, 14 December 2023

T-PD-BUR(2023)60RAPAbrEN

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

(Convention 108)

60th meeting

13-14 December 2023

ABRIDGED REPORT

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- Item 1 **Opening of the meeting / Statement by the Chair and the Secretariat**
The Bureau took note of the information provided by the Chair and the secretariat.
- Item 2 **Adoption of the agenda**
The Bureau adopted the agenda.
- Item 3 **Convention 108+ state of play**
The Bureau took note of the information provided by the secretariat on the signatures and ratifications of the Protocol amending Convention 108 (CETS No. 223, hereafter Convention 108+): 46 signatures out of which, 31 ratifications. Another tour de table is scheduled at the next plenary meeting in June 2024.
- As regards Costa Rica, the Bureau took note of the information provided by the Bureau members and the secretariat on the latest developments regarding their internal process.
- Item 4 **Model contractual clauses for transborder data flows of personal data**
The Bureau took note of the information provided by the rapporteur and the secretariat on the third module of the MCC targeting the transfer of personal data from processors 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 for discussion at the March 2024 Bureau meeting in view of its finalisation and adoption at the June 2024 T-PD plenary meeting. Modules 1 and 2 can be found on the homepage of the website.
- Item 5 **Interpretation of Article 11 of modernised Convention 108**
The Bureau took note of the information provided by the rapporteur and the secretariat, 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 discussion at next meetings.
- Item 6 **Processing of personal data within the framework of vote and elections**
The Bureau took note of the information provided by the secretariat and the expert, held an exchange of views, agreed on further amending the text and instructed the secretariat, together with the expert to gather written comments on the amended text for discussion at next meetings.
- Item 7 **Data Protection in the context of neurosciences**
The Bureau took note of the information provided by the rapporteur and the secretariat, held an exchange of views, and instructed the secretariat, together with the rapporteur and experts, to start developing draft guidelines for discussion at next meetings.
- Item 8 **Cooperation with other Council of Europe bodies and entities**
The Bureau took note of the information provided by the participants and the secretariat, notably regarding the on-going drafting work of the Framework Convention on AI, CDMSI and GR-J.
- Item 9 **Developments and activities in the field of data protection**
The Bureau took note of the information provided by the participants and secretariat.

- Item 10 **Data Protection Commissioner**
The Bureau took note of the information provided by the Data Protection Commissioner regarding the end of his second mandate (June 2024) and his readiness to potentially go for an extension by one more year with a view to ensuring smooth transition considering the major on-going re-structuration in the Organisation and the expected entry into force of the amending Protocol CETS No.223. The Bureau will revert to this at its March 2024 meeting in view of the June 2024 T-PD plenary meeting.
- Item 11 **Observers**
The Bureau took note of the information provided by the observers and participants to the meeting.
- Item 12 **Next meetings**
The Bureau took note of the dates of the next plenary meetings to be held on 5-7 June 2024 (46th), 4-6 November 2024 (47th), as well as of the next Bureau meetings on 13-15 March 2024 (61st), 11-13 September 2024 (62nd).
- Item 13 **Stefano Rodotà Award**
The Bureau took note of the information provided by the secretariat on the on-going competition of the 2024 edition.
- Item 14 **Any Other Business**

ANNOTATED AGENDA

	1. Opening of the meeting
	Statement by the Chair Statement by the Secretariat
T-PD(2023)45RAPAbrEN Pro memoria	Abridged report of the 45 th Plenary meeting (15-17 November 2023)
T-PD-BUR(2023)59RAPAbr Pro memoria	Abridged report of the 59 th Bureau meeting (27-29 September 2023)
T-PD(2021)WP2022-2025 Pro memoria	Work programme of the Committee 2022-2025
TPD43(2022)7 Pro memoria	Rules of procedure
	2. Adoption of the agenda
	3. 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"> • Convention 108+: chart of signatures and ratification • Convention 108: chart of signatures and ratifications
T-PD(2020)08Rev Expert Report	Costa-Rica <u>Required action:</u> The Bureau will take note of the information provided by the secretariat, will hold an exchange of views on the latest developments and decide on the necessary follow up.
Draft Model Contractual Clauses (Module 3) Model Contractual Clauses (Module 1) Model Contractual Clauses (Module 2)	4. Model contractual clauses for transborder data flows of personal data Presentation by the rapporteur and the secretariat <u>Required action:</u> The Bureau will take note of the information provided by the rapporteur and the secretariat
	5. Interpretation of Article 11 of modernised Convention 108
T-PD(2021)7rev4	Information provided by the rapporteur and the secretariat <u>Required action:</u> The Bureau will take note of the information provided by the rapporteur and the secretariat, will hold an exchange of views, and decide on the necessary follow-up.

	6. Processing of personal data within the framework of vote and elections
T-PD(2023)2rev3 Compilation of comments Expert Report	Information provided by the secretariat and the expert <u>Required action:</u> The Bureau will take note of the information provided by the secretariat and the expert, will hold an exchange of views and decide on the necessary follow-up.
	7. Data Protection in the context of neurosciences
CDBIO report on Neurotechnologies and human rights framework: do we need new rights?	Information provided by the rapporteur and the secretariat <u>Required action:</u> The Bureau will take note of the information provided by the rapporteur and the secretariat, will hold an exchange of views and decide on the necessary follow-up.
	8. Cooperation with other Council of Europe bodies and entities
	<u>Required action:</u> The Bureau will take note of the information provided by the participants and the secretariat
	9. Developments and activities in the field of data protection
	<u>Required action:</u> The Bureau will take note of the information provided by the participants and the secretariat
	10. Data Protection Commissioner
Activity report 2020-2022 CM Resolution on the new Regulations on the Protection of Personal Data	<u>Required action:</u> The Bureau will take note of the information provided by the Commissioner
	11. Observers
List of Observers T-PD(2018)04Rev3 <i>Pro memoria</i>	<u>Required action:</u> The Bureau will take note of the information provided by the observers
	12. Next meetings
	<u>Plenary meetings:</u> 46 th Plenary: 5-7 June 2024 47 th Plenary: 4-6 November 2024 <u>Bureau meetings:</u> 61 st Bureau: 13-15 March 2024 62 nd Bureau: 11-13 September 2024 <u>Required action:</u> The Bureau will take note of the dates of the forthcoming plenary and Bureau meetings
Stefano Rodotà Award	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

LIST OF PARTICIPANTS / LISTE DES PARTICIPANTS

MEMBERS OF THE COMMITTEE / MEMBRES DU COMITÉ

Elsa Mein, Chair/Présidente

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

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

Virpi Koivu, 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 / Ancienne Présidente du T-PD

COMMITTEE MEMBERS AND DELEGATIONS / MEMBRES DU COMITÉ ET DÉLÉGATIONS

BULGARIA / BULGARIE

Kristina Radkova-Staneva – deputy/suppléante, Director of the Legal Affairs and International Cooperation Directorate, Commission for Personal Data Protection (CPDP)

Hristo Alaminov – adviser/conseiller, Head of the International Cooperation and Project Management Department, Commission for Personal Data Protection (CPDP)

GERMANY / ALLEMAGNE

Stefan Niederer – adviser/conseiller, Office of the Federal Commissioner for Data Protection and Freedom of Information

Marc Schlegel – adviser/conseiller, European and International Affairs, Division 14, Office of the Federal Commissioner for Data Protection and Freedom of Information Germany (BfDI)

Thomas Grundmann, Office of the Federal Commissioner for Data Protection and Freedom of Information Germany (BfDI)

REPUBLIC OF MAURITIUS / RÉPUBLIQUE DE MAURICE

Drudeisha Madhub – representative/représentante, Data Protection Commissioner, Data Protection Office

SENEGAL / SÉNÉGAL

Mamoudou Niane – deputy/suppléant, Secrétaire Permanent, Commission de Protection des données personnelles (CDP)

UNITED KINGDOM / ROYAUME UNI

Hajer Al-Hamali – representative/représentante, Head of Multilateral Engagement at Department for Science, Innovation & Technology

Natasha Angwin – adviser/conseillère, Senior Policy Advisor at UK Home Office

Blandine Cassou-Mounat – adviser/conseillère, Principal Policy Adviser – International Regulatory Cooperation Directorate (International), Information Commissioner's Office (ICO)

OBSERVERS AND PARTICIPANTS / OBSERVATEURS ET PARTICIPANTS

EUROPEAN UNION / UNION EUROPÉENNE

Alisa Vekeman, Policy Officer, DG Justice and Consumers Unit 01, International Affairs and Data Flows

EDPS / CEPD

Olivier Matter, Head of International Cooperation

EXPERTS

Colin Bennett, Department of Political Science, University of Victoria, B.C. Canada

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

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

Jean-Philippe Walter, Commissioner / Commissaire

Directorate General Human Rights and Rule of Law / Direction générale Droits de l'Homme et État de droit (DG I)

Patrick Penninckx, Head of Information Society Department / Chef du Service de la Société de l'information

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
Alex Biricik, Principal assistant / assistant principal
Ibrahim Yildirim, trainee / stagiaire

Interpreters / Interprètes

Elisabetta Bassu
Morgane Lamothe
Luke Tilden