

Strasbourg, 12 September 2024

T-PD-BUR(2024)62RAPAbrEN

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

(Convention 108)

62nd Bureau Meeting

[Venice Office](#)

11-12 September 2024

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.
- The Bureau took note of the information by the secretariat and had an exchange of views on the concept of the methodology for the first round of evaluation under Convention 108+ and agreed on further reflecting on the document at next meetings. The Bureau took note of the information provided by the secretariat on the need for operational changes linked to the entry into force of amending Protocol CETS No 223 for further reflection during next meetings.
- As regards Costa Rica, the Bureau took note of the information provided by the Bureau members and the secretariat on the latest developments regarding the internal legislative process.
- Item 4 **Transborder data flows of personal data (MCC, Interoperability, other possible tools)**
The Bureau took note of the information provided by the secretariat and discussed the possibility of developing another tool or instrument to facilitate the free flow of data and of creating a forum to foster dialogue on interoperability between existing data transfer mechanisms and regimes. The Bureau agreed to propose to the plenary to organise a tour de table on the actual and planned use of MCC and to have a discussion on the need to develop more tools or instruments by the committee. The Bureau also encouraged the Secretariat to set up a forum on interoperability, invite the relevant partners to this forum and organise its first meeting back-to-back to the plenary meeting of the Committee in November.
- Item 5 **Interpretation of Article 11 of modernised Convention 108**
The Bureau took note of the information provided by the secretariat, held an exchange of views on the revised document, agreed on further amending the text for discussion at next Plenary meeting. The Bureau also took note of the next Working Group meeting possibly in October 2024 in Paris.
- Item 6 **Privacy Enhancing Technologies (synthetic data, LLMs)**
The Bureau took note of the information provided by the secretariat and the presentation by the expert, Prof Chris Russell from Oxford Internet Institute, University of Oxford (via videocall), held an exchange of views, and agreed on the high importance and relevance of the topic to the Committee.
- Item 7 **Work Programme 2022-2025 (follow up)**
The Bureau took note of the information provided by the secretariat, held an exchange of views and decided to propose that the plenary starts working on privacy and data protection considerations in the context of Privacy Enhancing technologies and Large Language Models (LLMs) as a new standard setting activity.
- Item 8 **Draft Guidelines on Data Protection in the context of neurosciences**
The Bureau took note of the information provided by the rapporteur, the expert Dr Marcello Ienca and the secretariat, held an exchange of views, invited delegations to send comments on the draft document and the expert report by 27 September, agreed on further amending the text based on comments received in view of its first lecture at the November plenary meeting.
- Item 9 **Cooperation with other Council of Europe bodies and entities**
The Bureau took note of the information provided by the secretariat and congratulated the CAI on the opening of the signature of the Framework Convention on Artificial Intelligence and Human rights,

Democracy and the Rule of law in Vilnius, Lithuania on 5 September 2024. The Bureau also took note of the upcoming conference on Data Protection and AI which is planned to take place on 29 November 2024 in Strasbourg jointly organised by the Secretariats of T-PD and CAI to raise awareness on the urgency of the signature/ratification of Convention 108+ and the Framework Convention on Artificial Intelligence and human rights, democracy and the rule of law. The Bureau also took note of the information on the latest development within the CDBIO and notably on the preparation of a report on the impact of neuroscience on human rights, as well as the information on the Lanzarote Committee and the Follow-up Committee on Macolin Convention.

Item 10 **Developments and activities in the field of data protection**

The Bureau took note of the information provided by the participants and secretariat, notably on the following events: Privacy Symposium (10-14 June, Venice), EuroDIG (17-19 June, Vilnius), International Conference QUO VADIS AI (18 June, Athens), GR-J (20 June, Strasbourg), 10th Session of the OECD Working Party on Data Governance and Privacy (28 June, Paris), 37th International Conference on Privacy Laws & Business (1 July, Cambridge) and Data Protection Academy for the Western Balkans and Eastern Partnership Region (9-13 September, Brussels).

Item 11 **Cooperation**

The Bureau also took note of the various cooperation programmes relevant to data protection, in particular on the on-going institutional support to beneficiaries of the Southern Mediterranean region (South V Programme), as well as on-going and possible future cooperation with data protection authorities under several Council of Europe Action Plans.

Item 12 **Data Protection Commissioner**

The Bureau took note of the information provided by the Secretariat regarding the Data Protection Commissioner's activities during his ad interim period.

Item 13 **Observers**

The Bureau took note of the information provided by the observers and participants to the meeting, notably by the representative of Brazil with regard the latest developments at the supervisory authority.

Item 14 **Next meetings**

The Bureau took note of the dates of the next plenary meeting to be held on 4-6 November 2024 (47th) in Strasbourg, as well as of the next Bureau meetings on 19-20 March 2025 (63rd) and 17-18 September 2025 (64th) in Paris.

Item 15 **Stefano Rodotà Award**

The Bureau took note of the information provided by the secretariat on the changes to the competition rules and agreed to further amend the text in light of comments received, tasked the secretariat to prepare a new version in view of its adoption.

Item 16 **Any Other Business**

ANNOTATED AGENDA

	1. Opening of the meeting
	Statement by the Chair Statement by the Secretariat
T-PD(2024)46RAPAbrEN Pro memoria	Abridged report of the 46 th Plenary meeting (5-7 June 2024)
T-PD-BUR(2024)61RAPAbr Pro memoria	Abridged report of the 61 st Bureau meeting (13-15 March 2024)
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 and have a discussion on the state of ratifications, have an exchange of views with regard to the preparation for the entry into force of Convention 108+, in particular the Rules of procedure, Terms of Reference, Methodology for follow up and evaluation mechanisms.
<ul style="list-style-type: none"> • Consolidated text of the modernised Convention ETS No. 108 • Explanatory report • Amending protocol CETS No.223 • T-PD(2018)20rev11 • T-PD(2018)21rev11 • Methodology for the first round of evaluation under Convention 108+ 	<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.
	4. Transborder data flows of personal data (MCC, Interoperability, other possible tools)
Model Contractual Clauses (Module 1)	Presentation by the Secretariat
Model Contractual Clauses (Module 2)	<u>Required action:</u> The Bureau will take note of the information provided by the Secretariat and will hold an exchange of views and decide on the necessary follow-up.
Model Contractual Clauses (Module 3)	
	5. Interpretation of Article 11 of modernised Convention 108
T-PD(2021)7rev8 <i>(This document has been sent to the Bureau members of the T-PD. It will also be made available in the meeting room.)</i>	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. Privacy Enhancing Technologies (synthetic data, LLMs)
	<p>Presentation by the Secretariat and/or the expert on the topic of Privacy enhancing technologies (PET) with regard to the processing of synthetic data and large language models.</p> <p><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.</p>
	7. Work Programme 2022-2025 (follow up)
	<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.
	8. Draft Guidelines on Data Protection in the context of neurosciences
<p>T-PD(2024)2</p> <p>Expert report</p> <p>CDBIO report on Neurotechnologies and human rights framework: do we need new rights?</p>	<p>Information and the presentation provided by the rapporteur and the experts.</p> <p><u>Required action:</u> The Bureau will take note of the information and presentation provided by the rapporteur and the experts and will hold an exchange of views and decide on the necessary follow-up.</p>
	9. Cooperation with other Council of Europe bodies and entities
	<u>Required action:</u> The Bureau will take note of the information provided by the Secretariat.
	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 participants and the secretariat and decide on the necessary follow-up.
	11. Cooperation
	<p>The Secretariat will provide information on on-going cooperation projects.</p> <p><u>Required action:</u> The Bureau will take note of the information provided by the Secretariat.</p>
	12. Data Protection Commissioner
<ul style="list-style-type: none"> • Activity report 2022-2024 • 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 Secretariat.
	13. Observers
<ul style="list-style-type: none"> • List of Observers • T-PD(2018)04Rev3 - State of play and admission criteria <p><i>Pro memoria</i></p>	<u>Required action:</u> The Bureau will take note of the information provided by the observers.
	14. Next meetings
	<p><u>Plenary meetings:</u> 47th Plenary: 4-6 November 2024</p> <p><u>Required action:</u> The Bureau will take note of the dates of the forthcoming plenary meetings.</p>

	15. Stefano Rodotà Award
Stefano Rodotà Award	<p>The Secretariat will provide information on on-going preparation for the 2025 edition of the award.</p> <p><u>Required action:</u> The Bureau will take note of the information provided by the secretariat and decide on the necessary follow-up.</p>
	16. Any Other Business

LIST OF PARTICIPANTS / LISTE DES PARTICIPANTS
MEMBERS OF THE BUREAU / MEMBRES DU BUREAU

Elsa Mein, Chair/Présidente

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

Virpi Koivu, Bureau member / membre du Bureau

Pablo Manuel Mateos Gascueña, Bureau member / membre du Bureau –*excused* / *excusé*

Anamarija Mladinić, Bureau member / membre du Bureau

Gonzalo Sosa Barreto, Bureau member / membre du Bureau *excused* / *excusé*

Alessandra Pierucci, Former T-PD Chair / Ancienne Présidente du T-PD

COMMITTEE MEMBERS AND DELEGATIONS / MEMBRES DU COMITÉ ET DÉLÉGATIONS

GERMANY / ALLEMAGNE

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

UNITED KINGDOM / ROYAUME UNI

Hajer Al Hamali – representative/représentante, Department for Science Innovation and Technology

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

OBSERVERS AND PARTICIPANTS / OBSERVATEURS ET PARTICIPANTS

BRAZIL / BRÉSIL

Lucas Costa dos Anjos – Data Protection Specialist, International Affairs Unit, National Data Protection Authority (ANPD)

MOROCCO / MAROC

Omar Seghrouchni, Président, Commission Nationale de contrôle de la protection des Données à caractère Personnel (CNDP)

SPAIN/ESPAGNE

Cristina Varas Crespo – deputy/suppléante, Head of Service, Agency of Data Protection

EXPERTS

Chris Russell, Oxford Internet Institute, University of Oxford (video call / appel visio)

Marcello Ienca, School of Medicine and Health, Technical University of Munich (TUM)

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

**DGI Direction générale droits humains et Etat de droit / DGI Directorate General Human Rights and Rule of
Law**

Patrick Penninckx, Head of Department, Digital Development and Governance / Chef de Service, Développement et
gouvernance numérique

Data Protection Unit / Unité de la protection des données

Péter Kimpian, Secretary of the Committee / Secrétaire du Comité