

Strasbourg, 20 March 2025

T-PD-BUR(2025)63RAPAbrEN

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

(Convention 108)

63rd Bureau Meeting

Paris Office
19-20 March 2025

ABRIDGED REPORT

- 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, 33 ratifications. Since the November 2024 plenary, Greece deposited on 5 March 2025 and Monaco on 6 March 2025 the instruments of ratification of the Amending Protocol CETS No. 223.
- The Bureau took note of the information provided by the Secretariat and held an exchange of views with regard to the preparation for the entry into force of Convention 108+, encouraged all Parties to finalise their ratification procedures as soon as possible and invited the Secretariat to organise a tour de table on the state of play of the ratification at the next plenary meeting in June.
- 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 (MCCs, other possible tools)**
The Bureau took note of the information provided by the Secretariat held an exchange of views with regard to the importance of the approval of CoE MCC at domestic level, it agreed to improve the webpage on MCC on the CoE website, including introducing a list of countries where the CoE MCC have been approved. The Bureau congratulated the Swiss DPA in this respect being the first authority allowing for the use of the CoE MCC domestically. The Bureau invited the Secretariat to organise a tour de table on the state of play of approval of the CoE MCC at domestic level at the next plenary meeting in June.
- The Bureau took also note of the information provided by the Secretariat on the roundtable discussion on data transfers to be held on 21 March 2025 in Paris and invited the Secretariat to inform the Bureau after the meeting and the plenary in June of the outcome and make proposals if relevant on the necessary follow up.
- Item 5 **Interpretation of Article 11 of modernised Convention 108**
The Bureau took note of the information provided by the rapporteur, Mr Gonzalo Sosa (in writing) and the Secretariat, held an exchange of views on the revised document, agreed on sending written comments by 4 April 2025 to facilitate the discussion and possible adoption of the document at next Plenary meeting in June. The Bureau also took note that the next Working Group on article 11 will be convened online after the new version of the document is available based on the written comments received.
- Item 6 **Privacy Enhancing Technologies (synthetic data, LLMs)**
The Bureau took note of the presentation by Isabel Barberá (Rhite) and Murielle Popa-Fabre on the concept of an expert report to be drafted by the experts with the contribution of Prof Chris Russell from Oxford Internet Institute, University of Oxford on data protection in Large Language Models, held an exchange of views, and invited the Secretariat to work with the experts on the finalisation of the expert report to be presented during the next plenary meeting in June.
- Item 7 **Future Work Programme (follow up)**
The Bureau took note of the information provided by the Secretariat, held an exchange of views on the state of play of the current Work Programme (2022-2025), held a discussion on the possible topics to be included in the upcoming Work Programme and decided to have an exchange of views on the same

topic at the next plenary meeting in June with specific focus on the necessary steps to be taken following the entry into force of Convention 108+ and the 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, Ms Alessandra Pierucci, the expert Dr Marcello Ienca and the Secretariat on the first version of the Draft Guidelines on Data Protection in the context of neurosciences, held an exchange of views, invited delegations to send comments on the draft document by 4 April, agreed on further amending the text based on comments received in view of its first possibly full reading at the June plenary meeting.
- Item 9 **Cooperation with other Council of Europe bodies and entities**
The Bureau took note of the information provided by the Secretariat on the ongoing work within CAI, CDBIO, CDDH, Committee on Macolin Convention, etc.
- 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 Working Seminar on “Artificial Intelligence and Data Protection: complementarity and an integrated approach” (29 November 2025, Strasbourg), CPDP Data Protection Day (28 January 2025, 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) and the renewal of the programme under South Programme VI, initiative to prepare a global cooperation programme by the Council of Europe on digital matters as well as on-going and possible future cooperation with data protection authorities under several Council of Europe Action Plans, notably in the Republic of Moldova, Armenia, Azerbaijan and Ukraine.
- Item 12 **Data Protection Commissioner**
The Bureau took note of the information provided by the Data Protection Commissioner’s activities since the last plenary. The Secretariat informed that the call for candidacy for the position of the CoE Data Protection Commissioner will be published soon with a view of election of the new commissioner during the June plenary.
- Item 13 **Observers**
The Bureau took note of the information on the observer status requests received by the Chair, and the memorandum prepared by the Secretariat, notably on the request by the Network of African Data Protection Authorities, Ecuador and Colombia, held an exchange of views and invited the Secretariat to communicate the outcome of the discussion to the applicants and prepare the final memorandum for the next plenary.

The Bureau also 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 17-19 June 2025 (48th) in Strasbourg, as well as of the next Bureau meetings on 29-30 September 2025 (64th) in Paris.
- Item 15 **Stefano Rodotà Award**
The Bureau took note of the information provided by the Secretariat on the process for amending the internal competition rules and tasked the Secretariat to prepare a new version in view of its adoption.
- Item 16 **Any Other Business**

DRAFT ANNOTATED AGENDA

	1. Opening of the meeting
	Statement by the Chair Statement by the Secretariat
T-PD(2024)47RAPAbrEN Pro memoria	Abridged report of the 47 th Plenary meeting (4-6 November 2024)
T-PD-BUR(2024)62RAPAbr Pro memoria	Abridged report of the 62 nd Bureau meeting (11-12 September 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+ 	
T-PD(2020)08Rev - Expert Report	Costa-Rica <u>Required action</u> Bureau will take note of the information provided by the Secretariat
	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)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 with the aim of finalizing and adopting the document during the June plenary.
	6. Privacy Enhancing Technologies (synthetic data, LLMs)

	<p>Presentation by Isabel Barberá (Rhite), Murielle Popa Fabre on the topic of the processing of personal data by federated machine learning and its applications such as large language models.</p>
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	7. Work Programme 2026-2029
	<p><u>Required action:</u></p> <p>The Bureau will hold an exchange of views on the state of play of the implementation of the current work programme and on the possible topics for the upcoming Work Programme 2026 - 2029.</p>
	8. Draft Guidelines on Data Protection in the context of neurosciences
<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 Dr Eduardo Bertonni (American University Washington College of Law) and Prof Marcello Ienca (Technical University of Munich) (TBC)</p> <p><u>Required action:</u></p> <p>The Bureau will hold an exchange of views on the draft guidelines presented and decide on the necessary follow-up.</p>
	9. Cooperation with other Council of Europe bodies and entities
	<p><u>Required action:</u> The Bureau will take note of the information provided by the Secretariat.</p>
	10. Developments and activities in the field of data protection
	<p><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.</p>
	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 2020-2022 • CM Resolution on the new Regulations on the Protection of Personal Data 	<p><u>Required action:</u> The Bureau will take note of the information provided by the Secretariat.</p>
	13. Observers
<ul style="list-style-type: none"> • List of Observers • -PD(2018)04Rev3 - State of play and admission criteria <i>Pro memoria</i> 	<p>The Bureau will take note of the information provided by the observers and the Secretariat on the observer status requests.</p> <p><u>Required action:</u></p> <p>The Bureau will hold an exchange of views and decide on the observer status request in view of their adoption at the June plenary.</p>
	14. Next meetings
	<p><u>Plenary meetings:</u></p> <p>48th Plenary: 17-19 June 2025, Strasbourg</p> <p><u>Bureau meetings:</u></p> <p>64th Bureau: 29-30 September 2025, Paris</p> <p><u>Required action:</u> The Committee will take note of the dates of the forthcoming 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>
	<p>16. Any Other Business</p>

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

Beatriz de Anchorena, Chair/Présidente

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

Anamarija Mladinić, second Vice-Chair / seconde Vice-présidente

Virpi Koivu, Bureau member / membre du Bureau

Alessandra Pierucci, Bureau member / member du Bureau

Ousmane Thiongane, Bureau member / member du Bureau

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

Elsa Mein, 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

Louise Finn – adviser/conseillère, Senior Policy Advisor at UK Home Office

Blandine Cassou-Monat – adviser/conseillère, ICO

OBSERVERS AND PARTICIPANTS / OBSERVATEURS ET PARTICIPANTS

AFAPDP

Nafissatou Keppa, Chargée de mission

BRAZIL / BRÉSIL

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

EDPS / CEPD

Olivier Matter – Head of International Cooperation

OECD / OCDE

Limor Shmerling Magazanik – Member of the Data Governance & Digital Security Expert Group

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

Jean-Philippe Walter, Commissioner / Commissaire

EXPERTS

Isabel Barberá, co-founder of Rhite consultancy, engineer specializing in Responsible AI and Privacy Engineering.

Marcello Ienca, Professor at the School of Medicine and Health, Technical University of Munich (TUM) 8

Murielle Popa-Fabre, consultant specializing in the impact, policies and governance of Generative AI

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

Data Protection Unit / Unité de la protection des données

Kristian Bartholin, Head of the Data Protection Unit / Chef de l'Unité de Protection des Données

Péter Kimpiàn, Secretary of the Committee / Secrétaire du Comité

Marta Narváez, Assistant in the Data Protection Unit / Assistante de l'Unité de Protection des Données