

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

T-PD37(2018)OJ

12 October 2018

CONVENTION 108

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

37th meeting

AGENDA

Strasbourg, Council of Europe, Agora building, room G01

20 November 2018 (09:30 am) – 22 November 2018 (01:00 pm)

www.coe.int/dataprotection

	1. Opening of the meeting
T-PD(2018)RAP36Abr	Abridged report of the 36 th Plenary meeting (Strasbourg, 19-21 June 2018)
T-PD(2018)45RAP	Abridged report of the 45 th Committee meeting (Strasbourg, 24-26 September 2018)
T-PD(2017)WP2018-2019	Work programme of the Committee 2018-2019
T-PD(2017)Rules	Rules of procedure
	2. Adoption of the agenda
	3. Statement by the secretariat
	Mr Jan Kleijssen, Director, Information Society and Action against Crime
	4. Modernisation of Convention 108
	<u>Required action:</u> The Committee will take note of the information provided by the secretariat.
	<ul style="list-style-type: none"> • Consolidated text of the modernised version of Convention 108
	<ul style="list-style-type: none"> • Explanatory report of the modernised Convention 108
	<ul style="list-style-type: none"> • Amending Protocol
	5. State of play, ratifications and accessions
	<u>Required action:</u> The Committee will take note of the information provided by the secretariat.
	<ul style="list-style-type: none"> • Convention 108+: chart of signatures and ratification • Convention 108: chart of signatures and ratifications
	6. Protection of Health-related data
	Expert: Ms Jeanne Bossi Malafosse, Paris, France
	<u>Required action:</u> The Committee will take note of the information provided by the expert and will finalise the draft explanatory memorandum.
T-PD(2018)11Rev	Draft explanatory memorandum
T-PD(2018)06Rev	Recommendation on the protection of health related data
T-PD(2015)07	Presentation report on the possible update of the Recommendation n° R (97) 5 on the protection of medical data by Ms Jeanne Bossi Malafosse

Recommendation N° (97) 5	on the protection of medical data
T-PD(2018)22Mos	Compilation of comments received on the Draft explanatory memorandum on the protection of health-related data
	7. Artificial intelligence
	Expert: Mr Alessandro Mantelero, Associated Professor, Politecnico di Torino, Italy. Required action: The Committee will take note of the information provided by the expert and will examine the report and the proposed guidelines for finalisation.
T-PD(2018)09Rev	Draft report on “Artificial intelligence”
T-PD(2018)17	Draft Guidelines
T-PD(2018)23	Compilation of comments on the Draft Guidelines on Artificial Intelligence
	8. Evaluation and follow up mechanism under Convention 108+
	Expert: Ms Cécile de Terwangne, CRIDS, Namur. Required action: The Committee will take note of the information provided by the expert and will hold an exchange of views on the topic.
T-PD(2018)20	Draft questionnaire on the evaluation and follow-up mechanism
T-PD(2018)21	Information elements on the evaluation and follow-up mechanism
	Compilation of data protection practices
	9. ICANN
	Required action: The Committee will take note of the information provided by the Secretariat and will hold an exchange of views on the topic.
T-PD(2018)18	<ul style="list-style-type: none"> • Privacy and data protection principles guide for ICANN related data processing • ICANN letter European Data Protection Board (EDBP) (05/07/2018) • Letter Article 29 Working Party on WHOIS (11 April 2018)
	10. Law enforcement transborder access to data
T-CY discussion paper: Conditions for obtaining subscriber information – static versus dynamic IP addresses	

<p>Answers from the Committee of Convention 108 to the Discussion paper for the Octopus Conference</p> <p>Key messages of the Octopus Conference 2018</p>	
	<p><u>Required action:</u> The Committee will take note of the information provided by the Secretariat and will hold an exchange of views on the issues at stake.</p>
	<p>11. Case-Law</p>
	<p>Expert: Mr Christopher Docksey, Hon. Director General, EDPS</p>
<p>ECHR Compilation</p>	<p><u>Required action:</u> The Committee will take note of the information provided by the expert.</p>
	<p>Court of Justice of the European Union Inter-American Court of Human Rights</p>
	<p>12. Cooperation with other Council of Europe bodies and entities</p>
	<p><u>Required action:</u> The Committee will take note of the information provided by the secretariat.</p>
	<ul style="list-style-type: none"> • Bioethics Committee (DH-BIO) • CEPEJ • Macolin Convention • CDPC • PC-OC • Steering Committee on Media and Information Society (CDMSI) <ul style="list-style-type: none"> ◦ MSI-AUT • Venice Commission
	<p>13. Cooperation projects</p>
	<p><u>Required action:</u> The Committee will take note of the information provided by the secretariat.</p>
<p>HELP in the 28</p>	<p>Data Protection and privacy rights</p>
<p>T-PD(2018)07rev2</p>	<p>Cooperation projects of the Council of Europe in the data protection field (Information Document)</p>
	<p>14. Opinions</p>
	<p><u>Required action:</u> The Committee will take note of the information provided by the secretariat.</p>

T-PD(2018)05Bil	Compilation of opinions
	15. Overview of activities and major developments in the field of data protection
	<u>Required action:</u> The Committee will take note of the information provided by the Secretariat.
	<ul style="list-style-type: none"> • AGESIC national event on personal data protection (16-19 October 2018, Montevideo, Uruguay) • 12th Conference of Francophone Personal Data Protection Authorities (AFAPDP), (Paris, 18-19 October 2018) • 40th International Conference of Data Protection and Privacy Commissioners (ICDPPC) (22-26 October 2018) • 13th Annual meeting of the Internet Governance Forum (IGF) (Paris, 12-14 November 2018) • Forum "Mexico and Convention 108" (Mexico City, 7- 8 November 2018) • International Conference on Cyberlaw, Cybercrime & Cybersecurity 2018 (14-16 November 2018, New Delhi, India) • International Conference Computers, Privacy & Data Protection "Data Protection and democracy" (CPDP 2019) (Brussels, Belgium, 30 January-1 February 2019)
	16. Observers
	<u>Required action:</u> The Committee will take note of the information provided by the observers and by the secretariat.
T-PD(2018)04Rev2	Observers - State of play and admission criteria
	17. Data Protection Commissioner
	<u>Required action:</u> The Committee will take note of the information provided by the Council of Europe Data Protection Commissioner.
	Secretary General's Regulation
	18. Stefano Rodota Award
	<u>Required action:</u> The Committee will take note of the progress of the organisation of this award.
	19. Next meetings
	<u>Required action:</u> The Committee will take note of the dates for the next meetings.
	<u>Dates of the next Bureau meeting in 2018:</u> <ul style="list-style-type: none"> • 46th Bureau meeting (Strasbourg, 17-19 December 2018) <u>Dates of the Bureau meetings in 2019:</u>

	<ul style="list-style-type: none"> • 47th Bureau meeting (Paris, 20-22 March 2019) • 48th Bureau meeting (Paris, 25-27 September 2019) • 49th Bureau meeting (Strasbourg, 11-13 December 2019) <p><u>Dates of the Plenary meetings in 2019:</u></p> <ul style="list-style-type: none"> • 38th Plenary meeting (Strasbourg, 12-14 June 2019) • 39th Plenary meeting (Strasbourg, 19-21 November 2019)
	20. Any Other Business

DRAFT ORDER OF BUSINESS

(Provisional and subject to change in light of the work pace)

		20 November (Tuesday)	21 November (Wednesday)	22 November (Thursday)
<i>Start</i>	9:30 am	Items 1,2,3,4,5,7	Item 6	Items 8,11,12,16,20
<i>Break/end</i>	1 pm	<i>Lunch</i> <i>“Data Protection Talks”</i> <i>Why privacy matters? ¹</i>	<i>Lunch</i>	<i>End</i>
<i>Start</i>	2:30 pm	Items 9,10	Items 6,13,14,15,16,17, 18,19	
<i>End</i>	6 pm		Informal gathering 8 pm	

¹ by Pat Walsh, Privacy Matters. The Data Protection Talks will provide a concrete and entertaining demonstration of privacy enhancing habits we all need to adopt in our connected lives. (Sandwiches offered).