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)
1. Opening of the meeting

<table>
<thead>
<tr>
<th>Document ID</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>T-PD(2018)45RAP</td>
<td>Abridged report of the 45th Committee meeting (Strasbourg, 24-26 September 2018)</td>
</tr>
<tr>
<td>T-PD(2017)Rules</td>
<td>Rules of procedure</td>
</tr>
</tbody>
</table>

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

Required action: The Committee will take note of the information provided by the secretariat.

- Consolidated text of the modernised version of Convention 108
- Explanatory report of the modernised Convention 108
- Amending Protocol

5. State of play, ratifications and accessions

Required action: The Committee will take note of the information provided by the secretariat.

- 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

Required action: The Committee will take note of the information provided by the expert and will finalise the draft explanatory memorandum.

<table>
<thead>
<tr>
<th>Document ID</th>
<th>Description</th>
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</thead>
<tbody>
<tr>
<td>T-PD(2018)06Rev</td>
<td>Recommendation on the protection of health related data</td>
</tr>
<tr>
<td>T-PD(2015)07</td>
<td>Presentation report on the possible update of the Recommendation n° R (97) 5 on the protection of medical data by Ms Jeanne Bossi Malafosse</td>
</tr>
</tbody>
</table>
### 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.

### 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.

### 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**

- 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**
### Key messages of the Octopus Conference 2018

| Required action: The Committee will take note of the information provided by the Secretariat and will hold an exchange of views on the issues at stake. |

### 11. Case-Law

**Expert:** Mr Christopher Docksey, Hon. Director General, EDPS

**ECHR Compilation**

| Required action: The Committee will take note of the information provided by the expert. |

### Court of Justice of the European Union

| Inter-American Court of Human Rights |

### 12. Cooperation with other Council of Europe bodies and entities

| Required action: The Committee will take note of the information provided by the secretariat. |

- Bioethics Committee (DH-BIO)
- CEPEJ
- Macolin Convention
- CDPC
- PC-OC
- Steering Committee on Media and Information Society (CDMSI)
  - MSI-AUT
- Venice Commission

### 13. Cooperation projects

**HELP in the 28**

| Data Protection and privacy rights |

**T-PD(2018)07rev2**

| Cooperation projects of the Council of Europe in the data protection field (Information Document) |

### 14. Opinions

| Required action: The Committee will take note of the information provided by the secretariat. |
15. Overview of activities and major developments in the field of data protection

Required action: The Committee will take note of the information provided by the Secretariat.

- 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)

16. Observers

Required action: The Committee will take note of the information provided by the observers and by the secretariat.

17. Data Protection Commissioner

Required action: The Committee will take note of the information provided by the Council of Europe Data Protection Commissioner.

18. Stefano Rodota Award

Required action: The Committee will take note of the progress of the organisation of this award.

19. Next meetings

Required action: The Committee will take note of the dates for the next meetings.

Dates of the next Bureau meeting in 2018:
- 46th Bureau meeting (Strasbourg, 17-19 December 2018)

Dates of the Bureau meetings in 2019:
• 47th Bureau meeting (Paris, 20-22 March 2019)
• 48th Bureau meeting (Paris, 25-27 September 2019)
• 49th Bureau meeting (Strasbourg, 11-13 December 2019)

Dates of the Plenary meetings in 2019:
• 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)

<table>
<thead>
<tr>
<th></th>
<th>20 November (Tuesday)</th>
<th>21 November (Wednesday)</th>
<th>22 November (Thursday)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Start</td>
<td>9:30 am</td>
<td>Items 1,2,3,4,5,7</td>
<td>Item 6</td>
</tr>
<tr>
<td>Break/end</td>
<td>1 pm</td>
<td>Lunch “Data Protection Talks” Why privacy matters?¹</td>
<td>Lunch</td>
</tr>
<tr>
<td>Start</td>
<td>2:30 pm</td>
<td>Items 9,10</td>
<td>Items 8,11,12,16,20</td>
</tr>
<tr>
<td>End</td>
<td>6 pm</td>
<td>Informal gathering</td>
<td>8 pm</td>
</tr>
</tbody>
</table>

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).