



28 JANUARY 1981-2021
CONVENTION 108
ON DATA PROTECTION



Strasbourg, 16 October 2023

T-PD45(2023)OJ_EN

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

(Convention 108)

45th meeting of the Committee

Strasbourg, 15-17 November 2023

ANNOTATED AGENDA

www.coe.int/dataprotection

ORDER OF BUSINESS

Provisional and subject to change in light of the work pace

| | All times indicated CET | 15 November | 16 November | 17 November |
|--------------|-------------------------|--|-----------------|---|
| <i>Start</i> | 09:30 | <p style="text-align: center;">Start at 10:00</p> <p>Items 1, 2, 4, 3</p> | Items 7, 8, 10 | <p>Items 4 (tbc), 11, 14, 15, 16</p> <p>Adoption of the abridged report</p> |
| <i>Break</i> | 13:00 | <i>Break</i> | | |
| <i>Start</i> | 14:30 | Items 5, 6 | Items 9, 12, 13 | |
| <i>End</i> | 18:00 | <i>End</i> | | |

AGENDA

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| | 1. Opening of the meeting |
| | <p style="text-align: center;">Statement by the Chair</p> <p style="text-align: center;">Statement by the Secretariat</p> |
| T-PD(2023)44RapAbr <i>Pro memoria</i> | Abridged report of the 44 th Plenary meeting (14-16 June 2023) |
| T-PD-BUR(2023)59RAPAbr <i>Pro memoria</i> | Abridged report of the 59 th Bureau meeting (27-29 September 2023) |
| T-PD(2021)WP2022-2025 <i>Pro memoria</i> | Work programme of the Committee 2022-2025 |
| TPD43(2022)7 <i>Pro memoria</i> | Rules of procedure |
| | 2. Adoption of the agenda |
| | 3. Convention 108+ State of play |
| | <p>Tour de table on the state of play of the ratification process in the countries concerned.</p> <p><u>Required action:</u> The Committee will take note of the information provided by the secretariat and will hold a tour de table inviting those Parties who have signed but not ratified Convention 108+ yet, as well as those who have neither signed, nor ratified it yet, to present the state of play of their internal signature/ratification processes.</p> |
| <ul style="list-style-type: none"> - 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 | <p>Costa-Rica</p> <p><u>Required action:</u> The Committee 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.</p> |
| | 4. Elections |
| | <p>One Bureau member resigned her office in October 2023</p> <p><u>Required action:</u> The Committee is invited to decide on electing a successor for the remainder of the term, and if that is the case, to proceed to an election on 17 November.</p> |

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| | 5. Model contractual clauses for transborder data flows of personal data |
| T-PD(2023)4rev1 - draft module 2 Compilation of comments Model Contractual Clauses (Module 1) | <p>Presentation by the rapporteur and the secretariat</p> <p><u>Required action:</u> The Committee will take note of the information provided by the rapporteur and the secretariat on the draft document, will hold an exchange of views, and will be invited to adopt module 2 in view of its publication.</p> |
| | 6. Interpretation of Article 11 of the modernised Convention 108 |
| T-PD(2021)7rev4 | <p>Information provided by the secretariat and the Chair</p> <p><u>Required action:</u> The Committee will take note of the information provided by the secretariat, will hold an exchange of views, and decide on the necessary follow-up.</p> |
| | 7. Processing of personal data within the framework of vote and elections |
| T-PD(2023)2rev2 <i>(only in English)</i> Expert Report <i>(only in English)</i> | <p>Information provided by the secretariat</p> <p><u>Required action:</u> The Committee will take note of the information provided by the secretariat, will hold an exchange of views and decide on the necessary follow-up.</p> |
| | 8. Work Programme |
| T-PD(2021)WP2022-2025 CDBIO report on Neurotechnologies and human rights framework: do we need new rights? | <p><u>Required action:</u> The Committee is invited to reflect on the proposal of the Bureau to start working on data protection in the context of neurosciences.</p> |
| | 9. Cooperation with other Council of Europe bodies and entities |
| | <p><u>Required action:</u> The Committee will take note of the information provided by T-PD members and the secretariat.</p> |
| | 10. Developments and activities in the field of data protection |
| | <p><u>Required action:</u> The Committee will take note of the information provided by T-PD members and the secretariat</p> |

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| <i>Pro memoria</i> | 11. Case law |
| T-PD(2023)1 Case Law on Data Protection December 2022 ECHR compilation 2021-22 Guide on Article 8 - ECHR CURIA - Presentation - Court of Justice of the European Union Inter-American Court of Human Rights - Judgments | <p>ECHR compilation – prepared by the secretariat (December 2022)</p> <p>Case law of the EU Court of Justice</p> <p>Case law of the Inter-American Court of Human Rights</p> |
| | 12. Observers |
| List of Observers T-PD(2018)04Rev3 <i>Pro memoria</i> | <p><u>Required action:</u> The Committee will take note of the information provided by the observers</p> |
| | 13. Data Protection Commissioner |
| Activity report 2020-2022 CM Resolution on the new Council of Europe Regulations on the Protection of Personal Data | <p><u>Required action:</u> The Committee will take note of the information provided by the Commissioner</p> |
| | 14. Next meetings |
| | <p><u>Plenary meetings:</u> 46th Plenary: 5-7 June 2024 47th Plenary: 4-6 November 2024</p> <p><u>Bureau meetings:</u> 60th Bureau: 13-14 December 2023 61st Bureau: 13-15 March 2024 62nd Bureau: 11-13 September</p> <p><u>Required action:</u> The Committee will take note of the dates of the forthcoming plenary and Bureau meetings</p> |
| | 15. Stefano Rodotà Award |
| Stefano Rodotà Award | <p><u>Required action:</u> The Committee will take note of the information provided by the secretariat on the launching of the 2024 edition</p> |
| | 16. Any Other Business |