



T-PD-BUR52(2021)OJ

26 March 2021

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

CONVENTION 108

52nd meeting

AGENDA

24 March 2021 (10.30 am CET) – 26 March 2021 (1 pm CET)

www.coe.int/dataprotection

DRAFT ORDER OF BUSINESS

Provisional and subject to change in light of the work pace

	All times indicated CET	24 March	25 March	26 March
<i>Start</i>	10.30 am	Items 1 to 4 and 12	Items 7 and 10	Item 8 END OF MEETING
<i>Break</i>	1pm	<i>Break</i>		
<i>Start</i>	2.30 pm	Items 15, 14 and 9	Items 6, 5 and 17	
<i>End</i>	5 pm	<i>End</i>		

Items 11, 13, 16, 18 and 19 to be taken when the order of business will allow it

	1. Opening of the meeting
T-PD(2020)RAP40Abr	Abridged report of the 40 th Plenary meeting (18-20 November 2020)
T-PD-BUR(2020)51RAP	Abridged report of the 51 st Bureau meeting (remote, 16-18 December 2020)
T-PD(2019)WP2020-2021final	Work programme of the Committee 2020-2021
T-PD(2017)Rules	Rules of procedure
	2. Adoption of the agenda
	3. Statement by Ambassador Christian Meuwly Permanent Representative of Switzerland, Chair of the Group of Rapporteurs on Legal Co-operation (GR-J) of the Committee of Ministers
	4. Statement by the secretariat Jan Kleijssen, Director, Information Society and Fight against Crime Directorate
	5. Convention 108+ State of play, ratifications and accessions
	<u>Required action:</u> The Bureau 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
Expert Report - Costa-Rica	<ul style="list-style-type: none"> • Convention 108+: chart of signatures and ratification • Convention 108: chart of signatures and ratifications <p>Expert: Mr Franck Dumortier, Senior Consultant, Cybersecurity-Law</p> <p><u>Required action:</u> The Bureau will take note of the information provided by the Secretariat and the expert and will hold an exchange of views.</p>
	6. Evaluation and follow up mechanism under Convention 108+
T-PD-BUR(2021)5 Information note on the procedures of various monitoring mechanisms	Expert: Ms Cécile de Terwangne, CRIDS, Namur

published 10/03	
	<u>Required action:</u> The Bureau will take note of the information provided by the expert and will hold an exchange of views on the latest developments presented.
Terms of Reference	ToR of the Working Group on the evaluation and monitoring mechanism
T-PD(2018)20rev7 published 11/03	Evaluation questionnaire
T-PD(2018)21rev7 published 15/03	Document on the evaluation and follow-up mechanism under Convention 108+: process and rationale
	7. Law enforcement transborder access to data
Towards a Protocol to the Convention on Cybercrime: additional stakeholder consultations T-PD(2019)8FIN Opinion on the provisional text and explanatory report of the draft Second Additional Protocol to the Budapest Convention on Cybercrime (ETS 185) on direct disclosure of subscriber information and giving effect to orders from another Party for expedited production of data	Expert: Mr Gert Vermeulen, Full Professor of (European and international) criminal law and director of the Institute for International Research on Criminal Policy (IRCP). <u>Required action:</u> The Committee will take note of the information provided by the expert and the Secretariat and will decide on any necessary follow-up. T-PD(2019)3 Preparation of a 2nd Additional Protocol to the Budapest Convention on Cybercrime: Consultation with data protection experts - Issues for discussion T-CY discussion paper: Conditions for obtaining subscriber information –static versus dynamic IP addresses Answers from the Committee of Convention 108 to the Discussion paper for the Octopus Conference Key messages of the Octopus Conference 2018
	8. Digital identity
T-PD(2020)4rev T-PD-BUR(2021)2	Expert: Mr Pat Walshe, Director of Privacy Matters <u>Required action:</u> The Bureau will take note of the presentation by the expert of the preliminary draft of the Guidelines and will hold an exchange of views with the expert.
	9. Personal data processing by and for political campaigns
T-PD(2020)2rev T-PD-BUR(2021)3 published 16/03	Expert: Mr Colin Bennett, Professor, Department of Political Science, University of Victoria

	<p><u>Required action:</u> The Bureau will take note of the presentation by the expert of the preliminary draft of the Guidelines and will hold an exchange of views with the expert.</p>
	<p>10. Automatic Exchange of data</p>
<p>T-PD(2014)05 Opinion on the implications for data protection of mechanisms for automatic inter-state exchanges of data for administrative and tax purposes</p> <p>Automatic Exchange of data (presentation) published 22/03</p>	<p>Expert: Mrs Eleni Kosta, TILT, Tilburg University</p> <p>Update on the work of the OECD by Mr Philip Kerfs, Head of Unit at the Centre for Tax Policy and Administration.</p> <p><u>Required action:</u> The Bureau will take note of the presentation by the expert of the preliminary elements of the study and will hold an exchange of views.</p>
	<p>11. Interpretation of provisions</p>
<p>T-PD(2020)06rev2 published 16/03</p> <p>Legal Opinion on the interpretation of the notion of “jurisdiction” in relation to article 14 of Convention 108+ published 22/03</p>	<p><u>Required action:</u> The Bureau will examine the revised draft with a view to its finalisation and submission to the Committee for adoption by written procedure.</p>
	<p>12. Guidance note on Article 11 of Convention 108+</p>
<p>T-PD-BUR(2021)4 Presentation of Elements for Guidance note on Article 11 of Convention 108+ published 23/03</p>	<p>Expert: Mr Thorsten Wetzling, Head of Research, Digital Rights, Surveillance and Democracy, Stiftung Neue Verantwortung</p> <p>Update on the work of the OECD on trusted government access to data by Mrs Elettra Ronchi, Senior Policy Analyst in the Science, Technology and Innovation Directorate</p> <p><u>Required action:</u> The Bureau will take note of the information provided by the expert with regard to a possible structure of the guidance note and will hold an exchange of views.</p>
	<p>13. Work programme 2022-2023</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.</p>
	<p>14. Cooperation with other Council of Europe bodies and entities</p>
<p>Revised Draft Declaration published 22/03</p>	

<p>State of Implementation of the National Platform under the Macolin Convention published 24/03</p> <p>Opinion on Recommendation 2185 (2020) of the Parliamentary Assembly of the Council of Europe “Artificial intelligence in health care: medical, legal and ethical challenges ahead”</p>	<ul style="list-style-type: none"> • CAHAI <p>Expert: Mr Alessandro Mantelero, Associate Professor, Private Law, Polytechnic University of Turin</p> <ul style="list-style-type: none"> • Steering Committee on the Rights of the child (CDENF) • Steering Committee on Media and Information Society (CDMSI) • Committee on Bioethics (DH-BIO) – see item 15 • The Convention on the Manipulation of Sports Competitions (the Macolin Convention) • Parliamentary Assembly (PACE) <p><u>Required action:</u> The Bureau will take note of the information provided by the expert and the Secretariat, will hold an exchange of views and decide on any necessary follow-up.</p>
	<p>15. Major developments and activities in the field of data protection</p>
<p>Data protection and Vaccination</p>	<p><u>Required action:</u> The Bureau will take note of the information provided by the Chair of the Committee on Bioethics and other representatives of the DH-BIO, as well as by the Secretariat and will decide on the necessary follow-up.</p>
	<p>16. Observers</p>
<p>List of Observers</p>	<p><u>Required action:</u> The Bureau will take note of the information provided by the observers.</p>
	<p>17. Stefano Rodotà Award</p>
	<p>Mr Ignacio Cofone - "Beyond Data Ownership"</p> <p><u>Required action:</u> The Bureau will take note of the presentation by the 2021 Stefano Rodotà laureate of the special mention of the Jury.</p>

	18. Next meetings
	<u>Required action:</u> The Bureau will take note of the dates for the next meetings.
	<p>Dates of next meetings in 2021</p> <p><u>Dates of Bureau meetings:</u></p> <p>53rd Bureau : 28-30 September 2021 54th Bureau : 20-22 December 2021</p> <p><u>Dates of Plenary meetings:</u></p> <p>41st Plenary : 28-30 June 2021 42nd Plenary : 17-19 November 2021</p>
	19. Any Other Business