



Strasbourg, 24 March 2023

T-PD-BUR(2023)58RAPAbrEN

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

(Convention 108)

58th meeting

Strasbourg, 22-24 March 2023

ABRIDGED REPORT

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- Item 1 **Opening of the meeting**
- Item 2 **Adoption of the agenda**
The Bureau adopted the agenda.
- Item 3 **Statement by the Chair**
The Bureau took note of the information provided by the Chair.
- Item 4 **Statement by the secretariat**
The Bureau took note of the information provided by the secretariat.
- Item 5 **Convention 108+ state of play**
The Bureau took note of the information provided by the secretariat on signatures and ratifications of the Protocol amending Convention 108 (CETS No. 223, hereafter Convention 108+): 44 signatures, out of which 21 ratifications. Since the 57th Bureau meeting in December 2022, Iceland has ratified amending Protocol CETS No. 223, and Moldova signed it. As a reminder, the 57th Bureau had decided to hold another tour de table at the next plenary meeting in June 2023.
- As regards Costa Rica, the Bureau took note of the information provided by the secretariat and Bureau members on the latest state of play of the internal procedure in Costa Rica.
- Item 6 **Data protection for the processing of personal data for anti-money laundering / countering financing of terrorism purposes**
The Bureau took note of the information provided by the secretariat on the latest draft document, held an exchange of views and agreed on further amending the text and instructed the secretariat, under the guidance of the rapporteur, to gather written comments on the amended text for discussion and finalisation at the June plenary meeting.
- Item 7 **Model contractual clauses for the transfer of personal data**
The Bureau took note of the information provided by the rapporteur and the secretariat on the latest draft document, held an exchange of views, agreed on further amending the text and instructed the secretariat, under the guidance of the rapporteur, to gather written comments on the amended text for discussion and finalisation at the June plenary meeting.
- Item 8 **Interpretation of Article 11 of the modernised Convention 108**
The Bureau took note of the information provided by the secretariat and held an exchange of views regarding the on-going drafting work based on doc T-PD(2021)7 and the meeting of the Working Group on Article 11 ('GT-Article 11') on 27-28 February 2023. The Bureau instructed the secretariat to continue developing T-PD(2021)7 with the assistance of the GT-Article 11, for discussion at the next plenary meeting.
- Item 9 **Data Protection, including biometrics, within the framework of vote and elections**
The Bureau took note of the information provided by the secretariat and the expert, held an exchange of views and instructed the Secretariat to prepare, with the assistance of the expert, a first draft for discussion at the 44th T-PD plenary meeting on 14-16 June 2023.
- Item 10 **Cooperation with other Council of Europe bodies and entities**
The Bureau took note of the information provided by the secretariat and Bureau members, notably as to the latest state of play in the CAI and the drafting of the future instrument.

- Item 11 **Major developments and activities in the field of data protection**
The Bureau took note of the information provided by Bureau members and the secretariat. The secretariat informed the Bureau on the forthcoming second edition of the Privacy Symposium, in Venice (17-21 April), of which the first day will be entirely dedicated to the promotion of Convention 108+. The secretariat draws the attention of the participants to the Bureau meeting, on the importance of reporting on the participation of members in other international data protection fora with a view to encouraging closer cooperation with these fora, and to promoting Convention 108/108+ and T-PD's work there.
- Item 12 **Next meetings in 2023**
The Bureau took note of the dates of the next plenary meetings to be held on 14-16 June 2023 and 15-17 November 2023, as well as of the next Bureau meetings on 27-29 September 2023 and 12-14 December 2023.
- Item 13 **Council of Europe Data Protection Commissioner**
The Bureau took note of the information provided by the Commissioner notably on his latest visit to the Council of Europe.
- Item 14 **Observers**
The Bureau took note of the information provided by the secretariat.
- Item 15 **Stefano Rodotà Award**
The Bureau took note of the information provided by the secretariat and of the invitation of the winners in the two categories to come at the 44th T-PD plenary meeting on 14-16 June 2023 to present the work for which they have been awarded and receive the award.
- Item 16 **Case Law**
The Bureau took note of the information provided by the secretariat.
- Item 17 **Any Other Business**
The secretariat reminded the Committee of the call for candidates for a secondment of a programme manager at the Data Protection Unit, Information Society Department, DGI, as of January 2023. The deadline to apply is 16 April 2023.

APPENDIX I

DRAFT ANNOTATED AGENDA

	1. Opening of the meeting
T-PD(2022)43RAPAbr <i>Pro memoria</i>	Abridged report of the 43rd Plenary meeting (16-18 November 2022)
T-PD-BUR(2022)57RAPAbr <i>Pro memoria</i>	Abridged report of the 57 th Bureau meeting (15-16 December 2022)
TPD43(2022)7	Rules of procedure
T-PD(2021)WP2022-2025 <i>Pro memoria</i>	Work programme of the Committee 2022-2025
	2. Adoption of the agenda
	3. Statement by the Chair
	4. Statement by the Secretariat
	5. Convention 108+ State of play
	<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 Convention 108 - Explanatory report of the modernised Convention 108 - Amending Protocol 	<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	Costa Rica <u>Required action:</u> The Bureau will take note of the information provided by the secretariat and will hold an exchange of views on the latest developments and decide on the necessary follow up.
	6. Data protection for the processing of personal data for anti-money laundering/countering financing of terrorism purposes
T-PD(2021)8rev6 T-PD(2021)8rev4Comp <i>Compilations of comments</i> T-PD(2021)4rev <i>Pro memoria</i> T-PD(2014)05 <i>Pro memoria</i>	Presentation 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 on the draft Guidelines, will hold an exchange of views, and decide on the necessary follow-up.

	7. Model contractual clauses for transborder data flows of personal data
T-PD(2022)1rev8 T-PD(2022)1rev3Comp <i>Compilations of comments</i> T-PD(2021)10 Model contract - Transborder data flows Guide to Contractual clauses – Transfer of personal data EU Standard Contractual Clauses	<p>Presentation by the rapporteur and the secretariat</p> <p><u>Required action:</u> The Bureau will take note of the information provided by the rapporteur and the secretariat on the draft document, will hold an exchange of views and decide on the necessary follow-up.</p>
	8. Interpretation of Article 11 of the modernised Convention 108
T-PD(2021)7	<p>Presentation by the secretariat</p> <p><u>Required action:</u> The Bureau will take note of the information provided by the secretariat, will hold an exchange of views and decide on the necessary follow-up.</p>
	9. Data Protection, including biometrics, within in the framework of vote and elections
	<p>Presentation by the secretariat and the expert</p> <p><u>Required action:</u> The Bureau will take note of the information provided by the secretariat and the expert, will hold an exchange of views and asked the secretariat to circulate a first draft document before the next T-PD plenary meeting.</p>
	10. Cooperation with other Council of Europe bodies and entities
	<u>Required action:</u> The Bureau will take note of the information provided by the secretariat
	11. Major developments and activities in the field of data protection
	<u>Required action:</u> The Bureau will take note of the information provided by the secretariat

	12. Next meetings
	Dates and location of next meetings <u>Plenary meetings:</u> 44 th Plenary: 14-16 June 2023 (Strasbourg) 45 th Plenary: 15-17 November 2023 (Strasbourg) <u>Bureau meetings:</u> 59 th Bureau: 27-29 September (Paris) 60 th Bureau: 12-14 December 2023 (Strasbourg)
	13. Data Protection Commissioner
New data protection regulation Latest activity report	<u>Required action:</u> The Bureau will take note of the information provided by the Commissioner
	14. Observers
	<u>Required action:</u> The Committee will take note of the Information provided by the secretariat
	15. Stefano Rodotà Award
2023 Stefano Rodotà Award Winners and relevant documents	<u>Required action:</u> The Committee will take note of the Information provided by the secretariat
	16. Case law
T-PD(2023)1 Court of Justice of the European Union Inter-American Court of Human Rights	ECHR compilation December 2022 Case law of the EU Court of Justice Case law of the Inter-American Court of Human Rights
	17. Any Other Business

APPENDIX II

LIST OF PARTICIPANTS / LISTE DES PARTICIPANTS

MEMBERS OF THE COMMITTEE / MEMBRES DU COMITÉ

Elsa Mein, Chair/Présidente

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

Awa Ndiaye, second Vice-Chair / seconde Vice-présidente

Roxana Legezynska, Bureau member / membre du Bureau

Pablo Manuel Mateos Gascueña, Bureau member / membre du Bureau

Anamarija Mladinić, Bureau member / membre du Bureau – *excused / excusée*

Gonzalo Sosa Barreto, Bureau member / membre du Bureau

Alessandra Pierucci, Former T-PD Chair / Ancien Président du T-PD

COMMITTEE MEMBERS AND DELEGATIONS / MEMBRES DU COMITÉ ET DÉLÉGATIONS

BULGARIA / BULGARIE

Hristo Alaminov, Commission for Personal Data Protection (CPDP)

FRANCE

Najma Bichara, Commission Nationale Informatique et Liberté (CNIL)

GERMANY / ALLEMAGNE

Stefan Niederer, Office of the Federal Commissioner for Data Protection and Freedom of Information

SPAIN / ESPAGNE

Enrique Factor Santoveña, Spanish Data Protection Agency (AEPD)

UNITED KINGDOM / ROYAUME UNI

Thiona Philips, Department for Digital, Culture, Media and Sports

Blandine Cassou-Mounat, Information Commissioner's Office (ICO)

OBSERVERS AND PARTICIPANTS / OBSERVATEURS ET PARTICIPANTS

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

Jean-Philippe Walter, Commissioner / Commissaire

DG Justice and Consumers, European Commission, EU, Unit 1 / DG justice et Consommateurs, Commission Européenne, UE, Unité 1

Alisa Vekeman

European Data Protection Supervisor / Superviseur européen de la protection des données - EDPS

Claire-Agnès Margnier

**COUNCIL OF EUROPE BODIES AND SECRETARIAT /
ORGANES ET SECRETARIAT DU CONSEIL DE L'EUROPE**

Directorate General Human Rights and Rule of Law / Direction générale Droits de l'Homme et État de droit (DG I)

Patrick Penninckx, Head of Information Society Department / Chef du service Société de l'information

Data Protection Unit / Unité de la protection des données

Isabelle Servoz-Gallucci, Secretary of the Committee / Secrétaire du Comité
Péter Kimpiàn, Programme Advisor / Conseiller de programme

Interpreters / Interprètes

Fanny Croiset
Léa Ouedraogo