

Closed Session Overview
29th International Data Protection and Privacy Commissioners Conference
Montreal, Canada • Wednesday, September 26, 2007 (First Closed Session)

A. Opening of Session

Ms. Jennifer Stoddart, Privacy Commissioner of Canada and Chair of the Conference, opened the session by welcoming the assembled data protection authorities (DPAs). The Chair also introduced from her Office Ms. Pat Kosseim, Legal Counsel and Clerk for the closed session, and Mr. Francois Cadieux, Senior Research Analyst and note-taker for the session.

B. Report of the Credentials Committee

The Chair presented the members of the Credentials Committee—Mr. Alex Türk (France), Jacob Kohnstamm (Netherlands), and herself (Canada).

The Chair tabled the Accreditation Resolution and the Annual Report of the Credentials Committee for the approval of the Conference. Both documents were unanimously approved. The DPAs of Macedonia and Slovenia* officially joined the Conference as accredited national authorities; the DPA of Newfoundland & Labrador (Canada) officially joined the Conference as an accredited sub-national authority.

The Chair indicated that the term of the Office of the Privacy Commissioner of Canada on the Credentials Committee expires in 2007, and that the Office would not be seeking renewal. The Privacy Commissioner of Hong Kong, Mr. Roderick Woo, agreed to replace Canada and sit on the Committee for a two year term. The Conference unanimously approved the Hong Kong Privacy Commissioner's nomination to the Credentials Committee.

C. Resolution on the Need for Global Standards for Safeguarding Passenger Data

The Chair tabled the *Resolution on the Urgent Need for Global Standards for Safeguarding Passenger Data*, noting that Mr. Jean-Philippe Walter, Deputy Data Protection Commissioner of Switzerland, should also be recognized as one of the official co-sponsors of the Resolution.

The Chair asked the German Federal Privacy Commissioner, Mr. Peter Schaar, to provide an overview of the Resolution. The Resolution calls for governments, carriers, and international organizations involved in air transportation, to work with data protection and privacy commissioners to adopt binding global solutions with appropriate safeguards to protect passenger data.

The Resolution was adopted by a majority of the DPAs, with three abstentions.

* The Information Commissioner of the Republic of Slovenia replaces the Human Rights Ombudsman.

D. Resolution on the Development of International Standards

The Chair tabled the *Resolution on the Development of International Standards* and provided an overview of it. She noted that a consensus had developed among DPAs to participate in the work of standard setting bodies, and that the Resolution called on Conference members to become more actively involved in ISO standards development via their respective national standards development organizations.

The Resolution was adopted by a majority of the DPAs, with one abstention.

E. Resolution on International Co-operation

The Chair tabled the *Resolution on International Co-operation*, and asked Mr. Richard Thomas, UK Information Commissioner, to provide an overview of it.

Mr. Thomas noted that the Resolution made 4 points:

1. It recognizes the existence of different approaches to data protection around the world;
2. It encourages DPAs to collaborate with one another;
3. It welcomes the adoption by the Organization for Economic Cooperation and Development (OECD) of a recommendation on cross-border cooperation regarding privacy protection and calls on OECD countries to implement it;
4. It encourages Commissioners to continue implementing the work of the London Initiative.

Mr. Peter Hustinx, European Data Protection Supervisor, asked that the Resolution be amended to call upon DPAs to organize dedicated "Privacy Days" within their respective jurisdictions, along the lines of a similar initiative taken recently by the Council of Europe.

Ms. Karen Curtis, Privacy Commissioner of Australia, suggested that a reference be added in the Resolution to the "Privacy Awareness Week" organized by her Office, as an example of the type of "Privacy Day" DPAs could be encouraged to organize.

Mr. Jacques St-Laurent, President of Quebec's *Commission d'accès l'information*, suggested that a reference be added in the Resolution to the recently created association of francophone DPAs, as an example of the type of privacy promotion initiative DPAs should be encouraged to emulate.

Mr. Artemi Rallo, Privacy Commissioner of Spain, suggested that while he did not want Iberian and South American initiatives to be overlooked in the Resolution, it might be better to simply state in general terms—without providing specific examples of activities elsewhere in the world—that DPAs are encouraged to initiate privacy promotion initiatives in their respective jurisdictions.

Mr. Jean-Philippe Walter, Deputy Data Protection Commissioner of Switzerland, suggested that the Resolution be amended to call for the creation of international instruments governing data and privacy protection.

The Chair recommended that a new version of the Resolution be prepared for approval by the Conference. This new version would be amended, in light of the above noted discussion, to: 1) encourage DPAs to further develop their existing efforts to support international co-operation, and; 2) encourage DPAs to organize privacy awareness events in their respective jurisdictions.

The Chair's recommendation was approved by the Conference. Conference staff received instructions to prepare a new text of the Resolution, for consideration at the next closed session, on September 28, 2007.

F. Media Strategy

The Chair introduced Mr. Colin McKay, Communications Director at the Office of the Privacy Commissioner of Canada, and asked him to say a few words on the communications and media strategy regarding Conference resolutions.

Mr. McKay presented a draft press release prepared in advance of the first closed session, and asked DPAs to provide him with their comments. He indicated that the plan was for the press release to be issued on Friday, September 28, 2007, at the close of the Conference.

G. Close of Session

The Chair thanked the assembled DPAs and suspended the session until Friday, September 28, 2007.