



37th International Conference of Data Protection and Privacy Commissioners

Amsterdam, Netherlands

Closed Session Report

In October 2015 the International Conference of Data Protection and Privacy Commissioners met in annual session for the 37th time. Delegations from 70 of the 110 accredited member authorities assembled in Amsterdam and were joined by 16 accredited observers. The meeting was chaired by John Edwards, New Zealand Privacy Commissioner.

Note from the Executive Committee Secretariat: The following report briefly recounts the proceedings of the closed session of the 37th Conference. Fuller information on particular items can be found in the links to reports and documentation available on the permanent [Conference website](#).

Day 1: Monday, 26 October 2015			
Time	Item	Notes	Agreed action (if any)
0930	1. Welcome and opening	Jacob Kohnstamm (host) spoke.	
0935		John Edwards (Chair) spoke.	
0940	2. Accreditation	John Edwards took the chair for admission of new members and observers. Discussion focused upon the application for observer status by the International Committee of the Red Cross (ICRC).	Adopted: Accreditation resolution accrediting 5 new members and 12 additional observers Agreed: While the ICRC application for observer status was declined, the Conference approved an invitation to the ICRC to attend Day 2 of the closed session as an organisation with special expertise in relation to the discussion of the resolution on humanitarian action.
0950	3. In-depth Discussion: Genetic and Health Data: Challenges for tomorrow	Isabelle Falque-Pierrotin (FR) and Julie Brill (US) jointly took the chair to moderate this session. Opening comments by Isabelle Falque-Pierrotin.	Reflected: Discussion reflected in the Amsterdam Declaration .
1000		1st presentation by Sebastian Massart.	
1025		2nd presentation (Genome Hacking) by Yaniv Erlich.	
1045		3rd presentation (Genetic and Health Data : 'identifiability' and 'consent' challenges for tomorrow) by Mark Taylor followed by a coffee break.	
1140		Reconvened for panel discussion and	

		<p>questions/interventions from floor.</p> <p>Interventions from delegates from the following regions:</p> <ul style="list-style-type: none"> • Europe – 10 • Rest of world - 4 	
1320		Wrap up by Isabelle Falque-Pierrotin and Julie Brill.	
1330	Lunch		
1430	4. In-depth Discussion: Data protection oversight of security and intelligence: the role of DPAs in a changing society	<p>John Edwards (NZ) and Wilbert Tomesen (NL) jointly took the chair to moderate this session.</p> <p>Opening comments by John Edwards.</p>	Reflected: Discussion reflected in Amsterdam Declaration and in the Resolution on Transparency Reporting .
1435		Further opening comments by Wilbert Tomesen.	
1440		1st presentation (Digital intelligence: a new democratic licence to operate) by David Omand.	
1512		<p>Discussion and questions and interventions from the floor followed by coffee break.</p> <p>Interventions from delegates from the following regions:</p> <ul style="list-style-type: none"> • Europe – 3 • Rest of world - 2 	
1610		2nd presentation by Cheryl Gwyn.	
1640		3rd presentation by Ira Rubenstein.	
		<p>Discussion amongst entire panel and questions/interventions from floor, including invited expert guests from specialised intelligence and security organisation oversight bodies.</p> <p>Interventions from delegates from the following regions:</p> <ul style="list-style-type: none"> • Europe – 5 • Rest of world – 3 	
1745		Wrap up by Wilbert Tomesen.	
1755	Chair's summary, administrative announcements and close of day's deliberations		

Day 2: Tuesday, 27 October 2015

Time	Item	Notes	Agreed action (if any)
0905	6. Update on previous day's discussions	<p>John Edwards (Chair) took the Chair for the rest of the meeting.</p> <p>The Chair:</p> <ul style="list-style-type: none"> • Asked the meeting to adopt the previously circulated voting list. • Read out the Amsterdam 	Adopted: List of voting members.

		Declaration that had been composed overnight to reflect the Day 1 in-depth discussions.	
0920	7. Executive Committee	A written report from the Executive Committee had been circulated. The Chair presented the rule changes proposed by the Executive Committee and took the meeting through the proposal item by item.	Agreed: All proposed rule changes.
0940	8. International Enforcement Arrangement Implementation	The Executive Committee at its July meeting had delegated implementation of the Arrangement to the Secretariat, including the task of receiving and assessing Notices of Intent. The Secretariat gave an oral report on the implementation of an online application system. The Secretariat announced the commencement of the Arrangement with Gibraltar being the first participant and 7 other authorities also verified as participants. Ensuing discussion included interventions from UK, Belgium, Germany, Switzerland and France. One point of discussion was compatibility with COE Convention 108. Switzerland undertook to raise the matter for discussion at a meeting of the COE T-PD Committee. The Chair requested that if compatibility were to prove to be a difficulty for a T-PD representative to bring practical suggestions to the Executive Committee creating a pathway to enable members from Convention 108 states to participate.	Announced: Commencement of Global Cross Border Enforcement Cooperation Arrangement
1005	9. Privacy in a digital age	Invited Guest, Joe Cannataci, UN Special Rapporteur on Right to Privacy, outlined a 10 point plan to guide his work.	
1035	10. Strategic Planning	The Conference resolved to adopt the new Strategic Plan that had been prepared by the Strategic Direction Working Group in conjunction with the Executive Committee.	Adopted: Resolution on Conference's Strategic Direction (2016-18)
1040	Coffee break		
1115	11. Reports back from working groups, events and other networks	Digital Education working group: France reported on the DEWG.	
1132		Enforcement Cooperation meeting: Canada and UK reported on the meeting that had been held in Ottawa. One key deliverable from the event was an Enforcement Cooperation Handbook, which had been circulated in English and French versions. Canada/UK recommended that this resource could be reviewed	

		and amended as part of future enforcement cooperation meetings.	
1147		Article 29 Working Party: 29WP Chair gave an update on the year.	
1200	12. Resolutions	The Resolution on Transparency Reporting was presented by Canada and discussed. Following an intervention from Australia an amendment to recital (f) was made. The FTC abstained.	Adopted: Resolution on Transparency Reporting
1217		The Resolution on Privacy and International Humanitarian Action was presented by Spain and discussed. The Resolution proposes the creation of a working group which Spain offered to be involved in. Invited guest, International Committee of the Red Cross, and observer, UN Secretary-General's Office, intervened to welcome the resolution. The FTC abstained.	Adopted: Resolution on Privacy and International Humanitarian Action
1225		The Resolution on the UN Special Rapporteur on the Right to Privacy was presented by Germany and discussed. Several wording changes proposed by the EDPS were accepted and the resolution was renamed 'Resolution on <i>cooperation with</i> the UN Special Rapporteur on the Right to Privacy'. The FTC abstained.	Adopted: Resolution on cooperation with the UN Special Rapporteur on the Right to Privacy .
1235	13. Discretionary slot	The Chair proposed formally to recognise the contribution to international data protection by Alexander Dix, Berlin Commissioner. The Chair read out a citation that was adopted by acclamation of the meeting.	Honoured: Alexander Dix, Berlin Commissioner.
1237	14. Election of Executive Committee members	The Conference rules provide for two year terms for elected Committee members. Members may be re-elected for no more than two consecutive 2-year terms. NZ had completed its first 2-year term and stood for re-election. The USA had completed its second 2-year term and accordingly stepped down. NZ was re-elected to the Committee. Canada was elected to the slot vacated by USA. John Edwards, NZ Privacy Commissioner, was re-elected unopposed as Chair.	Elected: Canada and New Zealand as Executive Committee members. Elected: New Zealand as Chair of the Executive Committee.
1240	Host of the 38th Conference: Morocco	Said Ihrai, Chairman of the National Commission for the Control of Personal Data, Morocco, screened a video and gave a presentation in relation to plans for next year's annual meeting in Marrakesh and concerning law, trade and human	Announcement: The Moroccan host announced that the conference will be held in Marrakesh in 2016.

		rights in Morocco.	
1255	16. Closing statements from Chair and host	The President of the Dutch DPA offered closing remarks.	
1300	Meeting closed		