

ICDPPC Executive Committee Minutes

ICDPPC Executive Committee meeting

15/16 July 2015

Chair: John Edwards, New Zealand
Secretariat: Blair Stewart, Vanya Vida, New Zealand
France: Isabelle Falque-Pierrotin
Netherlands: Jacob Kohnstamm, Dominique Hagenauw
USA: Julie Brill, Aaron Burstein, Guilherme Roschke

Apologies: Florence Raynal, Drudeisha Madhub and Paul Breitbarth (entire meeting).
Isabelle Falque-Pierrotin and Julie Brill (left part way through).

Meeting opened: 7:00am (NZST)

1. Previous meeting

- a. Minutes of the last meeting (13/14 May 2015) were approved.

The Committee adopted a policy to publish Committee minutes on the Conference website following approval.

Action point: Secretariat to post approved minutes to date on Conference website.

- b. All action points from previous meeting are complete.

2. Standing items

- a. Update from the Secretariat
The Chair reported on correspondence.
- b. Applications for accreditation as a Member

The Ukrainian Parliament Commissioner for Human Rights has applied to be accredited as a member. FTC reported to the Committee that the application is yet to be evaluated. FTC is responsible to coordinate overall process and allocate assessment of particular applications to individual Committee members as appropriate.

Action point: FTC to allocate Ukraine application to a Committee member for assessment.

c. Applications for accreditation as an Observer

FTC reported that 4 applications for observer status have been received:

1. Europol Data Protection Office;
2. Eurojust Data Protection Officer;
3. Netherlands Authority for Consumers & Markets (ACM);
4. USA Federal Communications Commission (FCC) (this application was submitted on the day of the meeting and had not yet been circulated to the Committee).

The Committee discussed applications received from Europol DPO and Eurojust DPO. Committee members took the view that applications should be made in the name of organisations and not DPOs within those organisations and accordingly declined to recommend these two applications.

The Secretariat will inform Europol and Eurojust DPOs of the Committee's position and invite the two organisations to re-apply for observer status in the name of the organisations if they wish.

NL volunteered to evaluate Netherlands Authority for Consumers & Markets application.

NZ volunteered to evaluate Federal Communications Commission application.

Action points: Secretariat to inform Europol and Eurojust to submit a new application on behalf of their organisation. NL to evaluate Netherlands ACM application. NZ to evaluate FCC application.

d. Conference representation

The Committee received from CNIL reports on meetings of OECD and CoE and agreed that these be circulated by the Secretariat to Conference members.

Action point: Secretariat to email the two meeting reports to all members.

3. Closed session 2015

a. Day 1

The Committee endorsed both proposals for 3 hour sessions on Day 1 of the closed session.

There was discussion about inviting several people from intelligence organisation oversight bodies to observe proceedings and participate in discussion with brief interventions. In particular it was agreed that David Medine be invited on this basis. NZ will circulate the names of other proposed invitees to the Committee of approval before issuing any invitations.

Action point: Chair to invite David Medine. NZ to circulate proposed names of intelligence organisations oversight bodies.

b. Day 1 and Day 2: Agenda

The Secretariat briefly spoke to the draft preliminary agenda that the Secretariat had prepared for day 1 and day 2 of the closed session. Particularly highlighted were the start time of the closed session and the time allocated for lunch. NL raised the question of whether to provide time for a declaration on Day 2 of the closed session. No decisions were taken on the agenda and the matter was remitted to Secretariat and host for mutual decision.

Action point: NL and Secretariat to finalise preliminary closed session agenda.

4. Public conference

a. NL updated the Committee.

b. Side events

FR offered to hold a side event on digital education. FR invited Committee members to provide comments on whether they should move forward with their proposal. In FR's absence this item was not further discussed.

Action point: All Committee members invited to provide comments to FR on its proposal to hold a side event on digital education.

5. Observer processes

The Committee approved the recommendations in the Secretariat's paper to streamline observer processes and will put this recommendation to members for agreement at the closed session.

Action point: Secretariat to shorten paper on observer processes for presentation at the closed session.

6. Hosting the Conference

a. 2016

Chair will send out a formal letter to Morocco confirming its selection as the host for 2016 Conference.

Action point: Chair to formally inform Morocco of its selection to host the 2016 Conference. Secretariat to have discussions with Morocco over reporting schedule.

b. Calling for proposals to host the 2017 Conference

The Committee agreed that it would be desirable to advance the process for selection of the 2017 host so that approval can be given earlier in the year.

The Secretariat suggested a process whereby the call for proposals might be issued in September with a November closing date allowing for approval by a new Committee in February – 5 months earlier than the previous call.

Action point: Secretariat to review existing guidance and processes for host selection and report back to the next meeting with a recommended timeline.

7. Enforcement Cooperation resolution

The Committee recommended that the Executive Committee delegate to the Secretariat the task of receiving and assessing Notices of Intent. In case of doubt application will be remitted to the Committee for decision.

Action point: The Secretariat to inform UK and Canada of the Committee's decision. Secretariat will take all necessary steps to create a system to receive and assess notices of intent by the Amsterdam Conference.

8. Strategic Direction WG

The Committee deferred discussion of the 2 SDWG papers to the September meeting. FR undertook to provide its comments on the SDWG paper in writing to NZ. The Chair requested the other Committee members to provide their comments as well to NZ before the next meeting.

Action point: Committee members to provide any comments on SDWG papers to NZ.

9. Committee transition

FTC having completed 4 years on the Committee will retire from the Committee this year. Morocco will join the Committee as next host.

10. Next meeting

Secretariat to confirm 14/15 September 2015 as date of next meeting.

Meeting closed: 8:25am (NZST)