



RESOLUTION ON A ROADMAP ON THE FUTURE OF THE INTERNATIONAL CONFERENCE

40TH International Conference of Data Protection and Privacy Commissioners

Tuesday 23rd October 2018, Brussels

CO-AUTHORS:

- Office of the Privacy Commissioner, Canada
- Commission Nationale de l’Informatique et des Libertés, France

CO-SPONSORS:

- Federal Data Protection Commissioner (Bundesbeauftragten für den Datenschutz), Germany
- Commissioner for Personal Data Protection, Albania
- Agencia de Acceso a la Información Pública, Argentina
- Data Processing and Liberties Commission, Burkina Faso
- Garante per la protezione dei dati personali, Italy
- Personal Data Protection Office, Poland
- Préposé fédéral à la protection des données et à la transparence, Switzerland
- Autorité de Protection des Données à Caractère Personnel, Bénin

Resolution on a roadmap on the Future of the International Conference

The 40th International Conference of Data Protection and Privacy Commissioners:

Having regards to its Rules & Procedures as amended and consolidated;

Considering the Conference mission and vision, as part of the Conference Strategic Plan 2016-2018;

Taking into account the special project on the Future size and membership of the Conference initiated in 2016, and in particular the 2017 survey of members and the 2017-18 strategic consultations ;

With a view to strengthen the Conference as a more efficient platform for international cooperation and policy influence, a more diverse, open and transparent network, and a more structured and efficient organisation;

Adopts the annexed roadmap on the future of the International Conference and related subsequent changes to the ICDPPC Rules & Procedures.

ROADMAP ON THE FUTURE OF THE INTERNATIONAL CONFERENCE

The International Conference of Data Protection and Privacy Commissioners (ICDPPC) continues to grow and evolve, both in the size of its membership and in its uniqueness as the premier gathering of independent privacy and data protection authorities. Throughout this growth, the Conference remains true to its Vision of being “an environment in which privacy and data protection authorities around the world are able effectively to act to fulfil their mandates, both individually and in concert, through diffusion of knowledge and supportive connections.”¹ Nevertheless, as the field of data protection and privacy continue to evolve, members have noted that so must the ICDPPC. Initiated with the 2017 survey on the Future size and membership of the Conference, the reflection process continued with the launch of a strategic consultation on the future of the organisation at the 39th annual conference.

The outcome of this strategic consultation, relying on six roundtables held at regional networks level and a public consultation open to all external stakeholders, highlighted key trends and demands for the transformation of the Conference, **evolving from an annual meeting to an effective network of privacy and data protection authorities**, in particular:

- I. The Conference as a more efficient platform for international cooperation and policy influence
- II. The Conference as a more diverse, open and transparent network
- III. The Conference as a more structured and efficient organisation

On the basis of the strategic consultation undertaken in 2017 and 2018, and building upon the work of the Working Group on the future of the conference, the present roadmap outlines **key recommendations and actions to be considered by members** and affirm the Conference evolution towards a more permanent and structuring organisation on the international level.

Acknowledging the necessary progressive approach and due consideration in implementing changes to the missions, organisations and structure of the Conference, the present roadmap provide for recommendations to be implemented gradually over time and should serve as a basis and building block towards the future Conference Strategic Plan 2019-2021 to be adopted at the 41st annual conference in 2019.

The roadmap for the future of the International Conference lays down a **series of recommendations and corresponding actions to be taken in the immediate or medium term**, on the basis of the following guiding objectives, identified as a result of the strategic consultation process:

- Common project: responding to members' cooperation needs and establishing a permanent network advancing privacy and data protection at international level
- Identity: reaffirming members' independence while promoting diversity, openness and visibility
- Format and structure: adapting the organisation and sustaining a continuous development

¹ <http://icdppc.org/the-conference-and-executive-committee/strategic-direction-mission-and-vision/>

Resolution on a roadmap on the Future of the International Conference

I - Common project: responding to members' cooperation needs and establishing a permanent network advancing privacy and data protection at international level

To strengthen the **Conference's policy role, being its core function, and influence in advancing privacy and data protection at the international level**, the 40th Conference commits to follow the recommendations below:

- A) Adopt a **multi-annual policy strategy** with a view to coordinate members' messages and positions towards governments and decision-makers on key policy issues identified in the field of privacy and data protection.
- B) Ensure the implementation of **ICDPPC resolutions supported by an implementation guide or a progress review plan** in order to ensure an effective follow-up on the provisions and recommendations adopted.
- C) Reinforce the **ICDPPC presence and participation at multilateral organizations** by appointing permanent representatives reporting to the annual closed session.

To address members' demand for the International Conference to serve as an **operational platform for practical cooperation**, the 40th Conference commits to follow the recommendations below:

- D) At each annual meeting closed session, without prejudice to ordinary business and debates, dedicate **breakout sessions in smaller groups, focusing on exchanges of best practices and dialogue on DPAs' daily work** (eg. enforcement, audit and control, awareness raising, etc.).
- E) **Develop a “welcome kit” for new and aspiring authorities of the ICDPPC**, providing capacity building advice and institutional guidance on privacy and data protection regulatory matters, as well as a handbook on the Conference structure, functioning and useful contacts.
- F) Study the development of a **secured online platform for ICDPPC members** only, dedicated to resources availability and knowledge sharing, including, but not limited to directory of members, repository of national and international data protection laws, Q&A forum, Working Groups and Executive Committee relevant documentation, dedicated research section, “hot topic”, “looking ahead” and “prospective” alerts.

To ensure **continuity and transparency in the Conference activities and processes**, the Conference commits to follow the recommendations below:

- G) Present and adopt an **annual work programme for each Working Group** at the annual meeting closed session.
- H) Review and promote **new rules for the adoption of resolutions and declarations**, allowing for clearer timeframe and distinguishing drafting stages for the tabling of amendments, with the making available of all drafting documents, amendments and updated versions prior to adoption.

Delivering on the Conference's common project

Immediate action

- Update the ICDPPC Rules & Procedures on the Annual Meeting and Closed Session (Section 2), to include the organisation of optional cooperation breakout sessions.
- Update the ICDPPC Rules & Procedures for the appointment of ICDPPC permanent representatives at international organisation (for example: Council of Europe, OECD, APEC).
- Update the ICDPPC Rules & Procedures on the adoption process and structure of resolutions and declarations (Section 4).

Medium term action

- Mandate the Executive Committee, with the support of the Secretariat, to develop a welcome kit to the attention of new and aspiring authorities of the ICDPPC, to be adopted at the 41st Conference in 2019.
- Mandate the Executive Committee to adopt a policy strategy, as part of the next Conference strategic plan 2019-2021, to be adopted at the 41st Conference in 2019.
- Mandate the Working Group on the Future of the Conference to evaluate the possibilities and modalities, including technical and financial requirements, for the creation of an ICDPPC members online platform at the 41st Conference in 2019.

II - Identity: reaffirming members' independence while promoting diversity and openness

To echo members' exigency towards the **maintaining of current membership criteria and the guarantee of the independence of authorities**, both from governments and private sector, the 40th Conference commits to follow the following recommendations:

- A) Develop a **background document to clarify and help interpreting membership criteria**, and in particular the notion of independence.
- B) Clarify and further detail the **rules for the attendance at the annual meeting Closed Session** in order to guarantee the appropriate level of participation in discussions related to key matters for members, thus avoiding any undue interference.

To respond to members' call for a **greater diversity and representativeness**, in particular when it comes to the Conference's decision-making bodies and the organisation of the annual meeting, the 40th Conference commits to follow the recommendation below:

- C) Seek **representation from each region with the Executive Committee**, by extending the number of elected members of the Executive Committee to 5 with at least one representative from the following regions: Americas, Asia/Oceania, Africa/Middle-East and Europe, while granting the hosting authority of the past and forthcoming annual conference the status of member.
- D) Clarify in the ICDPPC Rules & Procedures the **possibility for authorities from neighbouring countries, the same region or network, to jointly apply to host the Conference's annual meeting**.
- E) Encourage **diversity within Working Groups by seeking the appointment of 2 co-chairs from two different regions** and encouraging geographical, cultural and legal diversity within the overall membership.
- F) Set up a **network of translating members that can help, on a voluntary basis, to assist the Secretariat in reviewing translation or in translating documents**, at least in the working languages of existing networks (EN, ES and FR).

To address the **need for the Conference to remain outward looking**, taking into account global developments and the wide range of relevant stakeholders, the 40th Conference commits to follow the recommendations below:

- G) Allow for the **participation of observers**, on an ad hoc basis and upon invitation, to the discussions and activities of Working Groups.
- H) Consider the **setting up of a consultation platform or contact group**, involving all relevant external stakeholders, in particular civil society organizations, in order to facilitate dialogue and exchanges on the ICDPPC activities and preparation of annual meetings.

To strengthen the **conference visibility from an external communication point of view**, thus supporting its main missions, the 40th Conference commits to follow the recommendations below:

- I) Launch an inclusive **internal process in order to adopt a new (shorter) name for the organization** able to convey the ICDPPC main mission and objectives and to **redesign the ICDPPC logo** and overall visual identity.

Delivering on the Conference's identity

Immediate action

- Update the ICDPPC Rules & Procedure for participation to the Annual Meeting Closed Session (Section 2).
- Update the ICDPPC Rules & Procedures on the composition of the Executive Committee (Section 3.1).
- Update the ICDPPC Rules & Procedures on the Hosting Authority selection (Section 3.2) to clarify the possibility for members to jointly host the Annual Meeting.
- Update the ICDPPC Rules & Procedures on Working Groups (Section 3.3) to encourage, where appropriate, having co-chairs from two different regions and encourage overall diversity of membership.
- Update the ICDPPC Rules & Procedures on Working Groups (Section 3.3) to allow for the ad-hoc participation of observers.

Medium term action

- Mandate the Working Group on the Future of the Conference to develop a background document on the interpretation of the membership and independence criteria, to be adopted at the 41st Conference in 2019.
- Mandate the Secretariat to set up, by January 2019, the voluntary network of translating members.
- Mandate the Working Group on the future of the Conference to present a detailed proposal on the creation of an ICDPPC contact group with external stakeholders, in particular civil society organizations, to be presented at the 41st Conference in 2019.
- Mandate the Executive Committee to launch the internal process for the ICDPPC new name, logo and visual identity, to be presented and adopted at the 41st Conference in 2019.

III – Format and structure: adapting the organisation and sustaining a continuous development

To ensure the Annual Meeting (open and closed sessions) meets both members and external stakeholders' needs and expectation and to maintain the event as a landmark privacy and data protection gathering at international level, the 40th Conference commits to follow the recommendation below:

- A) Mandate a task force to further consult on and assess **the articulation between the closed and open sessions** of the Annual Meeting and present proposals **in order to maximize the attractiveness of the Conference's Annual meeting agenda.**

To address member's desire for the Conference to evolve towards a more stable and structured organisation, and taking into account the desire to have an informed debate on the viability of establishing a funded, stable Secretariat, reference is made to two documents prepared for consideration at the 40th Conference – the "Backgrounder: the Secretariat of the International Conference and Options on its Level of Service, Funding and Placement" and the "Proposals Paper: Costing and Paying for the Secretariat of the International Conference."

Informed by these papers and the options presented therein, and in an effort to implement the recommendations and actions of the present roadmap, as well as to ensure a better continuity in the conference activities and a more consistent support in its actions, the 40th Conference commits to the following recommendation:

- B) Establishing plans for development of a funded, stable Secretariat, in place for renewable terms of three years or more, and for the establishment of membership fees and its modalities.
- C) Mandates the Working Group on the Future of the Conference to prepare, in close cooperation with and by regularly reporting to the Executive Committee, a proposal for potential adoption at the 41st Conference which:
 - proposes the necessary changes to the ICDPPC Rules & Procedures, including formalizing the role and structure of the Secretariat, whether it is provided by one or more authorities and the establishment of membership fees;
 - establishes a Scope of Work for the Secretariat;
 - consults members on a final fee structure;
 - collects the necessary information from members to determine which fee group they are in;
 - calls for a volunteer authority (or authorities) willing to host the Secretariat; and,
 - determines the most practical way to collect membership fees.

Delivering on the Conference's format and structure

Immediate action

- Set up and mandate a task force on the Annual Meeting format, to consult and report on its recommendation at the 41st Conference;
- Decide to establish a plan for a stable, funded Secretariat
- Mandate the Working Group on the Future of the Conference to prepare, in close cooperation with and by regularly reporting to the Executive Committee, a proposal reflecting the decisions taken.

Medium term action

- On the basis of the proposal prepared by the Working Group on the Future of the Conference, the Executive Committee to present for potential adoption at the 41st Conference in 2019, the necessary changes to the ICDPPC Rules & Procedures and other processes necessary to establish the Secretariat and collect membership fees.