

# NEWSLETTER

GLOBAL PRIVACY ASSEMBLY

## Message from the Chair

There is a sense of 'looking forward' this time of year in the UK. People are back from their vacations, children are back in school, and I notice a sense of people feeling a bit more optimistic about the new reality we face.

That feeling of positivity is clear in this Newsletter, with its focus on our Annual Conference, which is always the highlight of our community's calendar.

We are, of course, disappointed that this is now an online only event, especially as I know our Mexican colleagues had dedicated so much thought into hosting us. But we must see the positives here. In a time of unprecedented disruption, our Assembly continues to be valuable and relevant, and we are hosting our Annual Conference again, despite the challenges of the pandemic.

The agendas for both the Open and Closed Sessions are testament to the importance of the GPA, from discussing our strategic direction to reflecting on the brilliance of our community in the awards. The topics reflect how the GPA has evolved and modernised to meet the challenges of a data-driven age, including discussions of facial recognition technology, the Internet of Things, AI, the digital economy and smart cities.

Registration is now open, and I would urge members to look to sign up to both the open and closed sessions.

This Newsletter takes the Conference's theme of 'Privacy and Data Protection – a human centric approach' and includes



short articles celebrating the work of the GPA membership, including our Working Groups. We also have our usual features, with regional perspectives from the AFAPDP and a focus on our member from Mauritius.

I hope to see you all, virtually, in October. We will have much to discuss, and an opportunity to work together towards the next chapter of the GPA's development. There is much to look forward to.

**Elizabeth Denham CBE**

Information Commissioner, UK



**GPA**

Global Privacy Assembly

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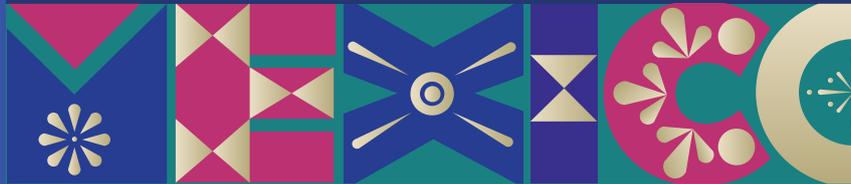
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# GPA

## Global Privacy Assembly

(43<sup>o</sup> Asamblea de Autoridades)



18 - 21

OCT

2021

Register today at: [gpamexico2021.org](https://gpamexico2021.org)

Registration deadline 17 October.



Instituto Nacional de Transparencia, Acceso a la  
Información y Protección de Datos Personales

# Towards the 2021 Global Privacy Assembly

Blanca Lilia Ibarra Cadena, President Commissioner, National Institute for Transparency, Access to Information and Personal Data Protection (INAI), Mexico welcomes you to the GPA 2021 Conference



Welcome to the GPA 2021 Conference which has as its theme 'Privacy and Data Protection: a human-centric approach'. Privacy is an integral part of human dignity. The right to data protection was initially conceived in the 1970s and 80s to compensate for the potential to erode privacy and dignity through large-scale personal data processing. With this Conference, we aim to shift the thinking from the protection of personal data to the protection of all individuals as a fundamental right. In addition, to:

- Drive new paradigms and ideas for innovations;
- Maximise personal data usage and protection;
- Have better data availability for societies; and
- Explore the management of data and its potential.

Convention 108+ incorporates the concept of human dignity as individuals not being treated as mere objects. The European Court of Human Rights also affirms respect for private life by referring to human dignity. By placing the human element central to data processing, technological developments expand the human identity.

While research shows that many individuals involved in online activities are aware that their data is being collected and shared, this is no proof of the assumption that they are willing to give away their data. The generation of data is dependent on people evolving, and so, people have the right

to determine their future. New digital rights are emerging, and the human-centric approach paradigm is predicated on these rights.

Given technological advances, our ability to store and process vast amounts of data, and the evolution of artificial intelligence, business models increasingly see personal data as a raw material suitable for collection, refinement, and application for broader use. By placing the 'human' at the centre and allowing individuals to choose, or agree, to the purposes for which data is used, data becomes available for those purposes in a way that respects individuals' privacy.

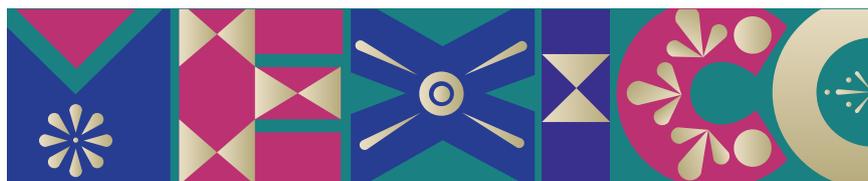
**“We aim to shift the thinking from the protection of personal data to the protection of all individuals as a fundamental right.”**

Human-centric approaches help societies ensure collective safeguards against potential data misuse and enable more opportunities for diverse sectors and groups, e.g. vulnerable

individuals. The Internet and the global digital transformation have changed many aspects of our lives. This new and ever-emerging era of our history has influenced economies, communities and individuals' personal lives.

The main objective of the Global Privacy Assembly 2021 is to address international standards and measures which guarantee the human right of privacy and data protection by:

- providing new insights into guiding the future of data protection and privacy policies;
- achieving cooperation between authorities; and
- finding the coexistence between the development of new information technologies and human rights for personal data protection.



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The Global Privacy Assembly appointed its first Reference Panel, a contact group of varied external experts who support the Assembly by providing knowledge and practical expertise on data protection and privacy and related issues and developments in information technology. The 16 members provide expertise from around the world from relevant civil society organisations, academic institutions, and think tanks, interested in the vision and mission of the GPA. With their help, the INAI and the Executive Members decided on this year's Agenda.

**“New digital rights are emerging, and the human-centric approach paradigm is predicated on these rights.”**

The Agenda for the Open Session is focused on the coexistence of new information technologies and human rights. This will be tackled by expert keynote representatives, in both panel sessions and Q&A debates, who will present their knowledge and best practices.

On the first day, we will start the conversation with the technological evolution and human intervention in mass data processing, including topics, such as:

- Mass Surveillance by Facial Recognition and analysis of metadata;

- Privacy and the Pandemic;
- Vaccine Passports and Similar Certificates;
- An Ethical Approach for the Protection of Personal Data;
- Internet of Things; and
- Artificial Intelligence (AI), digital rights, inclusive policies, practical tools for secure-free data flows, among other topics that will be raised.

On the second day of the Open Session, we will continue with exciting conversations and discussions related to 'Data Flows with Trust':

- The Future of Privacy and Technology;
- Digital Economy;
- The Challenge of Compliance;
- Normative Convergence to the establishment of international standards for the adequate protection of a Human Right;
- The Status of COE 108+;
- Consumer Rights;
- E-commerce;
- Smart Cities;
- Mobility Hubs;
- Personal Data in the Electoral Arena;
- Digital Rights, among others.

We are sure that these topics are of interest to all authorities and our Conference participants from the international data protection and privacy community and will inspire conversations throughout the Conference and beyond.

The Open Session will be followed by the two days of the

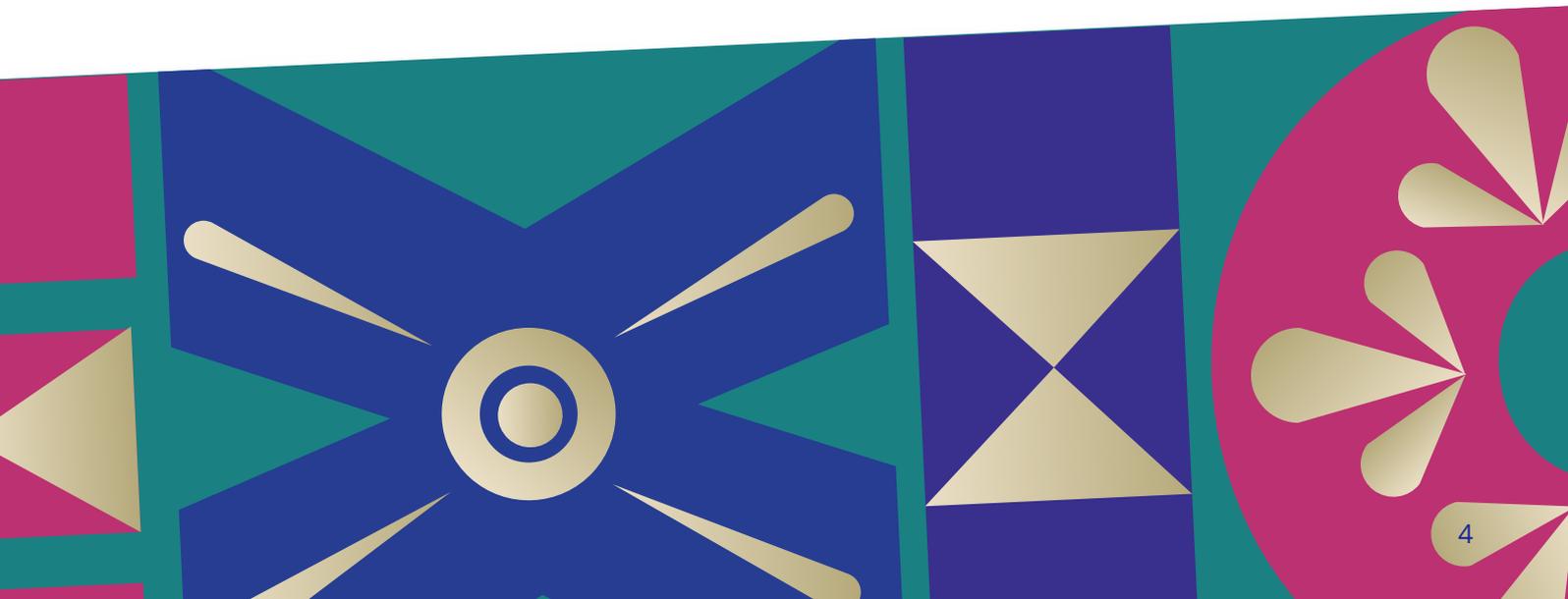
Closed Session, on the theme 'Privacy Enabled Innovation: Achieving Data Protection and Public Interest Outcomes in a Data-driven Society'. GPA members will have the opportunity to discuss and acquire both knowledge and best practice from the Policy-focussed and Capacity Building Sessions, as well as reviewing internal governance matters and the GPA's future priorities and next steps.

As host authority of this year's Conference, INAI will create opportunities for an open dialogue, allowing leaders to discuss and exchange knowledge and ideas in order to propose solutions for emerging issues in the field.

We would like to thank Ms. Elizabeth Denham, Chair of the GPA, for all her guidance, the GPA Reference Panel for their hard work co-deciding the topics for this year's Conference, the GPA Secretariat team from the UK Information Commissioner's Office who makes this possible, and all GPA members.

Despite the COVID-19 complications of this year, we are in no doubt that the work and personal contributions from the GPA membership will guarantee an outstanding event.

Register today at [gpamexico2021.org](https://gpamexico2021.org). Registration deadline 17 October.



# 43rd GPA 2021 Open Session Conference Special

Leader of the GPA 2021, Commissioner Blanca Lilia Ibarra Cadena, gives the latest news on this year's Conference in Mexico City.

The INAI is delighted to announce that the Open Session programme for this year's events is now live on our website [gpamexico2021.org](http://gpamexico2021.org), with only a few minor details to be announced soon.

The Open Session consists of five thought-provoking Keynote Speeches and five panels for the morning sessions, and for the afternoon sessions, we have a choice of five parallel sessions for your personal preference.

The panellists and speakers of the Conference, which among others include policymakers, researchers, NGOs, public authorities and GPA Members, will address in their presentations dynamic debates on the key topics of the day, sharing priorities, best practices and guidance.

Due to the COVID-19 circumstances in Mexico City, the INAI decided to have an online-only (virtual) event that will allow all delegates equal access to all the activities programmed, delivering new insights into guiding the future of Data Protection and Privacy policies and practices worldwide, the need for cooperation between authorities, and the coexistence between the development of new information technologies and human rights for personal data protection.

With less than a month to go, if you have not already registered, we cordially invite you to do so at your earliest convenience on our webpage. On a final note, please remember that registration is open until 17 October, so make sure to register for the Conference as soon as possible. **We look forward to welcoming you even if it will be at a distance!**

**Find out more about the Keynote Speakers Topics:**

## **Keynote Speech (I): Technological evolution: human intervention in mass data processing**

The evolution of information technologies has allowed massive data processing to be carried out in a simple way, which has meant new risks to individuals fundamental rights and personal privacy. Technological advances allow us to profile the population in an automated way without an exhaustive analysis of the impact that this profiling has on the development of human beings.

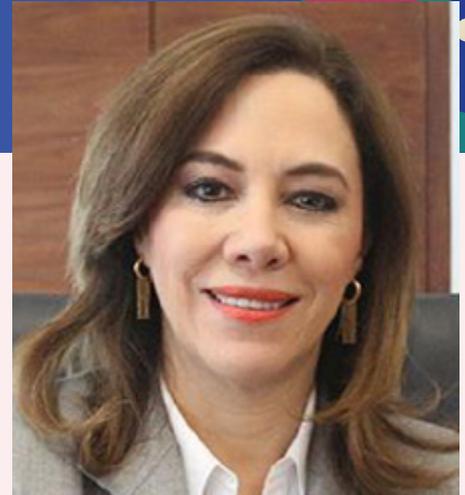
The importance of human intervention in order to generate neutral, equitable algorithms with a human rights perspective is one of the significant challenges we face today. It is necessary to guarantee that there are mechanisms in place that allow human intervention in decision-making that could be far-reaching and safeguard human rights in the digital age.

What are the consequences for human development from this perspective? What should be considered, from a human rights perspective, to develop and adopt new technologies?

How do we protect human rights as we make use of information technologies? Is there a limit to the implementation of automated decisions?

**Speaker: Dr. Jennifer King, Privacy and Data Policy Fellow at the Stanford Institute for Human-Centered Artificial Intelligence.**

## **Keynote Speech (II): Privacy and Pandemic COVID-19:**



## **Vaccine Passports and Similar Certificates**

One of the consequences of the COVID-19 pandemic resulted in the proposal by some regulators to issue and request documents or certificates that prove the immunisation and good health of both their population and foreigners who visit their jurisdictions.

However, the handling of this sensitive personal data implies a severe and latent risk of discrimination. Never in history has it been considered to subordinate the free movement of people by the aspects mentioned above. There is no in-depth analysis of the consequences in the medium and long term of implementing said measure, or whether this will be effective, even though it may violate privacy and other possible human rights.

Is there a proportional relationship between the measure adopted and the protection of personal data? Under what standard would the implementation of this measure be plausible? Is there the possibility of implementing this measure incorporating privacy by design and by default?

**Speaker: Alessandra Pierucci, Chair of the Committee of Convention 108, Council of Europe**

### **Keynote Speech (III): Data Flows with Trust**

Tackling the challenges that disproportionate access to data by governments creates for people's rights and the free flow of data. What is the impact on disadvantaged and vulnerable groups as further data protection regulation is passed in developing countries?

#### **Speakers:**

- 1) Mieko Tanno, Chairperson, Personal Information Protection Commission (PPC), Japan**
- 2) Bruno Gencarelli, Head of Unit - International Data Flows and Protection, European Commission.**

### **Keynote Speech (IV): Digital economy: Scope and limits to artificial intelligence and the Internet of Things.**

As artificial intelligence and the Internet of Things (IoT) advance steadily and progressively, they acquire new functionalities used to generate new business and service delivery channels that are the basis of the new digital economy. These technologies are slowly being incorporated into each of our daily activities so that the massive exploitation of data subjects has become a normalised situation. In this context, we ask ourselves what the limits and scope of these new

technologies should be, given their almost invisible invasion in our sphere of privacy.

Regulatory bodies' role in trying to regulate these new technologies should seek a balance between technological advancement and new ways of doing business and protecting personal data to implement win-win schemes for all parties involved.

What implications does the use of AI and IoT have for the digital economy? What is the best strategy to protect privacy with the growing use of AI in the digital economy? What are the benefits of these new technologies for the final consumer in the apparent sacrifice of their privacy?

**Speaker: TBC**

### **Keynote Speech V: Normative convergence to the establishment of international standards for the effective protection of a human right**

In a hyper-connected world, where the Internet knows no borders or jurisdictions, it is increasingly common to find managers who process data simultaneously in every part of the world. It implies a new challenge for personal data protection and the authorities in charge of guaranteeing this right. There are multiple cases of application according to the

various regulations in different jurisdictions that often make proper supervision and, where appropriate, sanction for violations of regulations impossible.

In this scenario, the need to speak a common language of personal data allows the adoption of similar or identical principles and provisions in all regions. To achieve normative convergence, it is necessary to establish international standards that guarantee adequate protection of human rights, such as protecting personal data and privacy, in the same way and with the same guarantees, at all borders.

What is the main obstacle to achieving regulatory convergence on the protection of personal data? What mechanisms could be helpful to achieve normative convergence? Is the application of international collaboration initiatives necessary to achieve normative convergence?

**Speaker: Elizabeth Denham, Chair of the GPA and UK Information Commissioner**

**Register today to hear these special guest keynotes and more at the GPA 2021:**  
[gpamexico2021.org](https://gpamexico2021.org)

# **GPA Global Awards 2021 - Shining a light on GPA member achievements - Delivery of a fairer digital future for all**

**The 2021 Global Privacy and Data Protection Awards and the GPA Giovanni Buttarelli Award - demonstrating both a legacy and advocacy for international leadership and collaboration in the field of data protection and privacy**

The Global Privacy and Data Protection Awards were launched in 2017, to celebrate the achievements of the GPA community and shine a light on

good practice.

Now in their fourth year, the Awards' entries reflect the ongoing impact and relevance of the work of the GPA member authorities

to the global privacy and data protection community and society as a whole.

Despite the challenge of the global pandemic, the GPA

community has demonstrated its ability to lead as both protectors and enablers, raising awareness to both guide the response to, and meet, the challenges of a data-driven age. This year's awards have revealed the breadth of the issues faced and the effectiveness of our community in providing solutions.

The 2021 award categories included:

- **Education and Public Awareness;**
- **Accountability;**
- **Dispute resolution and enforcement;**
- **Innovation; and**
- **The People's Choice Award.**

Thirty-two entries were received for the Awards, with the entries shortlisted below in the relevant categories by GPA Member authorities' votes.

#### **Education and public awareness**

- [Gibraltar Regulatory Authority – 'Control Your Privacy' campaign;](#)
- [Personal Data Protection Office in Poland \(UODO\) – 'GDPR in the school bench' webinars;](#) and
- [European Data Protection Supervisor – TechDispatch reports.](#)

#### **Innovation**

- [Office of the Privacy Commissioner of Canada – 'Privacy Clinics' platform;](#)
- [Office of the Privacy Commissioner, New Zealand – 'NotifyUs' online platform;](#)
- [Commission nationale de l'informatique et des libertés \(CNIL\), France – CookieViz 2.0;](#) and
- [Superintendence of Industry and Commerce, Colombia – Sandbox on Privacy by Design and by Default in AI Projects.](#)

#### **Accountability**

- [Superintendence of Industry and Commerce, Colombia – Accountability Guidance;](#)
- [Commission nationale de l'informatique et des libertés \(CNIL\), France – The Developer's Guide to GDPR;](#) and

- [Information Commissioner's Office, UK – Accountability Framework.](#)

#### **Dispute resolution and enforcement**

- [Office of the Privacy Commissioner, Canada on behalf of privacy and data protection authorities – Video conferencing \(VTC\) Global Compliance Initiative;](#) and
- [Office of the Privacy Commissioner, Canada on behalf of the Canadian Authorities – Facial Recognition Technology compliance tools.](#)

#### **The People's Choice Award**

This is the overall winning Award chosen from all the shortlisted entries by GPA Members.

The Award winners, chosen by popular vote, will be announced during the '43rd Global Privacy Assembly 2021 Closed Session Conference', to be held online and hosted by the INAI, Mexico on 20-21 October 2021.

#### **Global Privacy Assembly (GPA) 'Giovanni Buttarelli Award' 2021**

The GPA Chair and Executive Committee are delighted to have launched this year a new GPA Award in memory of Giovanni Buttarelli, former European Data Protection Supervisor and GPA Executive Committee Member.

Elizabeth Denham, UK Information Commissioner and GPA Chair, said:

"Giovanni Buttarelli was the European Data Protection Supervisor, a truly inspiring figure in the international data protection and privacy community, and a friend. Giovanni brought his long experience and deep-felt humanity to bear in steering the work of the Global Privacy Assembly as a member of our Executive Committee, and we miss his guiding hand. This Award ensures that his legacy and advocacy for international collaboration continue."

This is the first ever GPA Award to be presented to an individual

in the field of data protection and privacy in recognition of Giovanni Buttarelli's invaluable contribution to the international data protection and privacy community as a leader and passionate advocate for international collaboration.

Awarded annually, eligible candidates will be individuals who have demonstrated exceptional leadership, or have promoted collaboration and/or partnership at a regional or international level in the field of data protection and privacy and, most importantly, helped move towards Giovanni Buttarelli's vision for a fairer digital future for all.

The GPA Giovanni Buttarelli Award is strongly aligned with the GPA's vision to provide leadership at international level and to encourage cooperation across borders, increasingly important in the post-pandemic era.

The Award will be presented during the 43rd GPA 2021 online Open Session Conference on 18-19 October 2021. Further information will be provided about this exciting Award as we get closer to the Conference.

The GPA Chair and Executive Committee would like to thank all those who have contributed to both the GPA 2021 Privacy and Data Protection Awards and the Giovanni Buttarelli Award, and we look forward to announcing the winners at this year's Global Privacy Assembly 2021. The Executive Committee would also like to sincerely thank the Giovanni Buttarelli family and the European Data Protection Supervisor for their support in launching the GPA Giovanni Buttarelli Award.

For general and media enquiries, please contact the GPA Secretariat: [secretariat@globalprivacyassembly.org](mailto:secretariat@globalprivacyassembly.org)

# Creating a better, safer digital world for children

**Elizabeth Denham CBE, UK Information Commissioner, discusses how her office's groundbreaking Children's code is already having an impact on online services and influencing change globally.**

For the past few years, my office (Information Commissioner's Office, UK) has worked tirelessly on a code of practice to better protect children's data and privacy online in the UK.

**"In an age when children learn how to use a tablet before they ride a bike, it is right that companies designing and developing online services do so with the best interests of children in mind."**

The Children's code has now come fully into force in September 2021, and it sets out 15 standards that companies are expected to build into any online services likely to be accessed by children up to age 18. That means that privacy settings should be set high by default, and location tracking, profiling and nudge techniques must be switched off or limited.

The code is the first step in keeping children safer in the digital world. Young people will now have more control over what they see online, social media adverts or messages, whether they are tracked through apps and who can contact them online.

As the first-of-its kind, the code

is already having an impact on online services. Facebook, Google, Instagram, TikTok and others have all made significant changes to their child privacy and safety measures recently.

The world is also paying attention to the changes in the UK. Members of the US Senate and Congress have called on major US tech and gaming companies to voluntarily adopt the standards set out in the Children's code. The Data Protection Commission in Ireland is preparing to introduce the Children's Fundamentals to protect children online, which links closely to our code and follows similar core principles.

I believe it will be astonishing when we all look back to ever think of a time when there wasn't specific regulation to protect kids online. In an age when children learn how to use a tablet before they ride a bike, it is right that companies designing and developing online services do so with the best interests of children in mind.

Going forward, my office will be taking a pragmatic approach in enforcing the code. We will be asking the bigger organisations - especially those in gaming, video streaming and social media sectors that we know pose higher risks for children - to show us how they are conforming to the code, and



putting young people's privacy at the heart of their design.

We want children to be online and benefitting from all the learning and playing they can do in the digital world, but the right protections must be in place, so their privacy is safeguarded.

For more information on the ICO Children's code visit [ico.org.uk/childrenscore](https://ico.org.uk/childrenscore)

## Regional Perspectives

# AFAPDP – Civil Registration, Identity and Personal Data in The Francophonie

Chawki Gaddès, President of the Association francophone des autorités de protection des données personnelles, (AFAPDP) explains the aims and mission of this international network

Since its creation in 2007, the AFAPDP's ambition has been to bring together French-speaking data protection authorities that share a common language, legal tradition and values. The association aims to foster their exchanges and give voice to their francophone specificity, while recognising the legal and cultural differences amongst its members.

Fourteen years later, the AFAPDP brings together the independent data protection authorities of 21 states and governments. The French-speaking world has about half of the world's existing laws, and some 50 authorities. The activities of the Network have been developed around three pillars, the:

- promotion of personal data protection,
- reinforcement of the capacities of its members; and
- influence of the Francophone vision and expertise on the international scene.

The Network's efforts to promote the issue of personal data protection and privacy are aimed at all stakeholders: French-speaking states and governments that are considering adopting a law on the protection of personal data, citizens in the French-speaking world whose rights and freedoms are affected by the processing of their data, and data controllers, whether they work for the private or public sector.

For French-speaking countries, data protection is an essential marker of economic and political development, illustrating both the dynamism of the national

digital economy and the respect of citizens' rights, particularly in the sincerity and reliability of electoral processes or the implementation of identity certification of individuals.

### Civil Registration, Identity and Personal Data in Francophonie

The identity of individuals is at the heart of the priorities of the Francophone Heads of State and Government: according to the World Bank, more than one billion people do not have an official identity, and nearly 50% of people living on the African continent are not registered with the civil registry. This registration is essential for the enjoyment of all fundamental human rights.

Many states in the French-speaking world have benefited in recent years, or are currently benefiting, from major multilateral programmes to consolidate civil registration. Moreover, many countries have chosen to modernise their identity management systems.

From the point of view of the protection of personal data, legal identity is a keystone of the matter. According to the commonly accepted definition of personal data in the main international instruments on the subject, as well as in many laws in the French-speaking world, to be identified, a person must have a legal identity. In a way, it can be considered that the protection of personal data begins with the attribution of an identity.

The way in which personal data relating to civil status is collected, processed, stored and used is a



major issue of sovereignty and reveals a model of society. It is appropriate to consider what is at stake in terms of data protection, both for States and for the individuals concerned.

Personal data such as family name, first name or date of birth, for example, are fundamentally inseparable from the person who carries them. The AFAPDP recalled this in a [resolution adopted in 2018](#): "personal data are constituent elements of the human person, who therefore has inalienable rights over them".

Based on this understanding of what our mission is, AFAPDP has given its support, alongside the International Organisation of The Francophonie, to this international momentum and has contributed to the updating of the [OIF Guide for the consolidation of civil status, electoral lists and the protection of personal data](#), which should be unveiled on the occasion of the XVIIIth Summit of La Francophonie in Djerba, this November.

In a context of massive and almost systematic use of solutions based on biometric data for personal identification, we hope that our contribution will have made it possible to convey the values shared more widely by the GPA's member authorities, who expressed themselves in particular in favour of a reasoned use of personal data in international development aid last year, with the adoption of the [Resolution on the Role of Personal Data Protection in International Development Aid, International Humanitarian Aid and Crisis Management](#).

# Observer on the Road

## Wojciech Wiewiórowski, The European Data Protection Supervisor, provides an update on the Council of Europe activities as representative of the Global Privacy Assembly

The Council of Europe is an international organisation gathering 47 Member States. Thirty years ago, it adopted the first international binding instrument on data protection, the Convention of the Council of Europe, for the Protection of Individuals with regard to Automatic Processing of Personal Data (Convention 108). To date, 55 States, including 8 States non-members of the Council of Europe (Uruguay, Senegal, Mauritius, Tunisia, Cape Verde, Mexico, Argentina and Morocco), are parties to the Convention. The Consultative Committee (T-PD) established by the Convention 108 is composed of the representatives of the States Parties to the Convention and of observers (from 15 States non-parties to the Convention, as well as from international organisations and non-governmental organisations, such as the European Union, the OECD, the Hague Conference, the AFAPDP, EDRI and Privacy International).

The Global Privacy Assembly (GPA) enjoys observer status before the T-PD and since June 2019, the European Data Protection Supervisor (EDPS) has had the honour to represent the GPA at the meetings of the T-PD.

The Committee is responsible for interpreting the provisions of the Convention, facilitating and improving its implementation. The last years, the T-PD's work focused mainly on the modernisation of Convention 108. A Protocol amending the Convention (Convention 108+) was adopted by the Committee of Ministers on 18 May 2018, and opened for signature on 20 October 2018. To date, 30 countries have signed the Convention 108+ but not ratified

it yet and 13 have ratified it. On 5 August 2021, Uruguay became the 13th State, but also the first State from the American continent to ratify Convention 108+. This ratification, together with Mauritius and the signatures of Argentina and Tunisia demonstrate the interest in Convention 108+ beyond the limits of Europe.

The T-PD Bureau meets several times a year, in general during two to three days, in Paris or Strasbourg, to prepare the plenary session of the Committee, which takes place twice a year in Strasbourg. Since the pandemic, such meetings have taken place remotely.

The T-PD works on a wide number of topics of interest for the members of the GPA. Since last year, it adopted, among others:

- [Guidelines on Children's Data Protection in an Education setting](#);
- [Guidelines on facial recognition \(T-PD\(2020\)03rev4\)](#);
- A new [Opinion on the draft second additional Protocol to the Budapest Convention](#);
- [Opinion on the draft Recommendation of the Committee of Ministers to Member States on Electoral communication and Media Coverage of Election Campaigns](#);
- [Opinion on recommendation 2185 \(2020\) of the Parliamentary Assembly of the Council of Europe "Artificial intelligence in health care: medical, legal and ethical challenges ahead"](#); and
- [Report on "Digital solutions to fight COVID-19"](#).

The Chair of the T-PD and the Data Protection Commissioner of the Council of Europe also issued Joint Statements:

- [Joint Statement on the right to](#)



[data protection in the context of the COVID-19 pandemic](#);

- [Joint Statement on Digital Contact Tracing](#); and
- [Joint Statement on international data flows in relation to the need for democratic and effective oversight of intelligence services](#).

Currently, the T-PD is continuing its work on the evaluation and follow-up mechanism under Convention 108+ and is preparing in particular, specific guidance on digital identity and on personal data in the context of political activities and elections.

The T-PD also just adopted its Work programme for the years 2022-2025. Among the objectives of this Work programme, the priorities are the following:

- The entry into force of Convention 108+, the follow up on existing normative activities by the Committee;
- Data protection, including biometrics, within the framework of voting and elections; and
- Digital identity in the context of migration and cooperation with other committees and institutions.

After each meeting, a report is produced by the EDPS. GPA Member authorities who are interested in the reports can contact the GPA Secretariat.

# Message from the SDSC Chair

Angelene Falk, Information and Privacy Commissioner, Australia, Chair of the GPA Strategic Direction Sub-Committee (SDSC) highlights both achievements and the ongoing work of the SDSC for the GPA community

As we anticipate the Annual Conference ahead, it is customary to reflect over the Global Privacy Assembly's (GPA) accomplishments since the Strategic Plan 2019-21 was adopted in Tirana, Albania.

Much has changed by way of our environment and the expectations for privacy of the communities we serve. As the Assembly continues to evolve and modernise over the last two years to provide an effective platform of international collaboration and policy influence, I think we have all benefited by our ability to rise up to challenges and be a global vehicle focused on delivering practical impact.

As Chair of the Executive Committee's Strategic Direction Sub-Committee (SDSC), I have the privilege of assisting with the practical implementation of the Strategic Plan. I present an update on the SDSC's key deliverables for 2021 against three key aims:

- advancing our strategic direction;
- promoting strategic messaging by the Assembly; and
- strengthening our engagement with key stakeholders.

## Ensuring the delivery of the Strategic Plan

The GPA Working Groups bring to life the actions set out in the GPA Strategic Plan. The SDSC provides support to Working Group chairs through review of Quarterly Reports and regular 'deep dive' sessions. These 'deep dive' sessions have demonstrated the pragmatic outcomes that Working Groups have delivered for the societies in which we operate. There has also been an impressive amount of work by Working Groups to share their

work with the wider world, to bring data protection and privacy considerations into other fora. I look forward to celebrating the achievements of our Working Groups at the GPA 2021 Closed Session.

## Driving work on GPA Joint Statements on emerging global issues

With the accelerating rates of change we encounter, it is unsurprising that data protection and privacy authorities will be met with global issues that demand swift and immediate responses. Building on a significant achievement of the GPA last year to adopt the Joint Statement mechanism, the COVID-19 Working Group has led efforts to prepare

**“It is crucial that we continue our momentum as a global DPA community, to build a future where personal data is protected wherever it flows.”**

the GPA's first statement using the mechanism.

In line with the commitment made under the Resolution on Joint Statements on Emerging Issues adopted in 2020, to review the effectiveness of the procedure, and to complement efforts undertaken by the COVID-19 Working Group, the SDSC has begun an early evaluation of the use of the mechanism. Following this initial review, and in recognition that the mechanism is still in its early stages of use, the



SDSC has developed guidance to support members in developing GPA Joint Statements.

## Strengthening engagement with key stakeholders

The SDSC has led work to maximise the Assembly's voice and influence to protect citizens' privacy. In 2021, the SDSC has undertaken preliminary work to map current regional and linguistic networks. Our focus has been on how the Assembly can adopt strategies to increase cross-communication and engagement between the GPA and important networks.

Looking ahead, such work will likely constitute an ongoing aspect of the SDSC's activity in 2022 and beyond, as we look to share our respective experiences with partners and build on each other's achievements.

Our work has never been more vital to advise and influence global developments and maintain public trust and oversight in the handling of personal information.

It is crucial that we continue our momentum as a global DPA community, to build a future where personal data is protected wherever it flows.

I look forward to seeing you all (virtually) at the Annual Conference.

# Get to Know your ExCo

## Global Privacy Assembly Executive Committee 2021-2023 – the Candidacy Statements for election at the GPA 2021 Closed Session

This summer, the Global Privacy Assembly (GPA) Secretariat called for candidates from the GPA membership to express their intention to stand for election to the Executive Committee for a two-year term 2021-2023. Two members of the Executive Committee will stand down this autumn as their tenure comes to an end.

The current Chair Authority, Ms. Elizabeth Denham, Information Commissioner, (ICO), UK and Executive Committee Member, Ms. Marguerite Ouedrogo Bonane, President, The National Commission for Informatics and

Liberties, (CIL), Burkina Faso.

Following this call for candidates, the Secretariat received two nominations, Ms. Blanca Lilia Ibarra Cadena, President Commissioner, The National Institute for Transparency, Access to Information and Personal Data Protection, (INAI), Mexico, current Executive Committee Member in INAI's capacity as Host Authority, for the position as Chair of the GPA and Mr. Omar Segrouchni, President, The National Commission for the Control and Protection of Personal Data, (CNPD), Morocco as Executive Committee Member.

The Candidacy Statements are published below for consideration by GPA Members.

The GPA Executive Committee elections will take place by written procedure in October 2021 ahead of the formal Closed Session. GPA members have been notified separately about the arrangements on how to vote in the 2021 Voting Guide. The results will be announced at the GPA 2021 Closed Session Conference.



**Blanca Lilia Ibarra Cadena**  
President Commissioner, INAI,  
Mexico

### DATA PROTECTION IN MEXICO AND INAI'S IMPORTANCE

INAI is the Mexican autonomous constitutional body that guarantees two fundamental rights: access to public information and personal data protection in both, the public and private sectors, by promoting a general culture of transparency and accountability from the government and private sector to society.

Since 2010, in Mexico, laws have been enacted clarifying Mexico's strong position on data protection through the Federal Law on the Protection of Personal Data held by private parties.

In addition, in 2017, the public sector introduced the General Law on the Protection of Personal Data held by obligated parties, a minimum standard in the country, for public institutions to guarantee proper and respectful processing of the personal information under their custody.

In this context, all Mexican organizations and public institutions that process personal data shall comply with the principles of lawfulness, legality,

fairness, information, quality, consent, and proportionality, recognized by our legislation and by international data protection instruments, such as the General Data Protection Regulation (GDPR). Thus, no organization is exempted from the scope of Mexico's privacy laws. Public and private institutions must have strict policies and practices to ensure that the collection, use, and transfer of personal data are processed correctly following domestic laws.

In Mexico, exciting experiences have been obtained from the formal recognition and application within personal data protection regulations.

### INAI ON THE INTERNATIONAL SCENE

On the international scene, the INAI has been intensely involved as an authority of personal data protection, both in regional and international forums and working groups with the objective of enriching the regulatory framework in this field.

Since 2009, the former IFAI, now INAI, started to participate more actively in different

Dear GPA Members:

The National Institute for Transparency, Access to Information and Personal Data Protection (INAI) is honoured to present its candidacy to serve as Chair of the Executive Committee of the Global Privacy Assembly for the period of October 2021 to October 2023.

INAI is committed to strengthen the leadership that the Assembly is building by meeting the strategic objectives on issues of importance in matters of personal data protection and privacy.

personal data protection fora, such as the Advisory Committee of The Convention for the Protection of Individuals concerning Automatic Processing of Personal Data (Convention 108); as a representative of the Ibero-American Data Protection Network; The International Conference of Data Protection and Privacy Commissioners; and the Ibero-American Data Protection Network Meeting.

From 2010, the international activity of the Institute began to be more active, IFAI took over the presidency of the Ibero-American Data Protection Network, and it was accredited as a member authority of the International Conference of Data Protection and Privacy Commissioners during the 32nd edition in Jerusalem, Israel, (now GPA); as well as it became accredited as a member authority of the Asia-Pacific Privacy Authorities Forum (APPA Forum) and attended for the first time the 34th APPA Forum in Auckland, New Zealand.

Additionally, the Institute became involved with the Working Group on Information Security and Privacy (now the Working Group on Security and Privacy in the Digital Economy) of the Committee for Information, Computer and Communications Policy of the Organisation for Economic Co-operation and Development (OECD) and joined the Global Privacy Enforcement Network (GPEN).

In addition, in 2012, the Institute was re-elected as president of the Ibero-American Data Protection Network and in 2014 was elected for a second term as president for that regional network.

Another achievement in this area was Mexico's adherence to the Asia-Pacific Economic Cooperation (APEC) Cross Border Privacy Agreement (CPEA), resulting in its recognition in as a member of the APEC Cross Border Privacy Rules System (CBPR) in 2013.

The Institute has hosted

different international high-level meetings, it is outstanding that in 2014 former IFAI was the host authority of the XII Ibero-American Data Protection Network and in 2016, INAI was the host authority of the 46th APPA Forum.

Furthermore, the former IFAI participated in the ad-hoc Committee on Data Protection created by the Consultative Committee of Convention 108 to review the project for the modernisation of the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data and in 2017 participated in the drafting of the "Standards for Data Protection for the Ibero-American States" approved at the XV Ibero-American Data Protection Network Meeting.

Moreover, the Committee of Ministers of the Council of Europe issued a formal invitation to Mexico to adhere to the Convention for the Protection of Individuals concerning Automatic Processing of Personal Data (Convention 108) and its Additional Protocol regarding Supervisory Authorities and Transborder Data Flows in 2017.

Finally, in 2018, INAI was elected by the International Conference of Data Protection and Privacy Commissioners as the host authority for the 42nd edition to be held in 2020, which will now be hosted in Mexico City in October 2021 due to the pandemic.

### **INAI'S COMMITMENT TO THE GPA**

Since the beginning, INAI has been committed to privacy and the protection of personal data, both nationally and internationally, by participating in regional networks, as stated before, to promote work and develop regulatory instruments on matters of global importance and relevance on the subject.

The INAI is aware and committed to the responsibility that comes with the task of chairing the Executive Committee of the GPA, as stated in the strategic plan of the GPA. Said so,

we will work on:

- Achieving a regulatory environment with high data protection standards.
- Strengthening engagement with the GPA working groups.
- Influence other networks and international bodies to achieve agreements to continue promoting personal data and privacy at the international level.
- Continue sharing experiences, strategies, best practices, and cooperation tools among the GPA members.

In this respect, INAI intends to contribute its expertise in this field due to its advisory and legislative actions, technical support, promotion, conducting procedures for data subjects, surveillance, training, and international participation. The aim is to work together towards regulatory convergence that will lead us to achieve international standards on data protection and privacy, strengthening our economies and eliminating barriers by supporting electronic commerce; therefore, earning the balance between the safety of personal data and preventing obstacles for cross-border trade.

It must emphasise and recognise the extraordinary work that Commissioner Elizabeth Denham and the entire ICO team have done to consolidate and strengthened the GPA as a forum for the work experience exchange in the field, for which INAI would be honoured to take the Chair and assume the leadership and commitment shown.

INAI will seek to maintain an Open-Door Policy committed to acting as an impartial and objective promoter open to dialogue. Likewise, it will continue to pursue the necessary actions for the Assembly to advance towards a better future in compliance with the strategic objectives set for the 2021-2023 period.

In the same line, INAI is committed to take advantage of the existing collaborations that

Mexico has generated by actively participating in international forums and organizations such as the OECD, APEC, RIPD, APPA, GPEN, and the Council of Europe, among others to strengthen and maximize the voice and influence of the GPA and continue to be a reference on emerging issues in the field such as AI, use of biometric data, online privacy of minors, digital rights, digital economy, data sharing, among others, that will remain high on the GPA's agenda in order to influence in the design of public policies and best practices that promote data protection and privacy, by means of joint

declarations, studies, training, round tables.

It is important to emphasize that INAI has the financial, technical, organisational, and legal capacity to assume the responsibilities and commitments that the position of Chair of the Executive Committee represents.

Finally, to support the accomplishment of members' expectations, we will conduct processes and procedures with objectivity and certitude to build trust in INAI's leadership, facilitating the Executive Committee's tasks and promoting mutual assistance among

authorities from the different regions.

In this regard, we kindly request the Executive Committee to consider our candidacy for the presidency of this Global Privacy Assembly. We remain at your disposal for any further information that may be required.

Sincerely,

**Blanca Lilia Ibarra Cadena**  
President Commissioner, National Institute for Transparency, Access to Information and Personal Data Protection (INAI)



**Omar Seghrouchni**  
President, CNDP, Morocco

Madam President,

The CNDP is honoured to present its candidacy to the Executive Committee of the GPA.

It wishes to bring the voice of Africa as well as its experience with its strategic partners in Europe and in the World.

This will allow the CNDP to contribute ensure the best transition, in our region and our linguistic context, between the 2019-2021 and 2021-2023 strategic plans.

### 1. The CNDP in Morocco:

The CNDP was created in 2009, by Law No. 09-08 on the protection of individuals with regard to the processing of personal data.

Article 24 of the Constitution

guarantees every person the right to privacy.

The President of the CNDP also chairs the CDAI (Commission du Droit d'Accès à l'Information / Right to Information Access Commission).

### 2. The CNDP during the COVID-19 pandemic:

During the pandemic, the CNDP could make the voice of data protection heard at a time when the urgency of policies seemed more important than this fundamental right. It intervened on the national COVID application, the vaccine, the health pass, etc...

[\(For example, page 7\)](#)

### 3. The CNDP in Africa:

The CNDP is a member of the African Network of Personal Data Protection Authorities (RAPDP) and serves as its permanent secretariat.

In addition, the CNDP leads the "Identity Management" theme within this network.

In 2020-2021, the CNDP chaired the working group "Protection and localization of personal data" within the PRIDA (Policy and Regulation Initiative for Digital Africa) program of the African Union and the European Union.

In June 2021, the government joined the Malabo Convention.

The CNDP has signed several bilateral agreements in Africa.

### 4. The CNDP and Europe:

Morocco has ratified the Council of Europe Convention 108 and its additional protocol. It is working towards the adoption of Convention 108+. The CNDP is working towards Morocco's application for European adequacy.

### 5. The CNDP in the World:

The CNDP is since:

- 2010, member of the AFAPDP.
- 2011, member of the ICDPPC GPA (the 38th edition was held in Marrakech).
- 2015, GPEN member.

### 6. The CNDP in the debate:

The CNDP is convinced that the right to protection of personal data is a right that is being built:

- as things in permanent progress,
- and internationally.
- Thus, the CNDP acts on the subjects of the moment:
- August 2019: Moratorium on the use of facial recognition.
- July 2021, in partnership with the Ombudsman: Consultation on the risks induced by the interactions between GAFAM and public services.
- It keeps a close eye on the

handling of health data.

- It studies “learning analytics”, particularly in the field of education.

Thus, through this application, the CNDP wishes to work for the GPA, to develop all the tools that, beyond the protection of personal

data, will help to protect the citizen within the digital ecosystem.

To live digitally, we must breathe “data protection”.

We ask you, Madam President, to consider our candidacy for the Executive Committee of the GPA and remain at your disposal for

any further information.  
Best regards,

**Omar SEGHROUCHNI**  
President of the CNDP and CDAI

## Working Group Highlights

# Policy Strategy Working Group Workstream 1 (PSWG1): Global Frameworks and Standards

**Paula Hothersall, Director of International Regulatory Cooperation, Information Commissioner’s Office, UK, Chair of PSWG1, reports on this year’s developments and ambitions going forward**



Policy Strategy Working Group 1, soon to be renamed the Global Frameworks and Standards Working Group, was established after the adoption of the GPA’s 2019-2021 Strategic Plan and Policy Strategy to address the work on the theme of evolution towards global policy and standards.

We were allocated two specific actions – to complete an analysis of current frameworks for privacy and data protection, including key principles, data subject rights, cross border transfers and demonstrable accountability standards, and to consider developing common definitions of key data protection terms.

The analysis of global privacy and data protection frameworks was completed and adopted in 2020, and it has been very encouraging to hear positive reports of how it has been used as a reference by both external organisations and GPA members. It was also great to learn recently that the analysis has been referenced in the European Data Protection Board’s [Recommendations 01/2020 on measures that supplement](#)

[transfer tools to ensure compliance with the EU level of protection of personal data](#), where it is recommended as a resource for data controllers to assess a third country for suitability for data transfers from the EU.

We hope that our work done in 2020-2021 to build on the original analysis also makes an impact. There is certainly a range of topics covered, including a further analysis of international transfer mechanisms; a report on government access to personal data (which has led to a draft GPA resolution sponsored by WG members CNIL, France, alongside OPC, Canada and PPC, Japan); and a report and referential document on the key features of independent data protection and privacy authorities.

Our work can have an even greater impact if we collaborate with others – if the GPA and other organisations or fora are working on similar issues then identifying shared priorities and delivering work that complements where possible will not only ensure our work is properly informed but will also amplify the impact. In the

case of our Working Group, having GPA observers, such as the OECD, EDPB, European Commission and International Organization for Migration join the group has really helped.

We look forward to furthering our collaborative work in 2021-2022, as we develop formalised relationships with other fora undertaking similar work. We also look forward to engaging with the GPA’s new Reference Panel and will ask them to assist in identifying such opportunities.

As Chair of the Global Frameworks and Standards Working Group, I’d like to thank all our WG members for all their efforts in making sure we completed our work under the 2019-2021 Strategic Plan and look forward to delivering under the new Plan.

## Working Group Highlights

# Towards a Trustworthy Digital Economy – Raising the GPA’s Voice and Impact

### The Chair of the Policy Strategy Working Group, Workstream 2: The Digital Economy, the EDPS, profiles progress and the future focus for 2021-2023

The digital economy represents a profound transformation of the way businesses, governments and individuals interact. A steadily growing number of transactions are now digital, powered by technologies and services that foster both efficiency and innovation. Data protection and privacy laws are necessary to ensure that data-driven business models benefit society as a whole

economy”, which was approved at the GPA 2020 Closed session, served as the basis for this engagement.

The Working Group decided to target stakeholders that bring together policymakers who develop policies with data protection and privacy implications, but do not necessarily have privacy and data protection in the focus of their core mandate.

preliminary analysis of their missions and mandates, as well as the perceived relevance of any recent or forthcoming initiatives concerning the digital economy. This resulted in the successful participation in two events organised by the World Trade Organisation (WTO), one of which was also part of the 2020 session of the Internet Governance Forum (IGF).

The digital economy continues to remain a highly relevant policy theme, in particular in the context of the current global health crisis. The digital economy also remains high on the agenda of other major international fora. In order to continue to increase the GPA’s ‘global voice’ and promote wider recognition, it is therefore recommended to address the digital economy as part of the GPA Strategic Plan for 2021-2023.

The Digital Economy Working Group intends to focus on surveillance technologies as outlined in the new GPA strategic plan for 2021-2023 (subject to its adoption at the 2021 at the Closed Session).

In particular, the Working Group intends to identify and consider topics of focus relating to surveillance of citizens and consumers in the digital economy, such as advertising technologies, web scraping, smart cities and connected vehicles, and monitoring of mobile workers.

**“Policymakers and businesses who think long-term realise that data protection and privacy regulations are indispensable for a digital society to be grounded in a trustworthy digital economy.”**

Wojciech Wiewiórowski, The European Data Protection Supervisor



and are sustainable in the long run. Policymakers and businesses who think long-term realise that data protection and privacy regulations are indispensable for a digital society to be grounded in a trustworthy digital economy.

During the second year of its mandate, the activities of the Digital Economy Working Group were focused primarily on engagement with relevant multilateral and international bodies. The background paper “Towards a trustworthy digital

The aim of this exercise was twofold:

- to increase visibility and awareness of the work carried out by the GPA, in particular in areas relating to the digital economy;
- to explore possible opportunities for future engagement with a view of establishing increased cooperation and exchanges.

Participants of the Working Group contacted a variety of stakeholders based on a

## Working Group Highlights

# Privacy as a human right and safeguard to other rights

**Gregory Smolyneć, Deputy Commissioner, Policy and Promotion Sector at the Office of the Privacy Commissioner of Canada, Chair of Policy Strategy Working Group Workstream 3 on the relationship between privacy, data protection and other rights and freedoms**

In October 2019, at the 40th International Conference held in Tirana, Albania, the Global Privacy Assembly (GPA) adopted the Resolution on the Conference's Strategic Direction and the Strategic Plan. At the core of these documents was a Policy Strategy that sets out the 2019-2021 vision for the GPA. The Policy Strategy Working Group Work Stream Three (PSWG3) is one of three groups that were established to assist the GPA with the implementation of the new policy strategy. Collectively, the GPA committed our group to developing a Narrative Report to underscore the vital relationship between privacy and data protection and other rights and freedoms. The policy strategy recognised that

**“The Narrative Report aims to assist all members of the GPA – in every part of the world – to explain, highlight and clarify linkages between privacy and other rights protection mechanisms.”**

at a global level, data protection and privacy rights are enshrined in international rights-based instruments, such as the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR). Our work over the last year has focused on telling the story of how concepts like privacy,

data protection and fundamental rights cohered into specific agreements, covenants, laws and norms around the world. Although this story is complex, it is worth telling.

That Narrative Report – now researched, written, peer-reviewed and finalised, currently in translation (it will be available in English and French) – builds directly upon the ideas and principles advanced in the GPA's 2019 Resolution on Privacy as a Fundamental Human Right and Precondition for exercising other Fundamental Rights.

The Report aims to assist all members of the GPA – in every part of the world – to explain, highlight and clarify linkages between privacy and other rights protection mechanisms. It will support education, outreach, and analysis, in addition to helping GPA members promote the calls for action outlined in the 2019 resolution, such as local law reform, investment in effective regulation, or more substantive civic engagement on privacy issues.

It is important to note that the arc of PSWG3's initiatives does not conclude with the release of the Report; the Narrative described above was always a means to a much broader end.

Advancing privacy protection as a cornerstone of broader human rights regimes was always going to require mixed methods and work with a wider network of allies. The PSWG3 has identified additional



actions – building on the Report as a foundation – that run parallel to (and continue onward past) the development of the Narrative Report. These include:

- **Reform:** encouraging GPA members to call on their governments to reform laws as needed to protect broader human rights;
- **Regulation:** encouraging members to work with local counterparts on the regulation of political ecosystems; and
- **Recognition:** developing a proposal for a privacy and human rights champion award as part of the annual Global Privacy and Data Protection Awards.

In 2021-2022, the PSWG3 will move forward into the second year of our work plan. This includes seeking the views and support of stakeholders, such as international and domestic human rights agencies, the UN Special Rapporteur on the Right to Privacy, civil society groups and other key international stakeholders, such as the Global Alliance of National Human Rights Institutions and RightsCon.

Finally, the PSWG3 is also developing a proposal for a privacy and human rights award. We hope to finalise this proposal over the coming months.

## Working Group Highlights

# Future of the Conference Working Group – A modernised approach to the provision and ambition of a global GPA Secretariat

Paula Hothersall, Chair of the Working Group on the Future of the Conference, and Director, International Regulatory Cooperation, Information Commissioner's Office, UK, reviews progress over the past year in concluding this workstream and preparing a Resolution for change



Members will recall that at the 40th International Conference in Tirana, the membership adopted [the Resolution on the Future of the Conference](#), which mandated the Working Group on the Future of the Conference (FOTC) to deliver five workstreams. Workstreams 1 to 4 have concluded in previous years. The fifth and remaining workstream is to establish plans for the development of a funded, stable GPA secretariat.

As the Assembly continues to modernise, develop its policy approach, and grow in global influence, a funded and stable Secretariat is needed to support the Executive Committee and membership in keeping pace with this change.

The COVID-19 pandemic has demonstrated the extended reach that the GPA is now achieving, from the GPA-OECD workshops in 2020 and 2021 to the recent [Joint Statement on the use of health data for travel purposes](#).

In its wider work, the Assembly is now more than ever supporting development of shared positions on global issues and providing capacity building for all. All of this demands a modernised approach to the provision of the Secretariat to support the ambition we all have for this truly global community of privacy and data protection authorities.

The FOTC Working Group has been particularly busy in 2021,

as it set out to conclude the final workstream and to complete its mandate. Some of the key outcomes have been:

- Completion of a stakeholder mapping analysis to identify any possible external sources of funding for the GPA Secretariat;
- Establishing an approach to a funded Secretariat, including a tiered financial model; and
- Completing successful member consultations ahead of the Closed Session on the proposed approach.

**“The Working Group ... focused on developing a financial model based on membership fees that would allow the Secretariat to be entirely self-funded by the GPA membership.”**

The Working Group's research on external sources of funding concluded that the majority of funding available was project-based and of limited duration and therefore unsuitable to support a funded Secretariat. The Working Group therefore focused on developing a financial model based on membership fees that would allow the Secretariat to be entirely self-funded by the GPA membership.

The model was developed via

analysis of the results of the GPA Census 2020, and of other bodies' funding approaches and was subject to consultation with the GPA membership in July. Feedback was very encouraging, with a wide range of members responding and of those, 98% of respondents agreeing in principle with the proposed model.

This year's work is accumulated in the Resolution on the Future of the Conference and Secretariat, which the Working Group has proposed for adoption at the upcoming Closed Session. The Working Group has carefully reflected on members' views from all regions of the GPA in coming to the final proposed approach, which is captured within that Resolution.

Now is the time to conclude this workstream and focus on making the proposed model work for the membership.

The Resolution will give flexibility to the future GPA Chair and Secretariat to separate as well as to establish a fee-funded Secretariat. Our aim is to achieve agreement in principle amongst GPA Members at this year's Closed Session with the proposed model. The timeline appended to the draft Resolution sets out the further actions and decision points that will be needed to make the proposal a practical reality.

Importantly, it is worth noting that if the approach is endorsed

at the 2021 Closed Session, no member fees will be payable until at least 2023, which give authorities time to prepare for this change; and the precise values of any payment will be subject to confirmation once a future Secretariat Host Authority is identified and the costs it expects to incur are calculated.

I encourage any authorities that have not had the opportunity to read the Working Group's report and the proposed Resolution to do so now and to approach the Secretariat ahead of the Closed Session to discuss any questions they may have.

Overall, we are very pleased with the progress made this year

and we are ready to conclude this important work in support of the future of the GPA through the adoption of the proposed Resolution. Finally, I would like to thank all Working Group members for their contributions and invaluable feedback throughout this past year.

## Working Group Highlights

# Building a privacy-first, human-centric digital economy to rebuild stronger

**Raymund E. Liboro, Privacy Commissioner and Chairman, National Privacy Commission, Philippines, Chair of the GPA Working Group on COVID-19 related privacy and data protection issues**

The world has entered a new age of technological discovery. Modern technologies are changing how we interact globally in ways we could not have anticipated decades ago. Access to innovation allows our digital economies to flourish quickly and cost-efficiently.

However, with the benefits of technologies come related risks. In the context of privacy,

Behind technologies are people. To address privacy risks, individuals must have a deep understanding of the best privacy practices so that technologies will be equipped with sufficient data protection measures throughout their development. Privacy by design and robust cybersecurity measures mitigate risks, and if those are in place, developers

that is the required foundation for building a resilient digital economy.

We should begin shaping a digital age that is centered on individuals' needs and rights by investing in their technological readiness.

Governments must start investing more heavily in ensuring citizens are prepared to face challenges and embrace opportunities of the 21st century. Likewise, organisations must continuously upskill their workforce to help them to cope with the ever-growing sophistication of the technological landscape, ensuring that human-centric elements are preserved when technologies are developed and deployed.

Our priority for improving human-centric standards and practices is reflected in the GPA COVID-19 Taskforce's completion of a Compendium of Best Practices in October 2020.

This Compendium is the product of several capacity-building webinars held last year to address pressing issues, namely contact-tracing; handling of employee data in changing workplaces; and handling of children/students' data amid the rise of technologies,

**“Privacy will pave the way to a high-trust digital environment that is a foundational requirement for building a resilient digital economy”**

technologies that make use of personal data can be exposed to myriad threats that may bring data subjects both tangible and intangible harms. Understanding the privacy implications of technologies is crucial to earning the trust of its users. If people do not feel that their personal data is secure, then it is natural to avoid using these innovations altogether.



are well-prepared to take the necessary steps.

Privacy will pave the way to a high-trust digital environment

allowing the shift to distance learning.

In 2021, we have sustained this momentum of sharing good practices and ensuring discussions on data privacy remain relevant to the pandemic response throughout this year, in line with the world's focus towards economic recovery. The Working Group on COVID-19 related privacy and data protection issues (COVID-19 Working Group) was established which continues the work of the GPA COVID-19 Taskforce.

In March 2021, through the Working Group's efforts, the GPA Executive Committee published a Joint statement on the Use of Health Data for Domestic or International Travel Purposes, encouraging organisations to keep in mind the principles of necessity, set reasonable retention periods and practice privacy by design.

For capacity building, the Working Group held a webinar during the Philippines' 4th Privacy Awareness Week last May to

highlight how data protection authorities have responded to challenges brought about by the COVID-19 pandemic.

We also held a three-day workshop last June, in collaboration with the Organisation for Economic Co-operation and Development (OECD), to focus on governments' different approaches to the health crisis, data privacy challenges in the workplace, use of health data in relation to domestic and international travel and vaccination programs.

Before 2021 concludes, the Working Group will have published a 2nd edition of the Compendium of Best Practices and conducted further capacity-building activities with relevant stakeholders.

Just recently, the Working Group held a collaborative webinar with the Centre for Information Policy Leadership (CIPL), which discussed how regulators and organisations handled the data use and privacy aspects of responding to the pandemic, as well as key lessons learned from this experience and

what it means moving forward.

We are currently also exploring further engagement with the World Health Organisation (WHO) to improve health data collection and handling practices in the recovering travel industry. This stakeholder engagement would be helpful to understand views/ feedback on the impact of the Joint Statement and how data protection is being addressed in the planning and delivery of schemes. We also hope that this meeting will jumpstart future collaboration regarding any further work relevant to COVID-19 and the sharing of health data for the public good.

As the mandate of the temporary Working Group concludes this year, we hope to continue and broaden our work to help the world realise the importance of data privacy and protection in our goal of building a stronger economy.

Access the latest data protection and COVID-19 guidance and resources from GPA members and observers at:

[globalprivacyassembly.org/covid19](https://globalprivacyassembly.org/covid19)



**GPA**

Global Privacy Assembly

## Working Group Highlights

# The Digital Education Working Group

Marie-Laure Denis, Chair of the Digital Education Working Group (DEWG), and President of the CNIL, the French Data Protection Authority, underlines the driving and federating role of the Working Group in advancing the fundamental issue of children's online privacy

The work undertaken by the Digital Education Working Group (DEWG), was directed under the strategic priorities of the 2019-2021 GPA Policy Strategy and to be further developed in the 2021-2023 Implementation Plan. This was built on an inventory of the existing legal frameworks in the different States conducted in [the 2020 DEWG Survey](#).

**“The 2020 DEWG Survey showed converging trends towards an increasing recognition of the child's capacity to exercise his/her digital rights.”**

The results showed converging trends towards an increasing recognition of the child's capacity to exercise his/her digital rights. Furthermore, many major European and international initiatives revealed a positive awareness dynamic of the issues related to young people's digital practices.

With that in mind, the GPA Chair engaged the DEWG to work more closely with international bodies in order to maximise the GPA voice in these relevant global initiatives concerning children's rights in the digital environment. The commitment included in particular:

- Supporting the key guidelines of the [“UN “General Comment on the Rights of the Child in the Digital Environment”](#) (adoption of [a GPA joint contribution in November 2020](#)),
- Addressing a GPA consultation on the [OECD Recommendation on Children in the Digital Environment](#) regarding future government standards for child protection and empowerment (February 2021),
- Fostering national contributions to the work and recommendations the UN Special Rapporteur on the promotion of the right of the child to privacy ([A/HRC/46/37 report](#) 25 January 2021).

Moreover, to amplify the voice of regulators worldwide, the Chair of the Working Group has submitted a draft resolution on children's digital rights on behalf of the DEWG seeking support and adoption of the GPA at the 43rd GPA 2021 Closed Session. The draft text which aims at engaging the whole chain of relevant actors in enforcing child protection online is structured around three priority axis:

1. Helping parents and educators in asserting their fundamental role of support in the digital environment that respects privacy and best interest of the child;
2. Committing providers to offer accessible, understandable online services that respect children's rights; and
3. Facilitating access to information and mechanisms



for redress, complaints and assistance, including from data protection authorities, in formats understandable to children and/or their legal representatives.

Another aspect of the DEWG's work has been dedicated to resolutely support the development of practical advice and the distribution of guidance through educational resources tailored to the different stakeholders. To this end, [the CIRCABC online platform](#) for data protection authorities has regularly been upgraded by its two co-regulators, the CNIL, France and the CNPD, Luxembourg, to promote the sharing of quality resources – including 137 new resources – between members.

Likewise, the DEWG has recently launched a survey focusing on the benchmark of the effectiveness of existing DPA resources, media campaigns, and other innovative communication channels.

As a follow-up initiative, the 2021-2022 plan will seek to leverage best practices and tools using responsive design among its GPA members to reach young children, address teenagers, and raise awareness among parents and support educators.

## Working Group Highlights

# Maximising the GPA's voice and influence – advancing privacy protection worldwide

## The Working Group on the Role of Personal Data Protection in International Development Aid, International Humanitarian Aid and Crisis management (WG AID)

The Working Group on the Role of Personal Data Protection in International Development Aid, International Humanitarian Aid and Crisis management (hereafter “the WG AID”) was established in 2020, by the [Resolution on the Role of Personal Data Protection in International Development Aid, International Humanitarian Aid and Crisis management](#) during the 42<sup>nd</sup> Global Privacy Assembly.

“WG AID focuses on the promotion of high data protection standards, by strengthening relations with other international bodies and networks”

Catherine Lennman, delegate for international affairs and Francophonie, for the Chair of the WG AID, The Federal Data Protection and Information Commissioner, FDPIC, Switzerland



The work of the WG AID mainly focuses on the advancement of privacy protection worldwide, the promotion of high data protection standards as stated in the GPA strategic priorities 2019-2021. It also works towards maximising the GPA's voice and influence by strengthening relations with other international bodies and networks. The WG AID has 18 members and reflects the geographical diversity of the GPA.

In 2021, the WG AID met three times and conducted the following activities:

- The adoption of the WG's own rules and procedures and its three-year work plan.

- **A geographical and thematic mapping** of relevant actors in order to refine understanding of international development aid, international humanitarian aid and crisis management. The research carried out by the WG AID revealed the complexity involved for an outsider to develop a concise overview of development assistance and humanitarian aid, as there are

so many entities involved. The WG AID also identified a wide range of topics and has highlighted the increasing importance of digital technology in the projects implemented as part of international development aid and humanitarian aid, which can potentially rely on the use of personal data. As of 1 January 2021, 72 countries have been identified that do not yet have data protection legislation.

- The compilation of a **16-question survey** in order to better assess the practices of the relevant actors in terms

of personal data protection in the implementation of their programs/projects. The questionnaire will be accompanied by a cover letter presenting the GPA, stressing the fact that the WG AID aims to help create awareness around data protection and emphasising that it is not a regulatory but an educational initiative.

- The **promotion of the work of the GPA and the WG AID**: The chair and members of the WG AID participated in various meetings with external stakeholders relevant to the objectives of the WG AID in order to maintain and explore possible synergies, such as [DigitHarium](#) and [The Francophonie in brief | Organisation internationale de la francophonie](#). The WG AID also pursued the work initiated in 2015, with the [ICRC](#) by participating in the delivery of [The Data Protection Officer in Humanitarian Action certification course with the University of Maastricht](#).

As the WG AID enters its second year, it intends to focus essentially on the collection of relevant contacts for the dissemination of the questionnaire and analysing the questionnaire responses in order to be able to identify pressing issues and promote the work of the GPA. It plans to interview key players, such as the incoming UN Special Rapporteur on the Right to Privacy, Dr. Ana Brian Nougères.

## Working Group Highlights

# The International Enforcement Cooperation Working Group (IEWG)

The Co-Chairs of the IEWG highlight the significant progress this year in developing enforcement cooperation and sharing good practice.

International Enforcement Cooperation Working Group Co-chairs:



**Brent R. Homan**  
Deputy Commissioner  
Compliance Sector  
Office of the Privacy  
Commissioner of Canada



**James Dipple-Johnstone**  
Deputy Commissioner  
Chief Regulatory Officer  
UK Information Commissioner's  
Office



**Rohit Chopra**  
Commissioner  
US Federal Trade Commission

In accordance with the objectives from pillar 2 of [the GPA's 2019-21 Strategic Plan](#), the second year of the International Enforcement Cooperation Working Group (IEWG) as a permanent working group has been marked by significant progress to develop regulatory cooperation and the sharing of good practices among GPA's members.

**The IEWG's Closed Enforcement Sessions (previously 'Safe Space') framework... brings IEWG members together to discuss emerging trends and topics in data protection enforcement and practical strategies to address them**

The past year has seen the delivery of a number of tangible products and the initiation of new projects, both supporting cooperation and demonstrating the active participation of members in

numerous agile and effective joint compliance activities. The full schedule of work is in the IEWG's Annual Report, with the key highlights being:

### Foundations & tools:

- (i) development and implementation of the IEWG's Closed Enforcement Sessions (previously 'Safe Space') framework, which brings IEWG members together to discuss emerging trends and topics in data protection/privacy enforcement, as well as practical strategies to address them;
- (ii) update, in cooperation with the Digital Citizen and Consumer Working Group, of the Enforcement Cooperation Handbook, which provides practical information and examples of international enforcement cooperation, now including cross-regulatory cooperation; and
- (iii) adoption of a roadmap aiming to enhance the content and features of the online

enforcement repository.

### Practical enforcement cooperation projects - including:

- (i) engagement with Video Teleconference companies (VTCs) that resulted in the identification of best practices and recommendations to ensure solutions are privacy-friendly across the industry;
- (ii) ongoing development of principles for the use of personal data in Facial Recognition Technology, alongside the Data Protection and Ethics in AI Working Group; and
- (iii) engagement with GPA members and external stakeholders in order to develop guidance on credential stuffing, to the benefit of both the public and organisations.

### Synergy with other networks

We completed engagement with 17 global, regional and linguistic networks active in the privacy realm in order to gather up-to-

date information regarding their mandates and activities. This explored networks' potential areas of collaboration and/or cooperation with the IEWG, with a view to achieving our respective mandates more efficiently, without duplication.

In addition, in concert with the IEWG's aims to maximise the GPA's voice and broaden the focus and impact of its activity, the IEWG is pleased to announce it has increased its membership significantly in the past year.

The IEWG membership has grown by over 80% since the virtual GPA in 2020, now with a total of 29 members, including

many from regions not previously represented in the Working Group, such as the Middle East, Africa, Central America and Central Asia, further increasing the regional and linguistic diversity of the group.

Looking ahead, the IEWG is committed to maintaining the momentum built up over the last two years – thus, further strengthening and expanding the scope of the group's activity and further increasing its regional and linguistic diversity.

#### **What's Coming Up**

As we enter the new two-year cycle for the GPA's Strategic Plan, so too do we enter a new phase for the

leadership of the IEWG. The UK ICO and the USA FTC will be stepping down from their role as Co-chairs and would like to place on record their thanks to the membership of the IEWG and wider GPA for their work and support in establishing the IEWG and establishing regulatory cooperation as a permanent pillar of the Assembly. Canada OPC will remain as a Co-chair of the IEWG along with new authorities that will be nominated during the annual governance meeting of the Working Group in October.

The IEWG is running a webinar on the topic of AdTech on **Thursday 28 October**, which is open to all GPA members.

To register for the webinar, or for further information, please email [international.enforcement@ico.org.uk](mailto:international.enforcement@ico.org.uk) At this webinar, **we will welcome discussion in French and Spanish, as well as English.**

We will also be hosting an Enforcement Cooperation roundtable discussion during the main Conference Closed Session. We are looking forward to your participation.

## **Working Group Highlights**

# **The Digital Citizen and Consumer Working Group (DCCWG) – Advancing Cross-Regulatory Cooperation in a Milestone Year**

**The Co-Chairs of the Digital Citizen and Consumer Working Group, the Office of the Privacy Commissioner of Canada, and the Office of the Australian Information Commissioner.**

Established in 2017, the Digital Citizen and Consumer Working Group (DCCWG) advances global awareness and knowledge relating to the growing intersection of privacy, consumer protection and competition interests, and advocates for greater regulatory cooperation between these regulatory spheres.

Our work goes to the very heart of the GPA's Policy Strategy to facilitate regulatory cooperation and collaboration to create 'a global regulatory environment

with clear and consistently high standards of data protection'.

#### **The year 2021 has marked a milestone for DCCWG progress**

Firstly, driven by the contemporary significance and relevance of regulatory intersection issues, our membership has continued to expand to include 18 GPA Members, with the addition of four new members since last year. The DCCWG is also pleased to welcome its third observer, the European Consumer Organization, also

known as the BEUC.

Relatedly, our work on behalf of the GPA has garnered much global attention and interest. More than in any other year, our members provided presentations on the DCCWG's work, participated in panels and gave keynote addresses across a wide range of international networks and fora. Such engagements included: multiple IAPP events, the Computers, Privacy and Data Protection forum, the International Competition Network, the Centre

for Economic Policy and Research, and most recently, the closing panel of the Privacy Laws and Business virtual conference.

In tracking and advocating for greater cross-regulatory collaboration, we have witnessed more instances than ever of actual collaboration between regulators across spheres. This includes cross-network enforcement workshops, the birth of cross-regulatory forums, legislative reform, and multiple collaborative enforcement actions. These progressive endeavours are detailed in our upcoming Annual Report.

Finally, we have now completed a two-year 'Deep Dive' into the complements and tensions between privacy and competition, producing two globally relevant studies.

The first is an independent academic report of Prof. Erika M. Douglas (Temple University) – [Digital Crossroads: The Intersection of Competition Law and Data Privacy](#). Released this summer, it represents the most comprehensive review carried out to date into the intersection of Privacy and Competition laws. Her report also provides illustrations of collaboration between privacy and competition regulators across

regulatory spheres, and potential future areas of collaboration.

The second study, carried out by DCCWG members, summarises and analyses interviews conducted with Competition Authorities from around the globe regarding their real-world experiences and perspectives on:

- (i) the privacy/competition intersection;
- (ii) how they factor privacy into competition analyses; and
- (iii) where they are seeing opportunities to collaborate with their privacy partners.

Emerging themes from the studies are compelling. While there may be tensions in privacy and competition authorities' roles, we found that there existed clear synergies between our regulatory worlds. Both privacy and competition regulatory spheres have at their heart a desire to protect individuals and support a robust digital economy that engenders trust.

#### **After such a productive year, what next for the DCCWG?**

First, given the increasing relevance of our work, the DCCWG intends to seek approval for "permanent Working Group status" under the GPA. In terms of the forward mandate, focus would

include its historic pillars of:

- (i) enhancing understanding of intersection issues, in particular as they relate to Merger and Acquisition privacy effects;
- (ii) increasing awareness in counterparts and stakeholders to this reality; and
- (iii) tracking intersection instances, and
- (iv) facilitating collaboration.

Importantly, we have observed that competition and consumer protection are not the only realms intersecting with the privacy world. To this end, as a new objective, we are intending to conduct an Environmental Scan of other Regulatory Areas of Intersection. For example, interplay issues in areas such as e-safety and telecoms are already presenting themselves as areas of potential study.

The DCCWG believes that to promote global citizens' privacy rights today and into the future, it is necessary to establish a reliable and evidence-based vision for what form the future regulatory landscape will take. The DCCWG looks forward to continuing this mission, and promoting collaboration with existing and future partners across a myriad of regulatory spheres.

## **International Working Group on Data Protection in Technology (IWGDPT) – The Berlin Group**

**Ulrich Kelber, Federal Commissioner for Data Protection and Freedom of Information, Germany, Chair of the IWGDPT, discusses the current Working Papers and future topics to be addressed by this important working group.**

In the last edition of the GPA 2021 Newsletter, I reported on the background and on specific characteristics of the International Working Group on Data Protection in Technology (IWGDPT), also known as 'Berlin Group', as well as on the transition of the Group's

chair function from the Berlin Data Protection Commissioner to the Federal Commissioner for Data Protection and Freedom of Information in Germany. Now I am pleased to inform you of the latest and future topics, and papers, of the Group.



Currently, the IWGDPT is working on two papers: one on Voice-Controlled Devices and another on Sensor Networks. Work on both papers started in late 2019, but progress slowed down due to the COVID-19 pandemic.

### **Voice-controlled devices**

Voice-controlled devices are part of a large number of products that accompany people's daily lives, from the more traditional (e.g. computers, smartphones, smart speakers, smart-TVs) to the most surprising (e.g. ovens, locks, doorbells).

Using virtual voice assistants can be helpful and convenient. However, users need to be aware of the permanent monitoring and deal with the associated disadvantages. The ubiquitous presence of virtual voice assistants carries a number of significant risks to the privacy and protection of personal data of an individual. The high number of stakeholders involved, and devices used together, multiplies those risks.

The IWGDPT working paper on voice-controlled devices will highlight the most relevant privacy challenges concerning the use of voice-controlled devices and will provide a number of recommendations to relevant stakeholders, ranging from developers, manufacturers, service operators to end users. It will complement the existing European Data Protection Board (EDPB) guidelines on Virtual Voice Assistants that have recently been adopted.

### **Sensor networks**

Sensor networks already play an important role in a networked society for applications, such as real-time traffic-flow and congestion information, the smart grid or weather forecasting. In many cases, the use of networked sensors goes unnoticed by people entering or passing through an area covered by them, even though a networked sensor may well be capable of supplying information

that could, if processed in the wrong way, be used to build profiles or to track the movement of people.

As with voice-controlled devices, the ubiquitous presence of networked sensors, the processing of information in cloud-based systems and the multiplicity of stakeholders greatly increase potential privacy risks. The IWGDPT working paper on sensor networks will highlight these privacy risks and will include recommendations to the relevant stakeholders.

An updated schedule for the completion of the working papers currently under development will be available after the next IWGDPT meeting.

**“Currently, the IWGDPT is working on two papers: one on Voice-Controlled Devices and another on Sensor Networks.”**

### **Future topics**

At the latest IWGDPT meeting, two other topics were identified as topics for further working papers.

### **Smart Cities**

The concept of Smart Cities brings together the potential benefits for the individual. But it also creates significant privacy risks by combining various sensor networks and other data sources. This might include the city administration's databases coupled with decision-making capabilities, to directly interact with the population of a city, e.g. by re-routing traffic around a congested area.

This combination of various information sources raises privacy risks to a new level. The IWGDPT has decided to work on this topic in order to point out the associated risks and to develop recommendations to stakeholders.

### **Facial recognition**

Facial recognition has been a recurrent topic in many areas and groups related to privacy. With computing power growing and AI technologies improving recognition performance, the long-standing concerns about pervasive surveillance in connection with facial recognition will be increasing. As with the topics mentioned before, the planned IWGDPT working paper on facial recognition will point out the associated risks as well as provide recommendations to stakeholders.

These are the topics and issues the IWGDPT is currently working on, and which are foreseen as important to be addressed for the future.

As of now, the Working Group will be faced with the challenge of continuing its work remotely, mainly by exchanging e-mails and by occasionally meeting in a videoconference. However, I do hope that we will meet in person again in the future, maybe next year in 2022. This would enable the members of the Group to engage in face-to-face discussions and to directly exchange views at a shared meeting location again, which I think will be highly beneficial, if not essential, for a debate-driven group, such as the IWGDPT.

**The Berlin Group is an independent group from the GPA but maintains an ongoing close working relationship with the GPA on technology issues of common interest.**

## Meet our Member

# Drudeisha Madhub, Data Protection Commissioner (DPC), Data Protection Office, Mauritius

Shaping a healthy data protection community  
– a human-centric approach

### Background

The Constitution of Mauritius recognises the right to privacy as a fundamental human right. The Data Protection Office (thereafter referred to as the Office) was established in 2009, under the Data Protection Act (DPA) 2004. In January 2018, the DPA 2004, was replaced by a new legislation known as the DPA 2017, to align with international best practices, such as the EU GDPR and the Council of Europe Convention 108 and 108+.

The Office operates with complete independence and impartiality and has the mandate to strengthen the control and personal autonomy of individuals over their personal data. Each year, the Office lays down an annual report of its activities to the National Assembly.

Mauritius has also taken various international commitments on data protection, such as being party to Convention 108 since 1 October 2016, the ratification of Convention 108+ on 4 September 2020, and the ratification of the Malabo Convention on 14 March 2018. Our country is also party to the UN Declaration of Human Rights, the International Covenant on Civil and Political Rights and the Convention on Cybercrime (Budapest Convention).

### From small building blocks to a full-fledged regulator

At a glance, the 12 years transformative journey of the Office has been progressive. We began operation at a time when many people in Mauritius were not

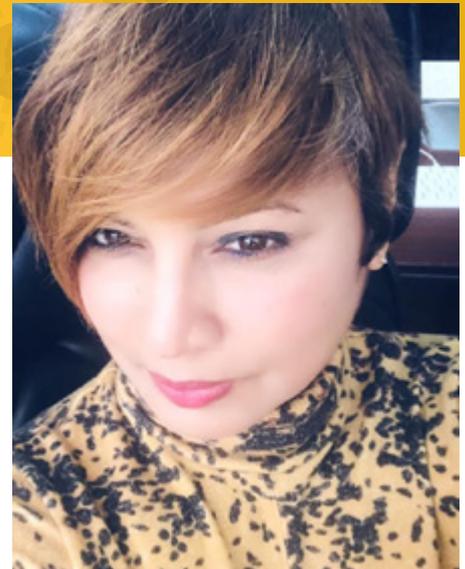
aware of their privacy rights and the protection provided to them by law. Moreover, the procedures, templates and processes had to be developed from scratch. Each function had its own specificities and competence, and versatile officers were required in order to build the foundations of the Office. Gradually, we learnt and adapted to innovative strategies, and we are now recognised as an efficient regulator and a leading authority in Africa.

**“Privacy is almost equal to rarity in our algorithmic world – we are regularly defeated by modernity and technology – but Privacy being intrinsic in our nature, will always be called Privacy – it’s a gift not to be sold off.”**

### Data protection is all about people. A human centric approach is supreme to our mission

Our initiatives have always been people oriented, providing guidance to organisations on their obligations and on ways to enhance transparency in their processing operations. Trust between organisations and individuals is a prerequisite for business success. The public and the private sectors, as well as the public in general, solicit advice from the Office every day.

Moreover, as an increasing



number of individuals have become empowered on their privacy and data protection rights, our Office leaves no stone unturned to continually raise awareness through media channels, workshops and seminars. Various publications, such as guides, information sheets and informative videos have been published to facilitate the understanding and application of data protection legal provisions.

There is no one-size-fits-all solution to address our endeavours to safeguard the right to privacy and data protection, but similar to technology being an indispensable tool in our daily lives, innovative practices in data protection can solve many of our everyday difficulties.

A self-learning training toolkit has been developed by the Office and is easily accessible on our website to assist any individual or organisation to understand data protection. An in-house capacity building programme for Data Protection Officers has been introduced to train operators from various sectors in Mauritius. Our office is also working in collaboration with the Ministry

of Information Technology, Communication and Innovation to address queries from citizens using the chatbot technology.

**Privacy and data protection are global concerns which necessitate global action. We must foster synergies amongst data protection authorities to consolidate our common approach**

Our Office collaborates with various international privacy and data protection networks and authorities, such as the Global Privacy Assembly (GPA), Association Francophone des Autorités de Protection des Données Personnelles (AFAPDP), Global Privacy Enforcement Network (GPEN), Common Thread Network (CTN), Council of Europe, and United Nations (UN), among others.

**“We cannot operate as segregate geographical blocks because data is global and privacy is a fundamental human right for every individual.”**

Indeed, we learn a lot from the valuable guides, papers, resolutions and presentations disseminated. Collaboration is very important for knowledge sharing on best practices and to keep pace with rapidly evolving technological advancements. We cannot operate as segregate geographical blocks because data is global and privacy is a fundamental human right for every individual.

In 2014, the Data Protection Office of Mauritius hosted the 36th edition of the GPA which was a unique and enriching experience to collaborate with many global privacy authorities. This year, the Data Protection Office has signed a cooperation agreement with the President of the Commission de L'Informatique et des Libertés (CIL), Burkina Faso. Our Office has also expressed our interest to conclude similar collaboration agreements

with other members of the Réseau Africain des Autorités de Protection des Données Personnelles (RAPDP).

**Our paths are not always easy**

We face many challenges in our daily operations, for example, not having adequate human resources to manage the Office. Moreover, having the right profile of experts is yet another challenge as privacy and data protection encompasses a vast array of skills and expertise. Experts on emerging technologies are also rare and very often, trained experts move to the private sector. Budgetary constraints also hamper smooth operations. Yet, we try as much as we can to overcome daily hurdles and make privacy and data protection the focus of all our initiatives.

**Effective governance and enforcement practices are essential to fulfil our mandate**

The office undertakes a panoply of compliance and enforcement activities to ensure an effective application of the DPA as can be demonstrated by some statistics below:

- 11,766 controllers and 584 processors are registered with the Office;
- More than 295 complaints have been investigated;
- 73 decisions have been delivered following investigations;
- 7 appeals were made against the decisions of the DPC, out of which 5 decisions have been upheld by the Appeal Tribunal;
- 2 cases have been won at the Supreme Court of Mauritius;
- Around 250 authorisations have been issued for data transfers outside Mauritius;
- 17 guides have been published;
- Around 10 in-house training programmes have been conducted since 2018, with more than 200 Data Protection Officers trained;
- More than 100 notifications of

personal data breaches and around 15 Data Protection Impact Assessments have been analysed;

- Around 500 requests for legal advice are addressed each year; and
- Regular interventions are made by the DPC in press interviews, conferences, seminars and international online meetings.

In Mauritius, a breach of the DPA is a criminal offence and any person is on conviction liable to a maximum fine of 200,000 Mauritian Rupees and imprisonment for up to 5 years.

Today, the governance of data flows between countries is a major challenge and their control is even more difficult in practice due to the power of technology that can transfer bulk data in just one click. Yet, the requirements for effective governance and enforcement practices during data flows are vital. Having appropriate tools and strategies that draw the fine balance between the benefits and risks of data flows are necessary. EU adequacy is definitely a tool to facilitate secure data transfers. Mauritius has the ambition to be recognised as an adequate country with the EU and has started preparing to that end.

Governance, compliance and enforcement are the three pillars that shape a healthy data protection community.



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# Your GPA News Highlights

For each edition of the GPA Newsletter, this section features GPA News Highlights for your information and review

Welcome to our September 2021 edition of the GPA Newsletter. We are fast-approaching the 43rd Global Privacy Assembly 2021 Conference in October and despite the challenges still presented by the COVID-19 pandemic, the GPA community has continued to share knowledge and expertise as exemplified by the achievements profiled in this Newsletter.

The GPA Secretariat has highlighted below a selection of the successful initiatives by the GPA this year and those awaiting your review and adoption at the GPA 2021 Closed Session Conference.

## **The GPA Response to COVID-19 related issues in 2021**

The GPA Working Group on COVID-19 related privacy and data protection issues, led by Raymund Liboro, Privacy Commissioner and Chairman of the National Privacy Commission, Philippines, has participated in two events of strategic significance for the GPA this year. The first was the third OECD-GPA workshop, which this year included a third session led by the former UN Special Rapporteur on the Right to Privacy, Professor Joseph Cannataci. And the second, a collaborative webinar held with the Centre for Information Policy Leadership (CIPL). Both events demonstrated the success this year of the GPA in maximising our voice and influence among global representatives from government, academia, private sector and civil society, discussing the impact of the pandemic and moving forward, the key lessons learned.

A further initiative driving this agenda of maximising the GPA's voice and influence outside of the Closed Session was the publication of the first GPA Executive Committee [Joint Statement on the](#)

[use of health data for domestic and international travel purposes](#)

on 31 March 2021. The first to be published using the Joint Statements on Emerging Global Issues mechanism, adopted at the Closed Session in 2020, which showed the GPA's ability to remain agile and adept at tackling emerging issues with significant privacy and data protection implications.

The Second Compendium of Best Practices will be launched at the Policy Focus Panel Session 2: Lessons learnt from COVID-19 on Wednesday 19 October 2021, Day 1 of the Closed Session Conference; sharing good practices and discussing standards to ensure an effective response to the pandemic and the world's economic recovery.

Marking the transition from the temporary Working Group on COVID-19 related privacy and data protection issues into a new permanent GPA Working Group on Data Sharing in domains beyond COVID-19, the draft Resolution on Data Sharing for the Public Good will be considered for adoption on Thursday 20 October Day 2 of the Closed Session Conference.

## **The Strategic Direction Sub-Committee and GPA Working Groups**

The GPA Strategic Direction Sub-Committee, led by Angelene Falk, Information Commissioner for the Office of the Australian Information Commissioner and GPA Executive Committee member, continues to drive the GPA's current priorities.

The draft GPA Strategic Plan 2021-2023, which shapes the next chapter of the Global Privacy Assembly, is to be submitted for final adoption on Wednesday 20 October Day 1 of the GPA 2021 Closed Session. The inception of

the new Strategic Plan 2021-2023 began following the Executive Committee Strategic Direction Development Workshop on 17 March 2021, and since then has been shaped in consultation with the GPA members.

On Wednesday 20 October, Day 1 of the GPA 2021 Closed Session Conference members will discuss the GPA Annual Working Group Reports under the current Strategic Plan 2019-2021. Followed by the presentation and adoption of the GPA Strategic Plan 2021-2023; a new era of collaboration and leadership for the GPA.

## **The GPA Global Privacy and Data Protection Awards 2021 and the Giovanni Buttarelli Award**

We are delighted to once again feature the GPA Global Privacy and Data Protection Awards in 2021. Thirty-two entries from our global community demonstrate the relevance and impact of the GPA membership as both enablers and protectors, leading developments in privacy and data protection worldwide. The winners will be announced at the Closed Session.

Another first for the GPA is the launch of the GPA 'Giovanni Buttarelli Award' in memory of Giovanni Buttarelli, the former European Data Protection Supervisor and GPA Executive Committee Member. This winner will be announced in the Open Session of the Conference on Day 2 Tuesday 19 October. The GPA would like to thank the Giovanni Buttarelli family and the European Data Protection Supervisor for their support in launching this Award.

# A few final words from the outgoing GPA Secretariat

The incumbent GPA Secretariat from the UK Information Commissioner's Office will step down in October to hand over to a new Chair/Secretariat Host Authority (Mexico's Member Authority the INAI is the sole candidate in this year's elections for Chair). The Secretariat wishes to send a special final message to the GPA Membership, thanking all GPA Members for their involvement in GPA activities generally but also the GPA Newsletter which has evolved to become a remarkable vehicle for the GPA Voice in the last three years, in line with the conference's strategic priorities. We couldn't have done it without you!

In January 2019, the GPA Secretariat relaunched the new look GPA Newsletter. A year later, we asked you for your feedback on content and format and the May 2020 edition, Vol 2, Issue 2, revealed the new style Newsletter, with more articles, broader and thematic in scope, and incorporating features from those privacy and data protection experts outside of the GPA community.

As a token of our thanks, the GPA Secretariat has reviewed the contents of the Newsletter from 2019-2021 and chosen their favourite articles for your interest and we think you will agree, the choices demonstrate both the variety and editorial standard that the GPA Newsletter now represents.

## **Hannah McCausland**

I have chosen the article by Director, Bjørn Erik Thon, of the Norwegian Datatilsynet, on their 'carrot and stick' approach to regulation ([May 2021 Edition Vol 3 Issue 2](#)). This gave a great

snapshot of the overall activities of a forward-looking DPA. I liked the way it refers to the micro-level cases using its 'stick' approach, addressing data protection failings in social media companies and then relates this to the bigger picture of how we need to regulate better as a community following our experiences with Adtech and COVID-19. Norway also talks about its 'carrot' approach, including its leading-edge development of the regulatory sandbox innovative approach to regulation, which we'll be featuring in this year's Conference.

## **Victoria Cetinkaya**

The article I have chosen relates to the GPA's Strategic Direction, where in November 2020, after the online Closed Session, Information and Privacy Commissioner Angelene Falk, Chair of the GPA Strategic Direction Sub-Committee (SDSC) reviewed the outputs of the Conference ([November 2020 Edition Vol 2, Issue 4](#)).

The GPA's strategic direction is an area of particular interest to me – a considerable amount of my work in the Secretariat is focused there, working on the Policy Strategy in 2019, when I joined the team, providing Secretariat support to the OAIC in the Strategic Direction Sub-Committee's work, and now working on the new Strategic Plan for 2021-23.

This article shows just how much the GPA achieved in furthering our strategic priorities in what turned out to be a year of unprecedented challenges for all our members. It highlights how the combined efforts of the GPA's working groups contributed to the successful delivery of the first year of the strategy, and more broadly exemplifies how the GPA

has evolved into an active forum for regulatory cooperation all year round.

## **Kristian Mannerling**

The 'Meet our Member' article by Privacy Commissioner, Alexander White, regarding the growth and changes within Bermuda, and within the Office of the Privacy Commissioner for Bermuda was a very interesting read ([May 2021 Edition Vol 3 Issue 2](#)). I learned a lot about Bermuda, such as the national motto, and its interconnected nature. The article highlighted the GPA's ability to provide a platform to help emerging data protection offices by connecting them with established members. This is paramount in enabling change and progress in the data protection landscape. Bermuda highlighted the important lessons learned and key learning materials that were shared from established members which provided such assistance in the establishment of their organisation.

## **Fiona Skevi**

I always enjoy reading the GPA newsletter and every time I am amazed by the quality of the articles, but also how truly global and diverse the GPA community is. I particularly enjoy reading the new Case Study features, which give great insight into emerging data protection issues and the ways that data protection authorities deal with them.

One of the studies I most enjoyed is on the ratification and impact of Convention 108 and 108+ in Senegal and the Africa region by President Awa Ndiaye of the Senegal Commission of Personal Data Protection ([January 2021 Edition Vol 3, Issue 1](#)). The article

was particularly illuminating on the impact of the Convention in Africa. It also demonstrated, in my opinion, the importance of international legal instruments in harmonising data protection laws across the world and in strengthening regional and international partnerships to tackle global issues.

**Annabelle McGuinness**

With so many excellent articles to choose from, it is a challenge to select just one! However, I particularly enjoyed the International Committee of the Red Cross (ICRC) Case Study, by Peter Maurer, President of the ICRC ([June 2020 Edition Vol 2, Issue 2](#)). With the emphasis on the GPA to be supportive, practical and relevant, this article clearly demonstrates

the practical impact of privacy and data protection on those least able to deal with the consequences of having inadequate safeguards in place. The article also highlights the challenges of using innovative technologies while respecting privacy and data protection.

I found the article very moving and as the first case study article in the GPA Newsletter, it set the high standard of those to follow. Moreover, the article clearly illustrates the benefits and value of Observer status at the GPA, and the collaboration and partnerships that arise from organisations connecting with the GPA and vice versa.

A huge thank you to all the contributors to the GPA Newsletter and also the ICO Comms Team for their development of the look and feel of the Newsletter over the past three years. We hope you have enjoyed reading the GPA Newsletter as much as we have enjoyed collaborating with you to create its content!

**The GPA Secretariat 2018-2021, The Information Commissioner's Office, UK.**

# GPA key upcoming dates 2021

- ▶▶ **30 Sep** Close of 2nd Consultation Round for GPA 2021 Closed Session Resolutions and Working Group Reports
- ▶▶ **4 Oct** Final documents for GPA 2021 Closed Session available on the Restricted Access site
- ▶▶ **6-7 Oct** GPA Members only – online vote for GPA Reports and Executive Committee elections
- ▶▶ **18-19 Oct** 19 October – GPA 2021 Open Session Conference
- ▶▶ **20-21 Oct** GPA 2021 Closed Session Conference

All Resolutions proposed by the membership for 2021 will be reviewed for adoption in a 'live' vote on 21 October Day 2 of the GPA 2021 Closed Session. We look forward to receiving your comments and prospective co-sponsorship details by 30 September 2021.

**Check our website for more information: [globalprivacyassembly.org](https://globalprivacyassembly.org)**