



T-PD41(2021)OJ

12 May 2021

**THE COMMITTEE OF THE
CONVENTION FOR THE PROTECTION OF INDIVIDUALS
WITH REGARD TO AUTOMATIC PROCESSING OF PERSONAL DATA**

CONVENTION 108

41st Plenary meeting

AGENDA

28 June 2021 (10.30 am CET) – 30 June 2021 (1 pm CET)

www.coe.int/dataprotection

ORDER OF BUSINESS

Provisional and subject to change in light of the work pace

| | All times indicated CET | 28 June | 29 June | 30 June |
|--------------|--------------------------------|---|---------------------|----------------------------------|
| <i>Start</i> | 10.30 am | Items 1 to 3, 12 (Macolin Convention) and 5 | Items 10, 11 and 13 | Items 12 and 6 END OF MEETING |
| <i>Break</i> | 1pm | <i>Break</i> | | |
| <i>Start</i> | 2.30 pm | Item 14 (IIHR) Items 7 and 4 | Items 9 and 8 | |
| <i>End</i> | 5 pm | <i>End</i> | | |

Items 14-17 to be taken when the order of business will allow it

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| | 1. Opening of the meeting |
| T-PD(2020)RAP40Abr | Abridged report of the 40 th Plenary meeting (18-20 November 2020) |
| T-PD-BUR(2021)52RAP | Abridged report of the 52 nd Bureau meeting (24-26 March 2021) |
| T-PD(2019)WP2020-2021final | Work programme of the Committee 2020-2021 |
| T-PD(2017)Rules | Rules of procedure |
| | 2. Adoption of the agenda |
| | 3. Statement by the Secretariat |
| | Patrick Penninckx, Head of Information Society Department |
| | 4. Convention 108+ State of play, ratifications and accessions |
| | <u>Required action:</u> The Committee will take note of the information provided by the Secretariat. |
| | <ul style="list-style-type: none"> • Consolidated text of the modernised version of Convention 108 |
| | <ul style="list-style-type: none"> • Explanatory report of the modernised Convention 108 |
| | <ul style="list-style-type: none"> • Amending Protocol |
| T-PD(2020)08rev Expert Report - Costa-Rica <i>New 11/06/2021</i> | <ul style="list-style-type: none"> • Convention 108+: chart of signatures and ratification • Convention 108: chart of signatures and ratifications <p>Expert: Mr Franck Dumortier, Senior Consultant, Cybersecurity-Law</p> <p>Costa-Rica representatives (TBC)</p> <p><u>Required action:</u> The Committee will take note of the information provided by the Secretariat and the expert and will hold an exchange of views.</p> |
| | 5. Evaluation and follow up mechanism under Convention 108+ |
| | Expert: Ms Cécile de Terwangne, CRIDS, Namur |
| T-PD-BUR(2021)5 Information note on the procedures of various monitoring mechanisms | |

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| Terms of Reference | ToR of the Working Group on the evaluation and monitoring mechanism |
| T-PD(2018)20rev8 <i>New 17/05/2021</i> T-PD(2018)20rev8Mos (Compilation of comments) <i>New 23/06/2021</i> | Questionnaire |
| T-PD(2018)21rev8 <i>New 17/05/2021</i> T-PD(2018)21rev8Mos Compilation of comments <i>New 23/06/2021</i> | Document on the evaluation and follow-up mechanism under Convention 108+: process and rationale <u>Required action:</u> The Committee will take note of the information provided by the expert, will hold an exchange of views and decide on the necessary follow-up. |
| | 6. Law enforcement transborder access to data |
| T-PD(2021)1rev3 - Opinion of the Committee of Convention 108 on the draft second additional Protocol to the Budapest Convention T-PD(2019)8FIN - Opinion on the provisional text and explanatory report of the draft Second Additional Protocol to the Budapest Convention on Cybercrime (ETS 185) on direct disclosure of subscriber information and giving effect to orders from another Party for expedited production of data | T-PD(2019)3 Towards a Protocol to the Convention on Cybercrime: additional stakeholder consultations T-CY discussion paper: Conditions for obtaining subscriber information –static versus dynamic IP addresses Answers from the Committee of Convention 108 to the Discussion paper for the Octopus Conference Key messages of the Octopus Conference 2018 <u>Required action:</u> The Committee will take note of the information provided by the Secretariat. |
| | 7. Digital identity |
| T-PD-BUR(2021)2rev <i>New 14/06/2021</i> T-PD-BUR(2021)2revMos (Compilation of comments) <i>New 25/06/2021</i> | Expert: Mr Pat Walshe, Director of Privacy Matters <u>Required action:</u> The Committee will take note of the presentation by the expert of the preliminary draft of the Guidelines together with written comments received and will hold an exchange of views with the expert. |
| | 8. Personal data processing by and for political campaigns |
| T-PD-BUR(2021)3rev <i>New 26/05/2021</i> T-PD-BUR(2021)3revMos (Compilation of comments) <i>New 24/06/2021</i> | Expert: Mr Colin Bennett, Professor, Department of Political Science, University of Victoria <u>Required action:</u> The Committee will take note of the presentation by the expert of the preliminary draft of the Guidelines together with written comments received and will hold an exchange of views with the expert. |

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| | 9. Automatic Exchange of data |
| T-PD(2021)4 <i>New 04/06/2021</i> T-PD(2021)4Mos (Compilation of comments) <i>New 25/06/2021</i> T-PD(2014)05 - Opinion on the implications for data protection of mechanisms for automatic inter-state exchanges of data for administrative and tax purposes | <p>Expert: Mrs Eleni Kosta, TILT, Tilburg University</p> <p><u>Required action:</u> The Committee will take note of the presentation by the expert of the preliminary study together with written comments received and will hold an exchange of views.</p> |
| | 10. Report on the need for a Guidance note on Article 11 of the modernised Convention 108 |
| T-PD(2021)6 <i>New 14/06/2021</i> T-PD(2021)6Mos (Compilation of comments) <i>New 25/06/2021</i> | <p>Expert: Ms Charlotte Dietrich, Project Manager, Digital Rights, Surveillance and Democracy, Stiftung Neue Verantwortung</p> <p><u>Required action:</u> The Committee will take note of the information provided by the expert with regard to the draft document on the guidance note together with written comments received and will hold an exchange of views.</p> |
| | 11. Work programme 2022-2025 |
| Draft work programme <i>New 16/06/2021</i> | <p><u>Required action:</u> The Committee will take note of the information provided by the Secretariat and will hold an exchange of views with a view to the adoption of the work programme.</p> |

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| | <p>12. Cooperation with other Council of Europe bodies and entities</p> |
| <p><i>New 18/05/2021</i></p> | <ul style="list-style-type: none"> • CAHAI Expert: Alessandro Mantelero, Associate Professor, Private Law, Polytechnic University of Turin • Steering Committee on the Rights of the child (CDENF) Declaration by the Committee of Ministers on the need to protect children's privacy in the digital environment • Steering Committee on Media and Information Society (CDMSI) T-PD-BUR(2021)7 - Opinion of the Bureau on the draft Recommendation of the Committee of Ministers to Member States on Electoral communication and Media Coverage of Election Campaigns • Committee on Bioethics (DH-BIO) Statement on Human Rights Considerations Relevant to "Vaccine Pass" and Similar Documents Covid-19 vaccination, attestations and data protection • The Convention on the Manipulation of Sports Competitions (the Macolin Convention) Data protection principles Expert: Daniel Cooper, Covington & Burling LLP <p><u>Required action:</u> The Committee will take note of the information provided by the experts and the Secretariat, will hold an exchange of views and decide on the necessary follow-up.</p> |
| <p>T-PD(2021)Mos - Information on the recent developments in the data protection field <i>New 04/06/2021</i></p> | <p>13. Major developments and activities in the field of data protection</p> |
| <p>T-PD(2021)2 <i>New 21/05/2021</i></p> <p>T-PD(2021)2Mos (Compilation of comments) <i>New 25/06/2021</i></p> <p>T-PD(2018)24rev2 <i>New 25/05/2021</i></p> <p>T-PD(2021)5 <i>New 31/05/2021</i></p> | <p>Report on the financing of supervisory authorities</p> <p>Expert: Ms Catherine Pozzo di Borgo</p> <p><u>Required action:</u> The Committee will take note of the information provided by the expert, by the Secretariat and delegates.</p> <p>Document of Information on cooperation projects</p> |

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| | 14. Observers |
| List of Observers Statement by the Executive Secretary of the Inter-American Institute of Human Rights (IHR) <i>New 24/06/2021</i> | <u>Required action:</u> The Committee will take note of the information provided by the observers. |
| | 15. Next meetings |
| | <u>Required action:</u> The Committee will take note of the dates for the next meetings. |
| | <p>Dates of next meetings in 2021</p> <p><u>Dates of Bureau meetings:</u></p> <p>53rd Bureau : 28-30 September 2021 54th Bureau : 20-22 December 2021</p> <p><u>Dates of the next Plenary meeting:</u></p> <p>42nd Plenary : 17-19 November 2021</p> |
| | 16. Data Protection Commissioner |
| | <ul style="list-style-type: none"> • Information by the Data Protection Commissioner • Information from the Secretariat. <p><u>Required action:</u> The Committee will take note of the information provided by the Commissioner and by the Secretariat.</p> |
| | 17. Any Other Business |