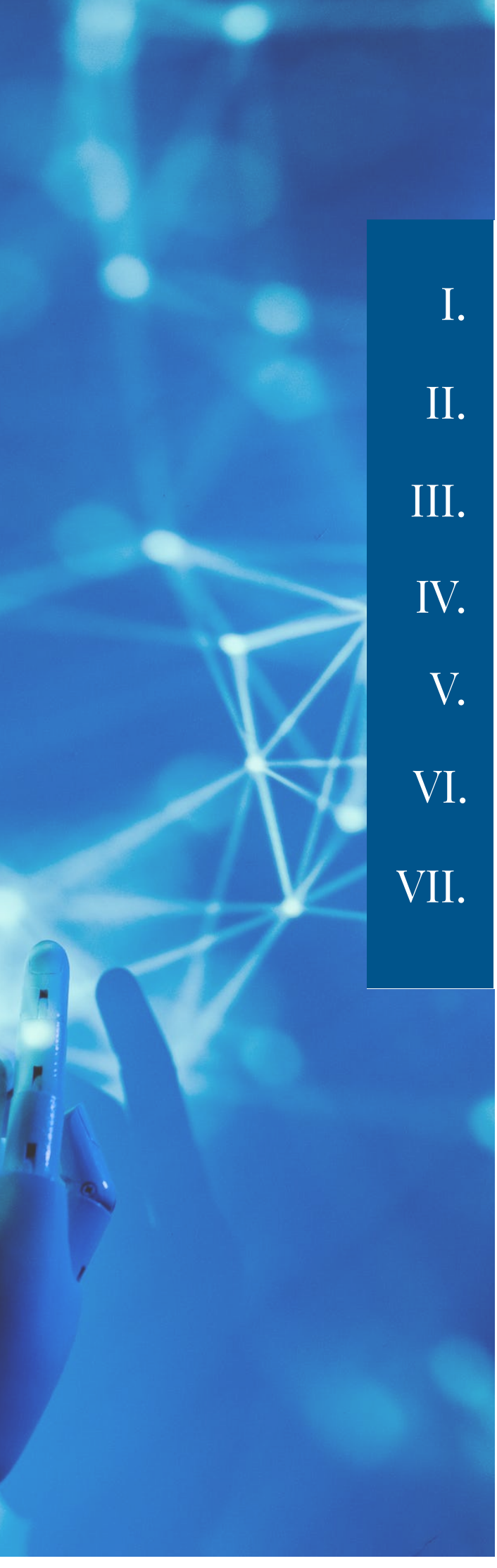
Centre for Information Policy Leadership
HUNTON ANDREWS KURTH

A Year in Review

Centre for Information Policy Leadership 2023



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I.

A Word from CIPL's President

Bojana Bellamy

President, Centre for Information Policy Leadership

"I am so proud of what the CIPL team has achieved in the past year through our work on global privacy, data and digital policy, law and compliance. When I see many of the policy and practical ideas that we have been advocating over the past decade gain global acceptance, and when I witness CIPL member companies building, improving and leading on privacy and responsible data and technology governance programs, I know that we are making a real impact. The thought-leadership and best practices that we have been promoting and developing with our members are truly a catalyst for positive change. Our collective work has never been more rewarding and relevant at a time of the profound digital transformation."

II.

CIPL 2023 Year in Review At a Glance

16 White Papers

15 Public Consultations

60 Panels & Keynotes

38 Roundtables & Workshops

11 Infographics

10 Monthly Members Calls

III. CIPL PUBLICATIONS

Report | 10 January 2023 | Business Benefits of Investing in Data Privacy Management Programs

The report, produced in partnership with the Privacy Center of Excellence at Cisco, explored the business benefits and ROI of DPMPs. In particular, it demonstrated that organizations are experiencing a wide range of benefits from investing in DPMPs. These include risk management and compliance benefits, as well as positive benefits to use and leverage data more effectively and confidently for responsible innovation.

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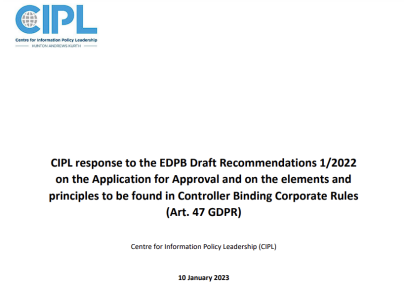

Public Consultation | 10 January 2023 | CIPL Responded to the EDPB Draft Controller Binding Corporate Rules Consultation

CIPL highlighted key concerns in the EDPB's recommendations regarding (1) assessing the legislation and practices of the third country before any transfer; (2) centralized accountability and privacy management programs; (3) transparency obligations.

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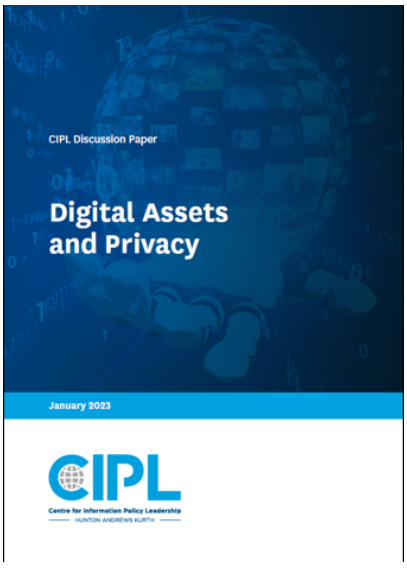

Discussion Paper | 19 January 2023 | Digital Assets and Privacy

The paper examined key privacy implications of digital assets and included recommendations for developing coherent, tech-friendly, future-focused, and pragmatic regulations addressing blockchain technology. As financial services authorities move to regulate digital assets in jurisdictions worldwide, the paper highlighted the need to bring privacy regulators into the discussion so that data privacy issues affecting blockchain are addressed in tandem.

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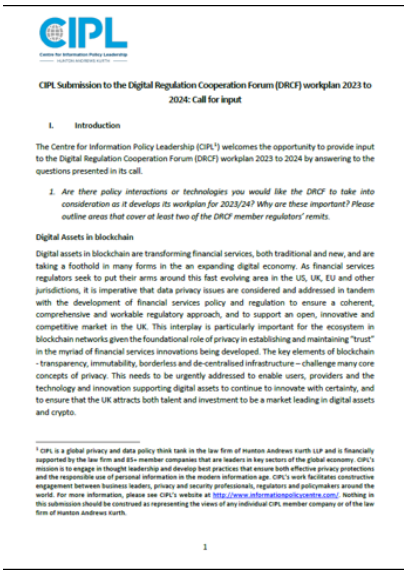

CIPL Submission to the Digital Regulation Cooperation Forum (DRCF) workplan 2023 to 2024: Call for input

I. Introduction

The Centre for Information Policy Leadership (CIPL[1]) welcomes the opportunity to provide input to the Digital Regulation Cooperation Forum (DRCF) workplan 2023 to 2024 by answering to the questions presented in its call.

1. *Are there policy interactions or technologies you would like the DRCF to take into consideration as it develops its workplan for 2023/24? Why are these important? Please outline areas that cover at least two of the DRCF member regulators' remits.*

Digital Assets in blockchain

Digital assets in blockchain are transforming financial services, both traditional and new, and are taking a foothold in many forms in the an expanding digital economy. As financial services regulators seek to put their arms around this fast evolving area in the US, UK, EU and other jurisdictions, it is imperative that data privacy issues are considered and addressed in tandem with the development of financial services policy and regulation to ensure a coherent, comprehensive and workable regulatory approach, and to support an open, innovative and competitive market in the UK. This interplay is particularly important for the ecosystem in blockchain networks given the foundational role of privacy in establishing and maintaining "trust" in the myriad of financial services innovations being developed. The key elements of blockchain - transparency, immutability, borderless and de-centralised infrastructure – challenge many core concepts of privacy. This needs to be urgently addressed to enable users, providers and the technology and innovation supporting digital assets to continue to innovate with certainty, and to ensure that the UK attracts both talent and investment to be a market leading in digital assets and crypto.

[1] CIPL is a global privacy and data policy think tank in the law firm of Hunton Andrews Kurth LLP and is financially supported by the law firm and 85+ member companies that are leaders in key sectors of the global economy. CIPL's mission is to engage in thought leadership and develop best practices that ensure both effective privacy protections and the responsible use of personal information in the modern information age. CIPL's work facilitates constructive engagement between business leaders, privacy and security professionals, regulators and policymakers around the world. For more information, please see CIPL's website at http://www.informationpolicycentre.com/. Nothing in this submission should be construed as representing the views of any individual CIPL member company or of the law firm of Hunton Andrews Kurth.

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Public Consultation | 26 January 2023 | CIPL Responded to the UK Digital Regulation Cooperation Forum Workplan 2023 to 2024 Call for Input

CIPL identified five key priority areas for the DCRF to take into consideration as it develops its workplan for 2023-2024: (1) Digital assets in the blockchain; (2) Privacy enhancing technologies; (3) Accountability Frameworks; (4) Cross-regulatory sandboxes; (5) Transborder data flows.

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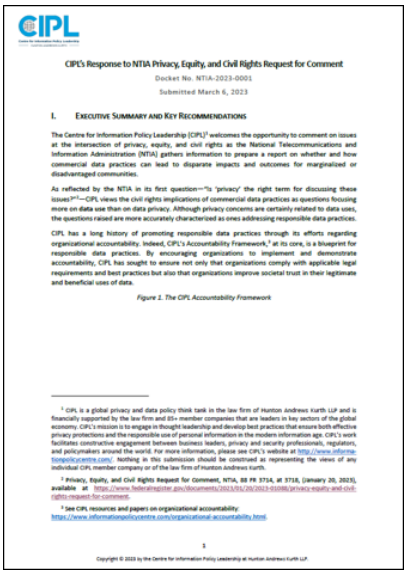

CIPL's Response to NTIA Privacy, Equity, and Civil Rights Request for Comment

Docket No. NTIA-2023-0001

Submitted March 6, 2023

I. Executive Summary and Key Recommendations

The Centre for Information Policy Leadership (CIPL)[1] welcomes the opportunity to comment on issues at the intersection of privacy, equity, and civil rights as the National Telecommunications and Information Administration (NTIA) gathers information to prepare a report on whether and how commercial data practices can lead to disparate impacts and outcomes for marginalized or disadvantaged communities.

As reflected by the NTIA in its first question—"Is 'privacy' the right term for discussing these issues?"[2]—CIPL views the civil rights implications of commercial data practices as questions focusing more on data use than on data privacy. Although privacy concerns are certainly related to data uses, the questions raised are more accurately characterized as ones addressing responsible data practices.

CIPL has a long history of promoting responsible data practices through its efforts regarding organizational accountability. Indeed, CIPL's Accountability Framework,[3] at its core, is a blueprint for responsible data practices. By encouraging organizations to implement and demonstrate accountability, CIPL has sought to ensure not only that organizations comply with applicable legal requirements and best practices but also that organizations improve societal trust in their legitimate and beneficial uses of data.

Figure 1. The CIPL Accountability Framework

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[2] Privacy, Equity, and Civil Rights Request for Comment, NTIA, 88 FR 3714, at 3718, (January 20, 2023), available at https://www.federalregister.gov/documents/2023/01/20/2023-01098/privacy-equity-and-civil-rights-request-for-comment.

[3] See CIPL resources and papers on organizational accountability: https://www.informationpolicycentre.com/organizational-accountability.html

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Public Consultation | 6 March 2023 | CIPL Responded to the NTIA, Privacy, Equity, and Civil Rights Request for Comment.

The response noted that the civil rights implications of commercial data practices raise questions addressing responsible uses of data, and CIPL's long history of promoting responsible data practices through its efforts regarding organizational accountability.

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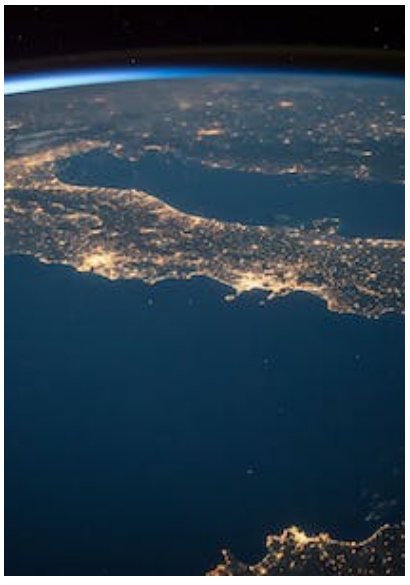

Op-Ed | 8 March 2023 | Re-establishing BCR as an International Data Transfer Option

CIPL President Bojana Bellamy was featured in IAPP's Privacy Perspectives Blog on rethinking binding corporate rules in light of international data transfers. Bojana argued that it is time to reconsider and evolve BCR in light of the GDPR and new laws, as well as numerous new developments in international data transfers in Europe and beyond. She highlighted five key ways that policymakers can act to unlock the full potential of BCR.

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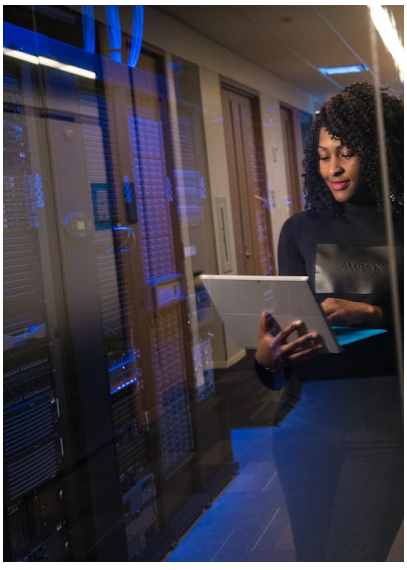

Op-Ed | 12 March 2023 | Responsible Data Practices are Foundational to the Struggle for Women's Rights and Equity

CIPL took the opportunity of International Women's Day to underscore the foundational role of technology and data policies in achieving justice and equity for women around the world. The op-ed explored how data practices can have disproportionate impacts on women beyond privacy.

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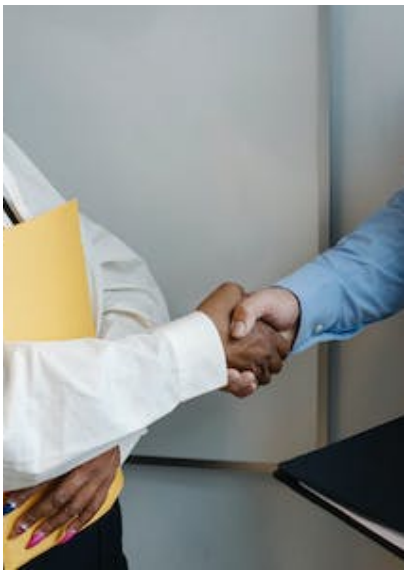

Op-Ed | 22 March 2023 | To Solve Cross-Border Data Flows We Need Pragmatic Solutions to Build Trust

CIPL argued that cross-border data flows facilitate the operation of services which are undeniably societally and economically vital, such as financial systems, healthcare, research and commerce. The article makes the case that in order to unlock these benefits, trust, creativity and pragmatism are vital in order to bridge the widening trust gap dividing various parties in debates around the world.

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CIPL's response to the European Commission's call for evidence on further specifying procedural rules relating to the enforcement of the General Data Protection Regulation

Centre for Information Policy Leadership (CIPL)
23 March 2023

Public Consultation | 23 March 2023 | Response to EU Commission Call for Evidence - GDPR Procedural Rules Harmonization

CIPL provided input on the EU Commission's call for evidence on further specifying procedural rules relating to the enforcement of the GDPR to support their aim of streamlining cooperation between national data protection supervisory authorities (SA) when enforcing the GDPR in cross-border cases by harmonizing some aspects of the administrative procedures that are applied by data protection SA in these cases.

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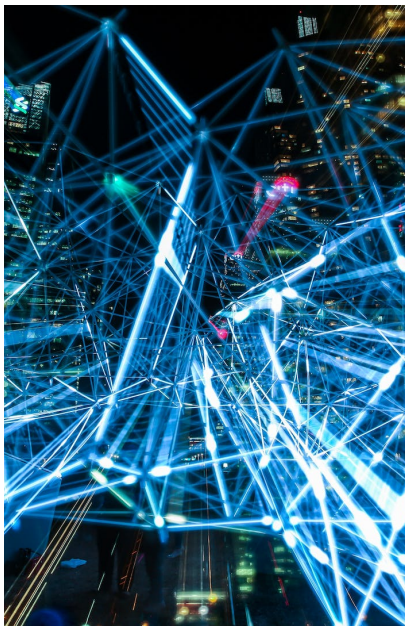

Op-Ed | 24 March 2023 | The Case of the EU AI Act: Why We Need to Return to a Risk-Based Approach

CIPL Director of Privacy and Data Policy, Natascha Gerlach, wrote in the IAPP's Privacy Perspectives blog that regulating AI is a delicate exercise in finding balance. It should provide outcome-based rules for the evaluation of risks and benefits of AI systems, adoption of mitigating measures to the identified risks and, above all, enough flexibility to adapt to new technologies, avoiding restrictions that suppress valuable and beneficial innovations and uses of AI.

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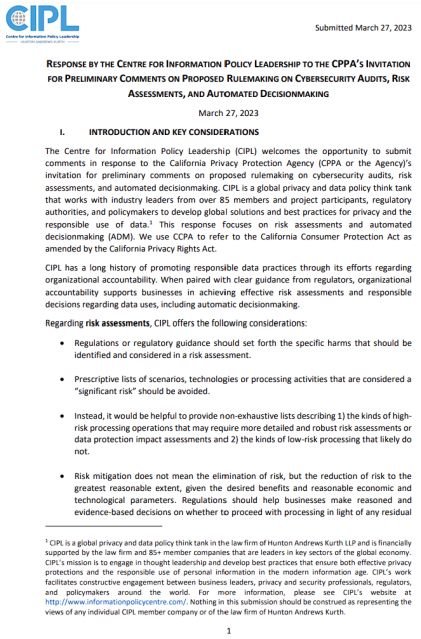

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Centre for Information Policy Leadership

Submitted March 27, 2023

RESPONSE BY THE CENTRE FOR INFORMATION POLICY LEADERSHIP TO THE CPPA'S INVITATION FOR PRELIMINARY COMMENTS ON PROPOSED RULEMAKING ON CYBERSECURITY AUDITS, RISK ASSESSMENTS, AND AUTOMATED DECISIONMAKING

March 27, 2023

I. INTRODUCTION AND KEY CONSIDERATIONS

The Centre for Information Policy Leadership (CIPL) welcomes the opportunity to submit comments in response to the California Privacy Protection Agency (CPPA or the Agency)'s invitation for preliminary comments on proposed rulemaking on cybersecurity audits, risk assessments, and automated decisionmaking. CIPL is a global privacy and data policy think tank that works with industry leaders from over 85 members and project participants, regulatory authorities, and policymakers to develop global solutions and best practices for privacy and the responsible use of data.[1] This response focuses on risk assessments and automated decisionmaking (ADM). We use CCPA to refer to the California Consumer Protection Act as amended by the California Privacy Rights Act.

CIPL has a long history of promoting responsible data practices through its efforts regarding organizational accountability. When paired with clear guidance from regulators, organizational accountability supports businesses in achieving effective risk assessments and responsible decisions regarding data uses, including automatic decisionmaking.

Regarding **risk assessments**, CIPL offers the following considerations:

- Regulations or regulatory guidance should set forth the specific harms that should be identified and considered in a risk assessment.
- Prescriptive lists of scenarios, technologies or processing activities that are considered a "significant risk" should be avoided.
- Instead, it would be helpful to provide non-exhaustive lists describing 1) the kinds of high-risk processing operations that may require more detailed and robust risk assessments or data protection impact assessments and 2) the kinds of low-risk processing that likely do not.
- Risk mitigation does not mean the elimination of risk, but the reduction of risk to the greatest reasonable extent, given the desired benefits and reasonable economic and technological parameters. Regulations should help businesses make reasoned and evidence-based decisions on whether to proceed with processing in light of any residual

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Public Consultation | 27 March 2023 | Response to CPPA Invitation for Preliminary Comments on Proposed Rulemaking on Cybersecurity Audits, Risk Assessments and Automated Decision Making

This response includes CIPL's suggestions and recommendations intended to highlight the substantial promise of the risk-based approach to data protection and privacy. Rather than creating one-size fits-all rules and obligations that may soon be outdated, CIPL argues the risk-based approach provides a process with outcomes that can change with context and adapt to changing technologies and business practices.

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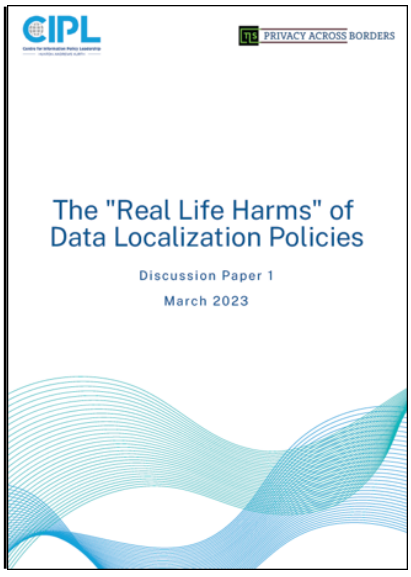

Discussion Paper | 29 March 2023 | The "Real Life Harms" of Data Localization

The paper was the first in a series focusing on data localization policies, published in partnership with the Tech, Law and Security Program. The paper sought to help policymakers and stakeholders better understand the real-life impact of data localization policies. The first discussion paper presented the real life business, societal, and consumer impacts of data localization policies.

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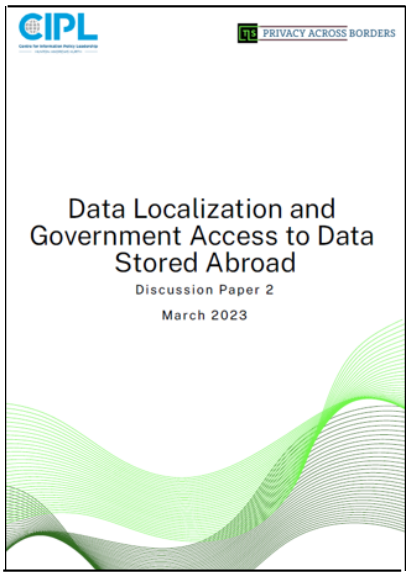

Discussion Paper | 29 March 2023 | Data Localization and Government Access to Data Stored Abroad

The second paper in this series, contributed by the Tech, Law & Security Program, explored one rationale that some proponents of localization have advanced: that localization will insulate companies from foreign governments' ability to legally compel access to their data. It examined not only the legal framework in the U.S., but also those of other countries.

ACCESS

Infographic | 13 April 2023 | CIPL Published an Infographic on The Real Life Harms of Data Localization Policies

Following the release of the the first discussion paper in our data localization series in partnership with the Tech, Law and Security Program, CIPL released an infographic summarizing the key findings of the paper.

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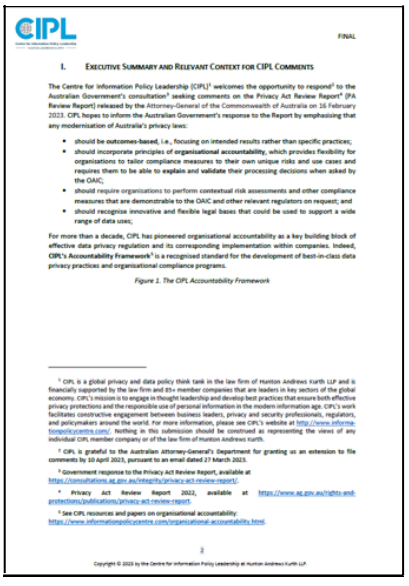

Public Consultation | 7 April 2023 | CIPL Provided Comments on the Australia Attorney-General's Privacy Act Review Report

CIPL's comments hoped to inform the Australian Government's response to the Report by emphasizing that any modernization of Australia's privacy laws should be outcomes-based, i.e., focusing on intended results rather than specific practices; should incorporate principles of organizational accountability, which provides flexibility for organizations to tailor compliance measures to their own unique risks.

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Infographic | 28 April 2023 | CIPL Published an Infographic on the Business Benefits of Investing in Privacy Management Programs

The infographic explored some of the tangible benefits for businesses implementing DPMPs. It explored the data produced by research conducted by CIPL and Cisco which demonstrated the varied reasoning for investing in data privacy management programs.

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Infographic | 5 May 2023 | CIPL Published an Infographic on Data Sharing Between Public and Private Sectors

Following the publication of CIPL's discussion paper on 'Data Sharing Between Public and Private Sectors', CIPL released an infographic highlighting the accountable data sharing practices that can be adopted by the public sector to ensure safe and secure data transfers between the public and private sectors in the sharing economy.

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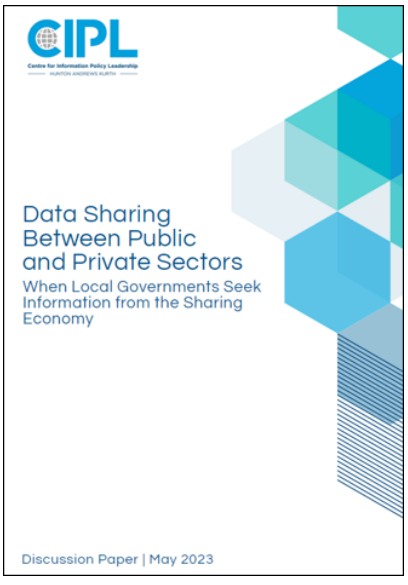

Discussion Paper | 5 May 2023 | Data Sharing Between Public and Private Sectors: When Local Governments Seek Information from the Sharing Economy

The infographic outlined key recommendations from the CIPL paper Limiting Legal Basis for Data Processing Under the DMA: Considerations on Scope and Practical Consequences. It outlined recommendations such as providing clear guidance as to whether DMA consent is equivalent, or concurrent to GDPR consent as a legal basis for personal data process.

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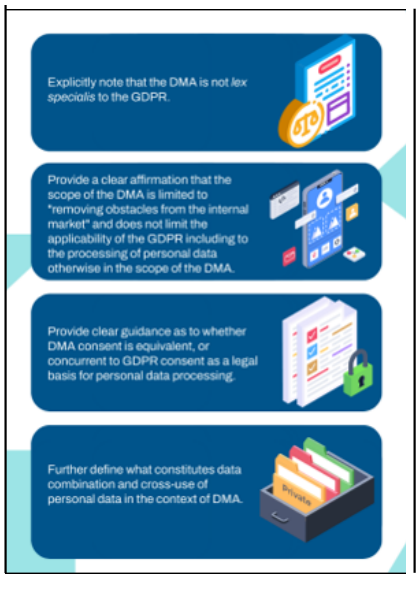

Infographic | 25 May 2023 | CIPL Published an Infographic on Limiting Legal Basis for Data Processing Under the DMA

The paper addressed a growing trend of local governments requesting (and sometimes mandating) that data collected by the private sector be shared with localities. These requests are not usually for the purposes of law enforcement. Rather, they are part of an effort to further the public interest or certain public goods. In the paper, CIPL argued that the adoption of accountability measures within the public sector - which CIPL has frequently promoted for the private sector - are vital in advancing responsible data sharing practices between these sectors.

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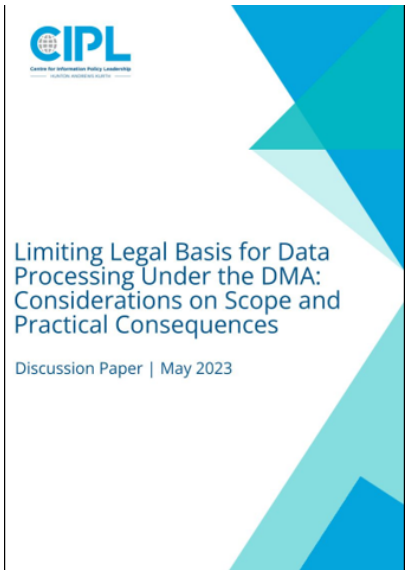

Discussion Paper | 30 May 2023 | Limiting Legal Basis for Data Processing Under the DMA: Considerations on Scope and Practical Consequences

The paper took an in-depth look at open questions regarding the seeming limitation by the DMA of legal bases available for certain processing of personal data and whether the DMA should consequently be considered as *lex specialis* to the GDPR. The paper examines ambiguities related to the scope of DMA in terms of personal data processing and lack of definitions of 'data combination' and 'cross-use'.

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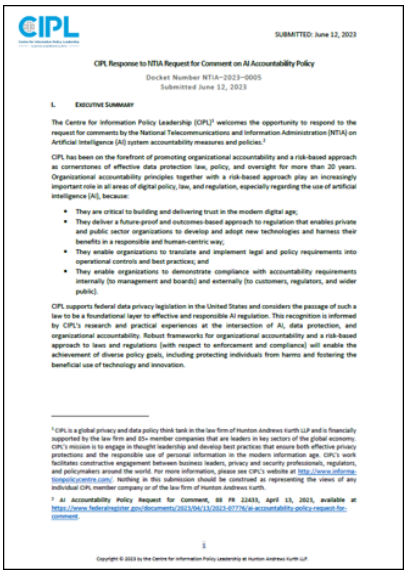
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SUBMITTED: June 12, 2023

CIPL Response to NTIA Request for Comment on AI Accountability Policy

Docket Number NTIA–2023–0005
Submitted June 12, 2023

I. EXECUTIVE SUMMARY

The Centre for Information Policy Leadership (CIPL)[1] welcomes the opportunity to respond to the request for comments by the National Telecommunications and Information Administration (NTIA) on Artificial Intelligence (AI) system accountability measures and policies.[2]

CIPL has been on the forefront of promoting organizational accountability and a risk-based approach as cornerstones of effective data protection law, policy, and oversight for more than 20 years. Organizational accountability principles together with a risk-based approach play an increasingly important role in all areas of digital policy, law, and regulation, especially regarding the use of artificial intelligence (AI), because:

- They are critical to building and delivering trust in the modern digital age;
- They deliver a future-proof and outcomes-based approach to regulation that enables private and public sector organizations to develop and adopt new technologies and harness their benefits in a responsible and human-centric way;
- They enable organizations to translate and implement legal and policy requirements into operational controls and best practices; and
- They enable organizations to demonstrate compliance with accountability requirements internally (to management and boards) and externally (to customers, regulators, and wider public).

CIPL supports federal data privacy legislation in the United States and considers the passage of such a law to be a foundational layer to effective and responsible AI regulation. This recognition is informed by CIPL's research and practical experiences at the intersection of AI, data protection, and organizational accountability. Robust frameworks for organizational accountability and a risk-based approach to laws and regulations (with respect to enforcement and compliance) will enable the achievement of diverse policy goals, including protecting individuals from harms and fostering the beneficial use of technology and innovation.

[1] CIPL is a global privacy and data policy think tank in the law firm of Hunton Andrews Kurth LLP and is financially supported by the law firm and 85+ member companies that are leaders in key sectors of the global economy. CIPL's mission is to engage in thought leadership and develop best practices that ensure both effective privacy protections and the responsible use of personal information in the modern information age. CIPL's work facilitates constructive engagement between business leaders, privacy and security professionals, regulators, and policymakers around the world. For more information, please see CIPL's website at http://www.informationpolicycentre.com/. Nothing in this submission should be construed as representing the views of any individual CIPL member company or of the law firm of Hunton Andrews Kurth.

[2] AI Accountability Policy Request for Comment, 88 FR 22433, April 13, 2023, available at https://www.federalregister.gov/documents/2023/04/13/2023-07776/ai-accountability-policy-request-for-comment.

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Public Consultation | 12 June 2023 | CIPL Responded to the US Department of Commerce, NTIA Request for Comment on AI Accountability

The response noted that organizational accountability principles, together with a risk-based regulatory approach are vital in all areas of law, policy and regulation. It highlighted that effective accountability programs require the following: Leadership and oversight; Risk assessments; Policies and procedures; Transparency; Training and awareness; Monitoring and verification; Response and enforcement.

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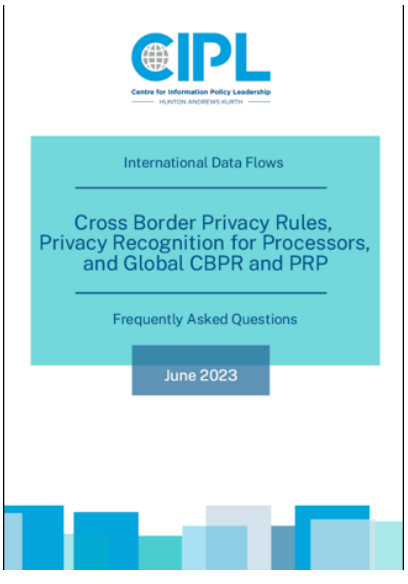

FAQ | 27 June 2023 | Cross-Border Privacy Rules, Privacy Recognition for Processors and Global CBPR and PRP - FAQ

The new edition updated the earlier editions of the FAQs to reflect the recent work of the Global CBPR Forum to develop global privacy and data transfer certifications for controllers and processors. The FAQ addresses 23 key questions.

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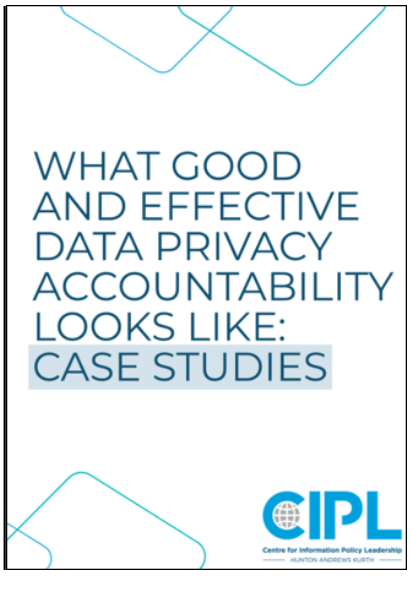

Infographic | 2 August 2023 | CIPL Released an Infographic Series on Case Studies that Demonstrate What Good and Effective Data Privacy Accountability Looks like

The infographic, split into two parts, explored case studies demonstrating how organizations implemented effective data privacy accountability by privacy training and certifications provided to all employees, internal ethics and trust committees, external oversight commitees, risk management, increasing internal awareness and more.

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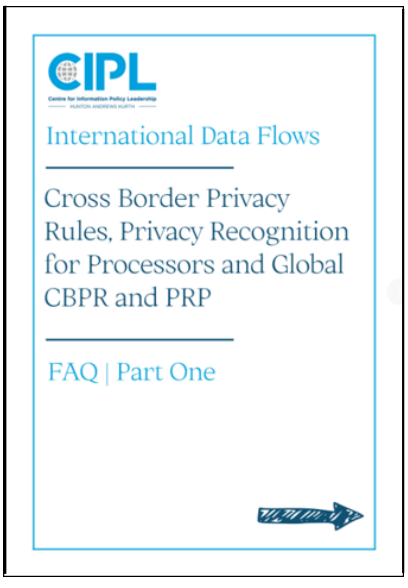
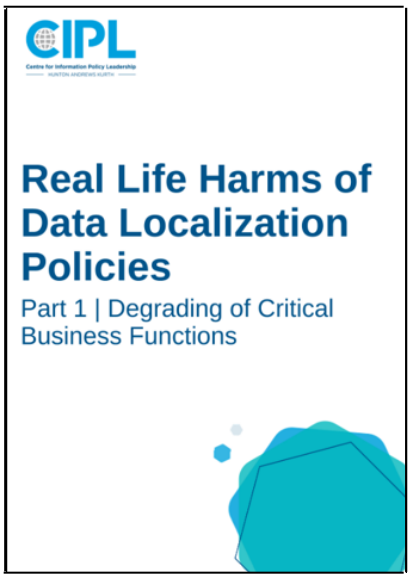


Infographic | 9 August 2023 | CIPL Released an Infographic Series on Cross Border Privacy Rules, Privacy Recognition for Processors and Global CBPR and PRP

The infographic, released in three parts, highlighted answers from CIPL's updated FAQ such as 'what is the status of globalizing the CBPR and PRP? Will the Global CBPR and PRP be the same as the APEC CBPR and PRP? What is APEC? What is an "Accountability Agent"? The infographic enabled privacy professionals to navigate these global frameworks for international data flows.

ACCESS



28 August 2023 | CIPL Released an Infographic Series on the Real Life Harms of Data Localization Policies

The infographic series, released in two parts, was based on CIPL's work with businesses, scholars, and other privacy and data leaders to better understand the potential functional and operational harms that could arise if more and more countries adopt data localization approaches that interfere with cross-border data flows.

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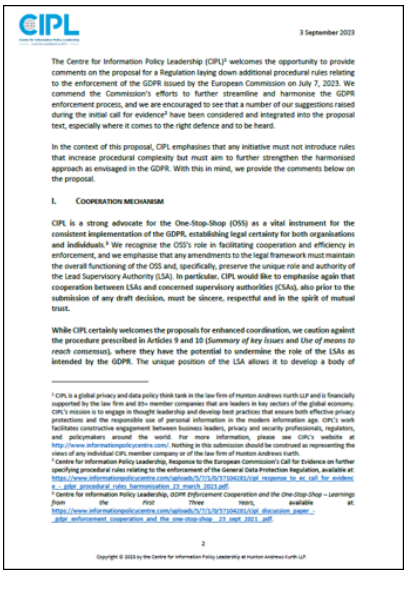
CIPL

3 September 2023

The Centre for Information Policy Leadership (CIPL)[1] welcomes the opportunity to provide comments on the proposal for a Regulation laying down additional procedural rules relating to the enforcement of the GDPR issued by the European Commission on July 7, 2023. We commend the Commission's efforts to further streamline and harmonise the GDPR enforcement process, and we are encouraged to see that a number of our suggestions raised during the initial call for evidence[2] have been considered and integrated into the proposal text, especially where it comes to the right defence and to be heard.

In the context of this proposal, CIPL emphasises that any initiative must not introduce rules that increase procedural complexity but must aim to further strengthen the harmonised approach as envisaged in the GDPR. With this in mind, we provide the comments below on the proposal.

I. COOPERATION MECHANISM

CIPL is a strong advocate for the One-Stop-Shop (OSS) as a vital instrument for the consistent implementation of the GDPR, establishing legal certainty for both organisations and individuals.[3] We recognise the OSS's role in facilitating cooperation and efficiency in enforcement, and we emphasise that any amendments to the legal framework must maintain the overall functioning of the OSS and, specifically, preserve the unique role and authority of the Lead Supervisory Authority (LSA). In particular, CIPL would like to emphasise again that cooperation between LSAs and concerned supervisory authorities (CSAs), also prior to the submission of any draft decision, must be sincere, respectful and in the spirit of mutual trust.

While CIPL certainly welcomes the proposals for enhanced coordination, we caution against the procedure prescribed in Articles 9 and 10 (*Summary of key issues* and *Use of means to reach consensus*), where they have the potential to undermine the role of the LSAs as intended by the GDPR. The unique position of the LSA allows it to develop a body of

[1] CIPL is a global privacy and data policy think tank in the law firm of Hunton Andrews Kurth LLP and is financially supported by the law firm and 80+ member companies that are leaders in key sectors of the global economy. CIPL's mission is to engage in thought leadership and develop best practices that ensure both effective privacy protections and the responsible use of personal information in the modern information age. CIPL's work facilitates constructive engagement between business leaders, privacy and security professionals, regulators, and policymakers around the world. For more information, please see CIPL's website at http://www.informationpolicycentre.com/. Nothing in this submission should be construed as representing the views of any individual CIPL member company or of the law firm of Hunton Andrews Kurth.

[2] Centre for Information Policy Leadership, Response to the European Commission's Call for Evidence on further specifying procedural rules relating to the enforcement of the General Data Protection Regulation, available at: https://www.informationpolicycentre.com/uploads/5/7/1/0/57104281/cipl_response_to_ec_call_for_evidence_-_gdpr_procedural_rules_harmonisation_23_march_2023.pdf.

[3] Centre for Information Policy Leadership, *GDPR Enforcement Cooperation and the One-Stop-Shop – Learnings from the First Three Years*, available at: https://www.informationpolicycentre.com/uploads/5/7/1/0/57104281/cipl_discussion_paper_-_gdpr_enforcement_cooperation_and_the_one-stop-shop_-_23_sept_2021_.pdf.

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Public Consultation | 3 September 2023 | CIPL Submitted a Response to the European Commission's Public Consultation Regarding the Proposal for a Regulation to Add Procedural Rules Relating to the Enforcement of the GDPR

The response emphasized that any initiative must not introduce rules that increase procedural complexity but must aim to further strengthen the harmonized approach as envisaged in the GDPR.

ACCESS

CIPL PUBLICATIONS

White Paper | 4 October 2023 | Ten Recommendations for Global AI Regulation

Based on CIPL's experience and extensive engagement with private sector leaders developing and deploying AI technologies, policymakers, and regulators, this paper offers ten recommendations to guide AI policymaking and regulation to enable accountable, responsible, and trustworthy AI. The paper is also available in Portuguese and will soon be available in French.

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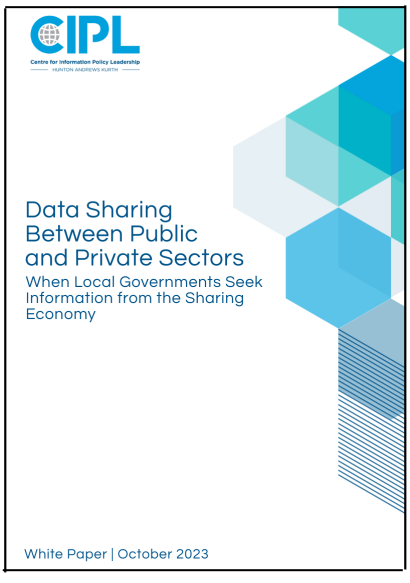

White Paper | 10 October 2023 | Data Sharing Between Public and Private Sectors

This paper recommends that both the public and private sectors adopt demonstrable accountability measures to foster responsible data-sharing practices and beneficial data uses while respecting individuals' privacy rights and businesses' legal obligations. Such measures will foster public trust in any data sharing between public and private sector entities.

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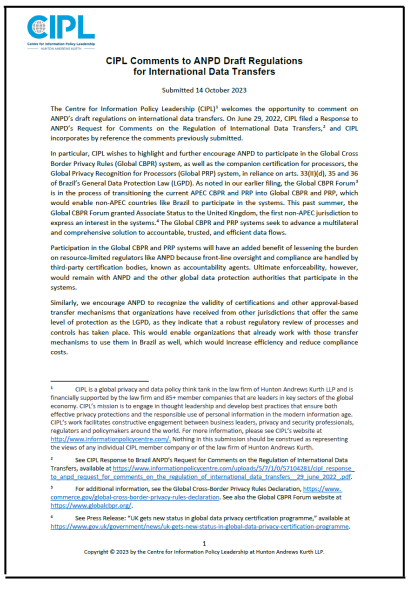
CIPL

CIPL Comments to ANPD Draft Regulations for International Data Transfers

Submitted 14 October 2023

The Centre for Information Policy Leadership (CIPL)[1] welcomes the opportunity to comment on ANPD's draft regulations on international data transfers. On June 29, 2022, CIPL filed a Response to ANPD's Request for Comments on the Regulation of International Data Transfers,[2] and CIPL incorporates by reference the comments previously submitted.

In particular, CIPL wishes to highlight and further encourage ANPD to participate in the Global Cross Border Privacy Rules (Global CBPR) system, as well as the companion certification for processors, the Global Privacy Recognition for Processors (Global PRP) system, in reliance on arts. 33(II)(d), 35 and 36 of Brazil's General Data Protection Law (LGPD). As noted in our earlier filing, the Global CBPR Forum[3] is in the process of transitioning the current APEC CBPR and PRP into Global CBPR and PRP, which would enable non-APEC countries like Brazil to participate in the systems. This past summer, the Global CBPR Forum granted Associate Status to the United Kingdom, the first non-APEC jurisdiction to express an interest in the systems.[4] The Global CBPR and PRP systems seek to advance a multilateral and comprehensive solution to accountable, trusted, and efficient data flows.

Participation in the Global CBPR and PRP systems will have an added benefit of lessening the burden on resource-limited regulators like ANPD because front-line oversight and compliance are handled by third-party certification bodies, known as accountability agents. Ultimate enforceability, however, would remain with ANPD and the other global data protection authorities that participate in the systems.

Similarly, we encourage ANPD to recognize the validity of certifications and other approval-based transfer mechanisms that organizations have received from other jurisdictions that offer the same level of protection as the LGPD, as they indicate that a robust regulatory review of processes and controls has taken place. This would enable organizations that already work with those transfer mechanisms to use them in Brazil as well, which would increase efficiency and reduce compliance costs.

[1] CIPL is a global privacy and data policy think tank in the law firm of Hunton Andrews Kurth LLP and is financially supported by the law firm and 85+ member companies that are leaders in key sectors of the global economy. CIPL's mission is to engage in thought leadership and develop best practices that ensure both effective privacy protections and the responsible use of personal information in the modern information age. CIPL's work facilitates constructive engagement between business leaders, privacy and security professionals, regulators and policymakers around the world. For more information, please see CIPL's website at http://www.informationpolicycentre.com/. Nothing in this submission should be construed as representing the views of any individual CIPL member company or of the law firm of Hunton Andrews Kurth.

[2] See CIPL Response to Brazil ANPD's Request for Comments on the Regulation of International Data Transfers, available at https://www.informationpolicycentre.com/uploads/5/7/1/0/57104281/cipl_response_to_anpd_request_for_comments_on_the_regulation_of_international_data_transfers__29_june_2022_.pdf.

[3] For additional information, see the Global Cross-Border Privacy Rules Declaration, https://www.commerce.gov/global-cross-border-privacy-rules-declaration. See also the Global CBPR Forum website at https://www.globalcbpr.org/.

[4] See Press Release: "UK gets new status in global data privacy certification programme," available at https://www.gov.uk/government/news/uk-gets-new-status-in-global-data-privacy-certification-programme.

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Public Consultation | 14 October 2023 | CIPL Commented on the ANPD Draft Regulations for International Data Transfers

CIPL encouraged the ANPD to participate in the Global CBPR system, as well as the companion certification for processors, the Global PRP system, in reliance on arts. 33(II)(d), 35 and 36 of Brazil's General Data Protection Law (LGPD). The response encouraged the ANPD to recognize the validity of certifications and other approval-based transfer mechanisms that organizations have received from other jurisdictions that offer the same level of protection as the LGPD.

ACCESS

CIPL PUBLICATIONS

Op-Ed | 18 October 2023 | The Time is Now: Why Modernizing Transatlantic Cooperation on Cross-Border Law Enforcement Access to Electronic Evidence Should be a Priority

This piece argues that lawmakers on both sides of the Atlantic have the opportunity and broad support to significantly advance a much-needed bilateral agreement to facilitate timely law enforcement access to cross-border electronic evidence.

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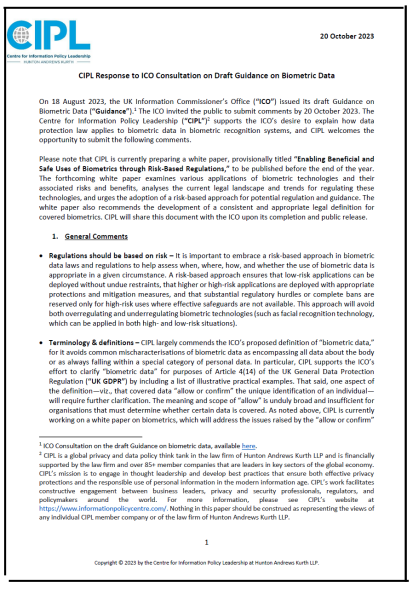
CIPL

20 October 2023

CIPL Response to ICO Consultation on Draft Guidance on Biometric Data

On 18 August 2023, the UK Information Commissioner's Office ("**ICO**") issued its draft Guidance on Biometric Data ("**Guidance**").[1] The ICO invited the public to submit comments by 20 October 2023. The Centre for Information Policy Leadership ("**CIPL**")[2] supports the ICO's desire to explain how data protection law applies to biometric data in biometric recognition systems, and CIPL welcomes the opportunity to submit the following comments.

Please note that CIPL is currently preparing a white paper, provisionally titled "**Enabling Beneficial and Safe Uses of Biometrics through Risk-Based Regulations,**" to be published before the end of the year. The forthcoming white paper examines various applications of biometric technologies and their associated risks and benefits, analyses the current legal landscape and trends for regulating these technologies, and urges the adoption of a risk-based approach for potential regulation and guidance. The white paper also recommends the development of a consistent and appropriate legal definition for covered biometrics. CIPL will share this document with the ICO upon its completion and public release.

1. General Comments

- **Regulations should be based on risk –** It is important to embrace a risk-based approach in biometric data laws and regulations to help assess when, where, how, and whether the use of biometric data is appropriate in a given circumstance. A risk-based approach ensures that low-risk applications can be deployed without undue restraints, that higher or high-risk applications are deployed with appropriate protections and mitigation measures, and that substantial regulatory hurdles or complete bans are reserved only for high-risk uses where effective safeguards are not available. This approach will avoid both overregulating and underregulating biometric technologies (such as facial recognition technology, which can be applied in both high- and low-risk situations).
- **Terminology & definitions –** CIPL largely commends the ICO's proposed definition of "biometric data," for it avoids common mischaracterisations of biometric data as encompassing all data about the body or as always falling within a special category of personal data. In particular, CIPL supports the ICO's effort to clarify "biometric data" for purposes of Article 4(14) of the UK General Data Protection Regulation ("**UK GDPR**") by including a list of illustrative practical examples. That said, one aspect of the definition—viz., that covered data "allow or confirm" the unique identification of an individual—will require further clarification. The meaning and scope of "allow" is unduly broad and insufficient for organisations that must determine whether certain data is covered. As noted above, CIPL is currently working on a white paper on biometrics, which will address the issues raised by the "allow or confirm"

[1] ICO Consultation on the draft Guidance on biometric data, available here.
[2] CIPL is a global privacy and data policy think tank in the law firm of Hunton Andrews Kurth LLP and is financially supported by the law firm and over 85+ member companies that are leaders in key sectors of the global economy. CIPL's mission is to engage in thought leadership and develop best practices that ensure both effective privacy protections and the responsible use of personal information in the modern information age. CIPL's work facilitates constructive engagement between business leaders, privacy and security professionals, regulators, and policymakers around the world. For more information, please see CIPL's website at https://www.informationpolicycentre.com/. Nothing in this paper should be construed as representing the views of any individual CIPL member company or of the law firm of Hunton Andrews Kurth LLP.

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Op-Ed | 20 October 2023 | CIPL Responded to the ICO Consultation on Draft Guidance on Biometrics

The response to the draft Guidance on Biometric Data published by the Information Commissioner's Office supported the ICO's desire to explain how data protection law applies to biometric data in biometric recognition systems.

ACCESS

CIPL

15 Steps to Accountable Data-Sharing Practices Between Public and Private Sectors

CIPL Recommendations

Infographic | 23 October 2023 | CIPL Released an Infographic on Data Sharing Between the Public and Private Sectors

This one page guide highlights 15 steps to accountable data-sharing practices between public and private sectors.

ACCESS

CIPL PUBLICATIONS

Response by the Centre for Information Policy Leadership
to OMB's Request for Comments on its Proposed Memorandum
on Advancing Governance, Innovation, and Risk Management
for Agency Use of Artificial Intelligence

Docket number OMB–2023–0020
Submitted December 5, 2023

The Centre for Information Policy Leadership (CIPL)[1] welcomes the opportunity to respond to the request for comments by the Office of Management and Budget (OMB) on its draft memorandum titled "Advancing Governance, Innovation, and Risk Management for Agency Use of Artificial Intelligence."[2]

CIPL supports the adoption of risk management practices for uses of AI that impact the rights and safety of the public. As noted in our paper "Ten Recommendations for Global AI Regulation,"[3] any regulatory approach to AI should seek to protect fundamental human rights and minimize risks to individuals and society, while enabling development and use of AI for the benefit of both.[4] A holistic risk-based approach would facilitate practical protective measures that are proportional to the risks and benefits of a particular AI system.[5] Our paper is enclosed with this submission.

Indeed, OMB's proposed memorandum recognizes the need to apply a risk-based approach by requiring agencies to complete an AI impact assessment.[6] CIPL has been on the forefront of promoting a risk-based approach for more than 20 years. CIPL's Accountability Framework[7] (see Figure 1) includes the core elements for any organizational privacy, data, or technology governance program. An accountability-based program seeks to ensure that organizations (as well as government agencies) implement demonstrable processes and measures that help them comply with applicable legal requirements, adopt best practices, and improve societal trust in legitimate and beneficial uses of data.

1 CIPL is a global privacy and data policy think tank in the law firm of Hunton Andrews Kurth LLP and is financially supported by the law firm and 85+ member companies that are leaders in key sectors of the global economy. CIPL's mission is to engage in thought leadership and develop best practices that ensure both effective privacy protections and the responsible use of personal information in the modern information age. CIPL's work facilitates constructive engagement between business leaders, privacy and security professionals, regulators, and policymakers around the world. For more information, please see CIPL's website at http://www.informationpolicycentre.com/. Nothing in this submission should be construed as representing the views of any individual CIPL member company or of the law firm of Hunton Andrews Kurth.

2 Request for Comments on Advancing Governance, Innovation, and Risk Management for Agency Use of Artificial Intelligence Draft Memorandum, 88 FR 75625, Nov. 3, 2023, available here.

3 CIPL, Ten Recommendations for Global AI Regulation, published October 2023, available here.

4 Id., p. 6.

5 Id.

6 OMB Proposed Memorandum for the Heads of Executive Departments and Agencies: Advancing Governance, Innovation, and Risk Management for Agency Use of Artificial Intelligence (Draft for Public Review), p. 15, available here.

7 See CIPL resources and papers on organizational accountability, available here.

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Public Consultation | 5 December 2023 | CIPL Responded to the OMB's Request for Comments on its Proposed Memorandum on Advancing Governance, Innovation, and Risk Management for Agency use of Artificial Intelligence

This response supports the adoption of risk management practices for uses of AI that impact the rights and safety of the public. Any regulatory approach to AI should seek to protect fundamental human rights and minimize risks to individuals and society, while enabling development and use of AI for the benefit of both.

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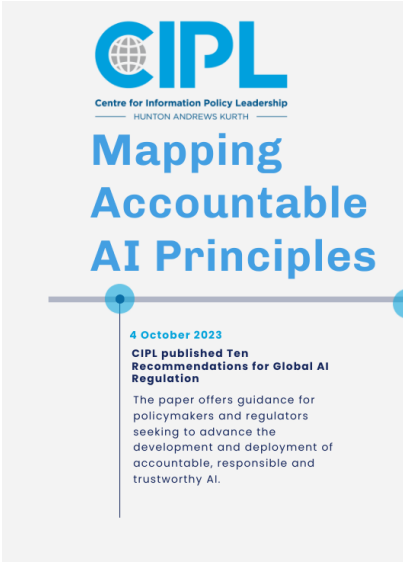

Infographic | 6 December 2023 | CIPL Released an Infographic on Mapping Accountable AI Principles

This infographic maps CIPL's risk-based approach as outlined in the publication Ten Recommendations for Global AI Regulation to the G7 Hiroshima Process International Guiding Principles for Organizations Developing Advanced AI Systems and the White House Executive Order on the Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence.

ACCESS

Public Consultation | 6 December 2023 | Response to Brazilian Senate Bill No. 2338 (Draft AI Regulation)

This response focuses on key aspects of the draft bill and identifies opportunities for amendments that can significantly bolster organizational accountability for the responsible governance of AI. Additionally, it pinpoints areas where additional guidance or clarifications would be beneficial to ensure a comprehensive and effective regulatory framework.

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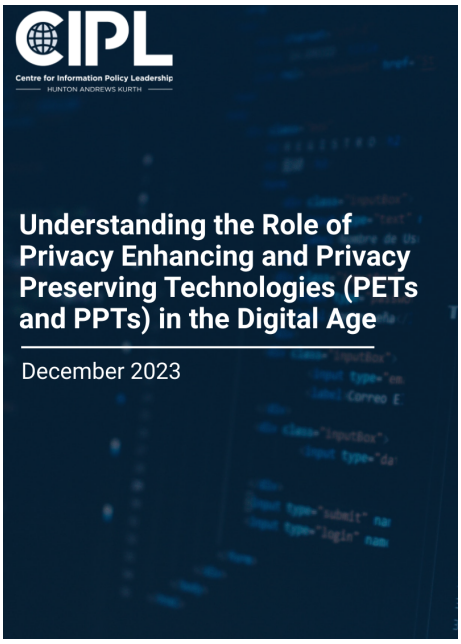
CIPL PUBLICATIONS



White Paper | 12 December 2023 | Privacy-Enhancing and Privacy-Preserving Technologies - Understanding the Role of PETs and PPTs in the Digital Age

This White Paper is a culmination of the Centre for Information Policy Leadership's year-long examination of research into, and interviews with businesses, experts and regulators on the state of the art of PETs and PPTs. We call on policy and lawmakers to understand the business drivers calling for the increased use of data and to proactively incentivize and support the creation and broader implementation of PETs and PPTs.

ACCESS

"Over the past year, CIPL has continued to engage with the complex questions surrounding data policy and privacy in an age of unprecedented digital innovation. Through white papers, consultation responses, specialist webinars, roundtable discussions, panels and keynotes and more, CIPL has continued to be a global thought leader in the field, shaping accountable, forward-thinking data policies and practices."

Markus Heyder
Vice President and Senior Policy Counselor, CIPL

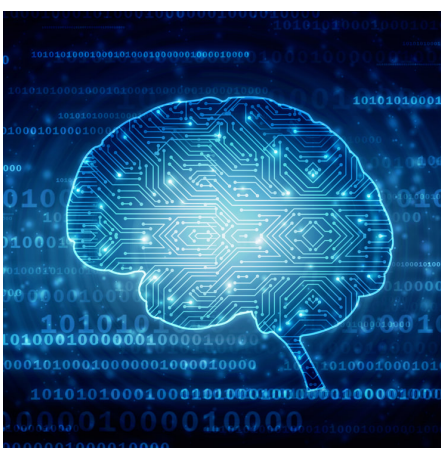
IV. CIPL EVENTS

12 January 2023 | Business Benefits and ROI of Accountable Privacy Programs

This event included a presentation of CIPL and Cisco's study on the Business Benefits of Accountable Privacy Programs and a discussion with Privacy Culture, a leading privacy software company, to discuss how an organization can successfully embed privacy accountability into its corporate DNA.

25 January 2023 | PETs Project Update Call

This update call introduced our revised project plan which was based on the input we received from members and regulators since the introduction of the project. CIPL provided an overview over the specific project goals, methodology, and deliverables as well as immediate next steps.



9 February 2023 | CIPL Hosted an Event to Launch the Accountable AI Mapping Project

During the event, the CIPL team provided a detailed overview of the goals, methodology and deliverables of the project. The event provided an opportunity for CIPL members to ask questions and provide initial high-level input and perspectives relating to accountable AI and a number of specific questions. The input during the call was used to inform a detailed questionnaire that was circulated with project participants after the call.

CIPL EVENTS

16 February 2023 | CIPL Hosted a Roundtable on Age Assurance and Age Verification Tools

At this roundtable, CIPL gathered perspectives from regulators and industry on the methodologies used to shield minors from harmful or inappropriate content, satisfy legal compliance obligations, and promote age-appropriate content. Participants discussed risk-based approaches for choosing the most appropriate option for each use case, while recognizing the technical and legal limitations and challenges that remain in striving to be respectful of minors' rights.

9 March 2023 | CIPL Hosted a Roundtable on the Business Benefits and ROI of Accountable Privacy Programs

Leaders and experts from CIPL member companies gathered in London to share insights into how the implementation of privacy management programs has benefitted their business' bottom lines.

23 March 2023 | CIPL Hosted a joint Roundtable with Hunton Andrews Kurth on Children's Data

CIPL President Bojana Bellamy joined Hunton Andrews Kurth LLP Partner Sarah Pearce to lead a Perspectives on Privacy roundtable on Children's Data Policy. Global experts met to discuss the current children's data privacy landscape and key issues surrounding best practices and compliance.

CIPL EVENTS

3 April 2023 | CIPL Hosted a Workshop on Moving Beyond Data Localization: Enabling Trusted Cross-Border Data Flows

At the event, CIPL presented our discussion paper "The Real Life Harms of Data Localization Policies" alongside the second paper in the series, "Data Localization and Government Access to Data Stored Abroad" in collaboration with the team at the Tech, Law & Security Program. The workshop brought together experts to share insights and case studies relating to data localization and ways to secure trusted cross-border data transfers that will support innovation in the years to come.

20 April 2023 | CIPL Hosted an Event to Facilitate Conversations Amongst Key Stakeholders on Cross-Border Data Flows

The event brought together companies, regulators, government officials and civil society leaders to engage in constructive discussions about The Global CBPR Forum, global data flows and working together to support the important work ahead in ensuring safe data flows. The key message from conversations: there is hope for global data flows.

20 April 2023 | CIPL Hosted a Data and Boards Working Group Meeting

As CIPL's Data & Boards Project moved forward, we sought feedback from members of our Working Group on the first draft of our white paper: "Leveraging Data Responsibly: Why Boards and the C-Suite Need to Embrace a Holistic Data Strategy".

CIPL EVENTS

26 April 2023 | CIPL Hosted a Roundtable Titled The Digital Markets Act: Now What?

The roundtable centred on addressing unresolved questions related to the DMA's implementation, with a specific focus on data protection provisions. Some of the critical questions addressed by participants included: how we define data combination and cross-use of data under the DMA, and to what extent the DMA can limit the processing of personal data for that purpose; what the potential unintended consequences of limiting data combination and cross-data use under the DMA are; and how DMA consent relates to GDPR consent and who decides the scope of this going forward.

15 May 2023 | CIPL Hosted a Virtual Roundtable Titled Quo Vadis, CPO? An Evolving Role in Changing Times

CIPL members gathered to discuss how the role of Chief Privacy Officer is changing amidst the rapid acceleration in and adoption of generative AI and other AI tools. The discussion highlighted that AI is not a new consideration for many organizations, but the introduction and rapid adoption of easy-to-use, consumer-facing applications has caused many organizations to re-examine how they address AI governance and to elevate internal discussion on the topic; that internal education and upskilling on AI is an urgent priority; that responsible AI is an organization-wide responsibility and more.

24 May 2023 | CIPL Hosted a Roundtable on Zero Risk Fallacy: A Discussion on Foreign Governments' Access to Data, Data Localization and the Horizontal Reach of the Risk-Based Approach

Experts from Academia, data protection authorities and CIPL member companies met to discuss international data transfers and risk-based approaches as well as the findings of our paper co-authored by the Cross Border Data Forum and Professor Theodore Christakis.

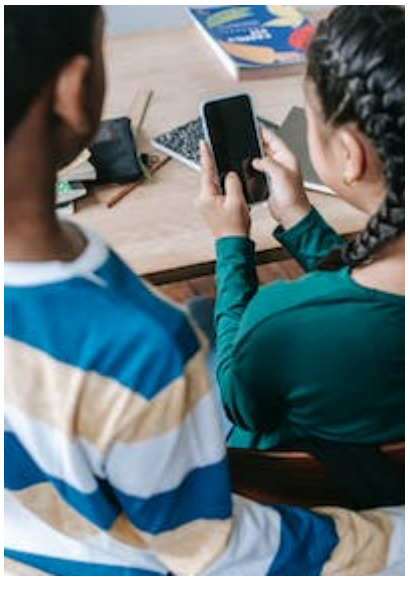
CIPL EVENTS

1 June 2023 | CIPL Hosted a Virtual Roundtable on Data Sharing Between the Public and Private Sectors

The roundtable introduced CIPL's discussion paper on business-to-government (B2G) data sharing, entitled "Data Sharing Between Public and Private Sectors: When Local Governments Seek Information from the Sharing Economy". Participants explored ways for private sector organizations and local governments to foster the public trust and good corporate citizenship.

8 June 2023 | CIPL Hosted a Virtual Roundtable on U.S. State and Federal Privacy and Data Policies

CIPL members gathered to discuss U.S. privacy and data policies, and ways to continue fostering responsible and innovative uses of data in an era of rapid change.



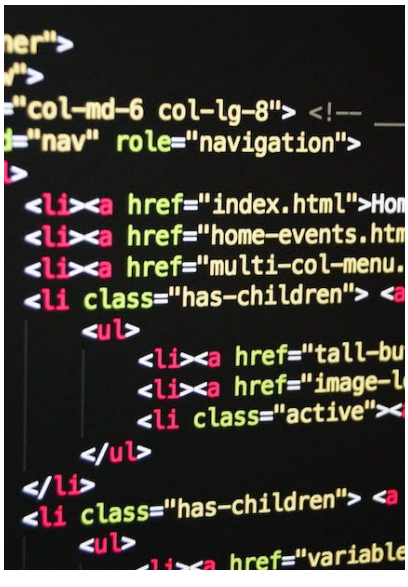
22 June 2023 | CIPL Hosted a Roundtable on Age Assurance and Verification Amidst US Legislative Initiatives

CIPL hosted an online roundtable to facilitate an open discussion with members of CIPL's Children's Data Privacy Project. The roundtable provided members an opportunity to exchange practical observations and potential solutions related to the age verification provisions of newly enacted laws from Utah and Arkansas.

CIPL EVENTS

22 June 2023 | CIPL Hosted a Roundtable on Data Free Flows with Trust| How Global CBPR Can Serve as a Foundation for a New Multilateral Approach

In the discussion, key stakeholders and policymakers explored the CBPR System's ongoing transition to a global framework, considered its long-term potential for enabling a "one-stop-shop" for trusted global data transfers, examined existing synergies between GDPR and CBPR certifications, and identified other issues that are key to operationalizing any multilateral framework for trusted cross-border data flows.



29 June 2023 | CIPL Hosted a Webinar on Demystifying Generative AI

This session focused on demystifying generative AI, exploring how it differs from other AI tools and systems, and discussing how organizations can develop responsible practices surrounding its development, use, and application.

18 July 2023 | CIPL Hosted a Roundtable on Data Sharing Between the Public and Private Sectors

The roundtable brought together policymakers, public sector experts, academics and CIPL member organizations to discuss the findings of CIPL's discussion paper on "Data Sharing Between Public and Private Sectors: When Local Governments Seek Information from the Sharing Economy". At the roundtable, participants explored ways in which private sector organizations and governments can foster public trust and uphold good corporate citizenship.

CIPL EVENTS

23 July 2023 | CIPL Hosted a Workshop on the Best Interests of the Child: Convergence of Privacy, Safety, Security in Partnership with the PDPC

The first part of the workshop discussed the findings of CIPL's paper on Protecting Children's Privacy, how to understand and assess the best interests of the child bearing in mind multiple rights, interests and needs of children, how to deliver online safety while protecting children's privacy rights, how to provide age-appropriate design of services based on maturity and different stages of child development and more. The second part of the workshop examined various legal obligations in children's privacy and online safety across jurisdictions.

26 and 27 July 2023 | EU Age Appropriate Design Code

Following CIPL's selection as a member to the special group of experts for the European Commission's code of conduct on age appropriate design, CIPL organized two calls to discuss CIPL's thinking, next steps and any topics of interest in the context of the EU Code.

16 October 2023 | Exclusive Dinner at the Global Privacy Assembly - Building Trusted and Transparent Constructive Engagement

Participants discussed whether the traditional models of rule-making, compliance and enforcement are sufficient given the fast pace of technological change, whether we need more ongoing and real-time engagement on how existing rules apply to new technologies before violations occur, what the appropriate regulatory approach is to evolving tech and business practices and more.

CIPL EVENTS

18 October 2023 | GPA Side Event on Responsible AI in Practice: Risk Assessments, Responsibility of Different Parties and Transparency

This event explored a range of important questions associated with the responsible development and deployment of AI and consider concrete examples of current best practices and attempts to address the risks and challenges.

24 October 2023 | CIPL Hosted a Roundtable on Avenues Forward for Transatlantic Data Flows

The roundtable delved into the potential challenges for such an agreement and a potential course ahead. Speakers from academia, representatives from global organizations, policymakers, and regulators provided insight into the current landscape with practical examples and discussed what the impact of an agreement would mean for organizations, citizens and law enforcement.

31 October 2023 | CIPL Hosted a hybrid event on Responsible AI: Regulation and Industry Implementation

Panelists explored approaches to AI regulation and organizational governance in responsible development and deployment of AI, as well as examining tensions between establish data protection principles and sound AI policy. They discussed tools may be needed needed to decide which AI systems should be considered high risk or low risk, addressing "fairness" in AI, user education, the potential conflict between AI and privacy principles and much more.

CIPL EVENTS

14 November 2023 | CIPL Hosted a Roundtable on Responsible AI in Focus: Regulatory Developments and Emerging Best Practices

Participants explored the latest developments on the EU AI Act, how some long-established data protection principles may be in tension with AI, and concrete examples of current best practices to address risks and challenges.

27 November 2023 | CIPL Hosted a webinar on the City of London's Vision for Economic Growth Report

Members were able to hear from CIPL and the experts who contributed to the recently launched and ground breaking report by the City of London Corporation entitled, "Vision for Economic Growth - A Roadmap to Prosperity".

30 November 2023 | CIPL Hosted a Presentation for Members on Artificial Intelligence Regulation and Compliance in Brazil

Thiago Luís Sombra of Mattos Filho presented to CIPL Members on Artificial Intelligence Regulation and Compliance in Brazil: Emerging Trends and Challenges. The presentation highlighted key trends, challenges and developments in Brazil after the Federal Senate recently approved a new version of the Brazilian AI Legal Framework - Bill No. 2,338/2023.

CIPL EVENTS

1 December 2023 | CIPL Hosted a Side Event on Cracking the AI Code: Insights, Privacy, and Industry Outlook in Sydney

The first discussion was led by technologists and AI/data engineers from leading AI companies. It explored the inner workings of AI, including generative AI, the role of data in AI, how content is generated in generative AI, and how fine-tuning works and anticipated uses in business and consumer contexts. The second discussion gathered a group of data protection regulators will consider the impact of AI's explosive growth for data protection regulation and compliance.

11 December 2023 | CIPL Hosted a Webinar on Enabling Transformative Growth Through Generative AI

CIPL hosted an informative discussion on how legal teams, in partnership with CPOs, are enabling transformative growth through generative AI. This discussion showcased how generative AI is revolutionizing systems, sparking innovative ideas, streamlining supply chains, and enriching customer experiences. Speakers addressed how their legal teams work in sync with business operations to safeguard intellectual property, ensure privacy, uphold transparency, and propel growth.

13 December 2023 | CIPL Hosted a KnowledgeNet Event in Partnership with IAPP

As the APEC Cross-Border Privacy Rules and APEC Privacy Recognition for Processors transition to becoming a global framework for trusted data transfers, key stakeholders and policymakers gathered to learn about the status of this transition process and the long-term potential for Global CBPR and PRP to become a "one-stop-shop" for global data transfers.

This past year has really cemented CIPL's position as the avant-garde not just in privacy but more holistically in digital policy thought leadership, advancing responsible data use in an age of unparalleled innovation. We are working on so many important projects from children's privacy, to accountable AI, the opportunities of privacy preserving technologies and international data transfers. In Europe alone we are swimming on this veritable tsunami of new digital legislation and CIPL has published numerous thought-provoking whitepapers, consultations and articles that serve as resources for policymakers and industry leaders. What truly embodies CIPL to me though is our ability to build bridges. CIPL roundtables, webinars and engagements really bring forth the importance of engaging parties from across the digital ecosystem, and I am so proud of that. And I am also very proud to be a part of this really engaged, creative and passionate team we brought together!

Natascha Gerlach
Director of Privacy and Data Policy, CIPL

V. ANNUAL EXECUTIVE RETREAT

"I believe this to be the most valuable event on the calendar for privacy and AI governance thought leadership."

- CIPL Member

Crafting the Future of AI: EU Perspectives, Global Implications

AI, Responsible Data, and Innovation

ANNUAL EXECUTIVE RETREAT

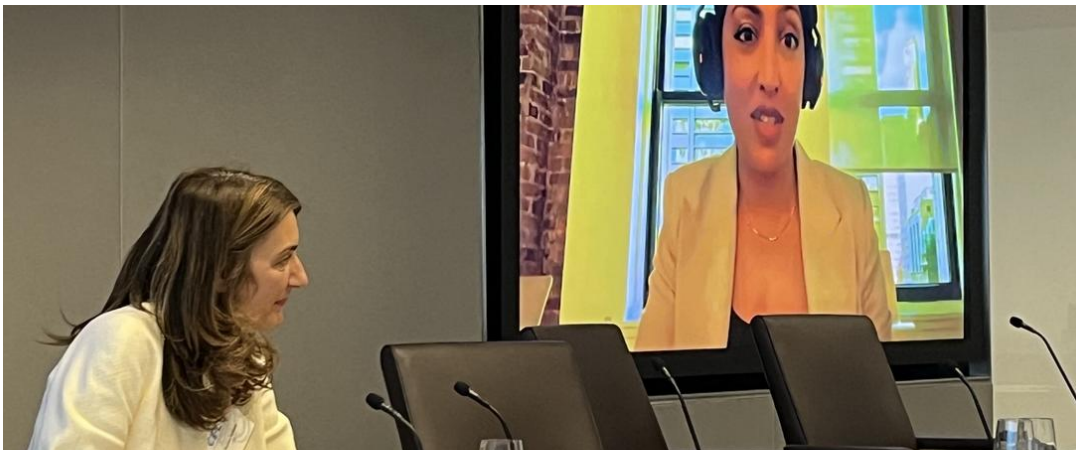
Data Policy, Privacy and Ethics on the Frontiers of Technological Change

What Does the New Era of Artificial Intelligence Deployment and Use mean for Data Protection Regulators?

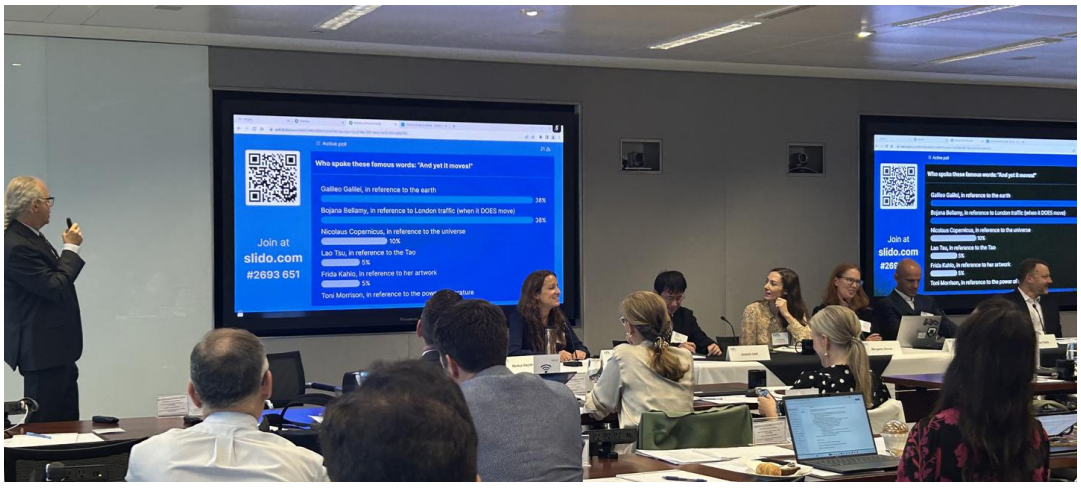
Risk and Impact Assessments: The Road to Best Practices Amidst Emerging Technologies, Laws and Regulations

ANNUAL EXECUTIVE RETREAT

Responsible AI in Practice

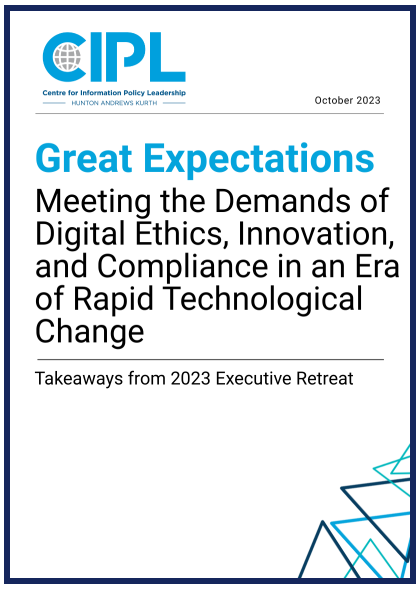


"And Yet it Moves" - Why We Need a New Deal for Data Flows



Navigating an Age of Disruption: Managing the Social, Political & Policy Challenges of the 21st Century

ANNUAL EXECUTIVE RETREAT



Takeaways from the 2023 Annual Executive Retreat | Great Expectations: Meeting the Demands of Digital Ethics, Innovation, and Compliance in an Era of Rapid Technological Change

On 19-20 September 2023, the Centre for Information Policy Leadership (CIPL) hosted its Annual Executive Retreat in person at Hunton Andrews Kurth (HAK) in Washington, DC, with a virtual option available for CIPL members gathered in HAK's London office.

The day-and-a-half retreat featured keynotes, fireside chats, TED-style talks, panel discussions, and open Q&A on a host of legislative, regulatory, operational, and ethical issues regarding artificial intelligence, especially generative AI. The discussion also touched upon the current state of affairs and outlook regarding cross-border data flows. Conversations among participants continued at networking breaks, capped by an evening of cocktails and dinner at a nearby restaurant for DC attendees.

The organic discussions offered a broad range of insights, and CIPL sent Members a document highlighting key takeaways to summarize core points for members who were unable to attend this year's event.

VI.

MONTHLY MEMBERS CALLS

February 2023 Monthly Members Call

This Monthly Members call featured exclusive insights on the following topics:

- A Legislative Forecast of U.S. Privacy Initiatives with Fred Eames, Partner at Hunton Andrews Kurth LLP
- U.S. Security & Exchange Commission's New Cybersecurity Disclosure Rules with Scott Kimpel, Partner at Hunton Andrews Kurth LLP
- Belgian DPA Approves IAB Europe's Action Plan for Consent Framework with Townsend Feehand, CEO of IAB Europe
- EU-US Data Flows: Next Steps in Adoption Process for the New Data Privacy Framework with Dr. Jens Ambrock, Head of Division Economy & Infrastructure at the Hamburg Data Protection Authority

March 2023 Monthly Members Call

This Monthly Members call featured exclusive insights on the following topics:

- Details on the Test Phase for the ICO's New Innovation Advice Service with Stephen Almond, Director of Technology and Innovation at the UK ICO
- NTIA Request for Comments Addressing Issues at the Intersection of Privacy, Equity, and Civil Rights with Travis Hall, Acting Deputy Associate Administration at the Office of Policy Analysts & Development at the NTIA
- FTC Enforcement Action to Bar GoodRx from Sharing Consumers' Sensitive Health Info for Advertising with Ronnie Solomon, Attorney at the Bureau of Consumer Protection, Division of Privacy and Identify at the FTC
- To Combat Data-Intensive Racial Injustice, Prioritize Adoption of Accountability Frameworks with Matthew Reisman, Director of Privacy and Data Policy at CIPL

MONTHLY MEMBERS CALLS

April 2023 Monthly Members Call

This Monthly Members call featured exclusive insights on the following topics:

- The Notion of Sensitive Data in Data Protection with Daniel Solove, Professor of Law at George Washington University Law School
- NIST AI Risk Management Framework with Reva Schwartz, Research Scientist at NIST
- OECD's Report on "Emerging Privacy-Enhancing Technologies: Current Regulatory and Policy Approaches" with Christian Reimsbach-Kounatze, Information Economist & Policy Analyst at the OECD

May 2023 Monthly Members Call

This Monthly Members call featured exclusive insights on the following topics:

- The UK Data Protection Bill with Owen Rowland, UK Department for Science, Innovation and Technology
- Overview of CIPL's Paper on Limiting Legal Basis for Data Processing Under the DMA with Lukas Adomavicius, Privacy Analyst at CIPL
- Data Sharing Between the Private and Public Sectors with Mark Smith, Manager of Privacy and Data Policy at CIPL

June 2023 Monthly Members Call

This Monthly Members call featured exclusive insights on the following topics:

- An Update on the Status of the EU AI Act with Kai Zenner, Head of Office and Digital Policy Adviser to Axel Voss at the European Parliament
- CNIL Publishes Action Plan on AI with Bertrand Pailhes, Head of Technology and Innovation at CNIL
- Why Privacy and Cybersecurity Matter for Generative AI with Lisa Sotto, Partner at Hunton Andrews Kurth LLP and Sam Grogan, Associate at Hunton Andrews Kurth LLP

MONTHLY MEMBERS CALLS

July 2023 Monthly Members Call

This Monthly Members call featured exclusive insights on the following topics:

- A Global CBPR Update with Sarah Pham, Policy Analyst at the U.S. Department of Commerce, International Trade Administration
- UK ICO's New Guidance on PETs with Stephen Almond, Director of Technology, Innovation and Enterprise at the UK ICO
- Singapore IMDA's AI Governance Testing Framework and Toolkit with Sang Hao Chung, Deputy Director of AI Governance at the Personal Data Protection Commission, Singapore

September 2023 Monthly Members Call

This Monthly Members call featured exclusive insights on the following topics:

- Legal Challenges and Legislative Developments in U.S. Children's Privacy with Phyllis Markus, Partner at Hunton Andrews Kurth LLP
- Learnings from the Recent CJEU Bundeskartellamt Case: Personalized Advertising, Sensitive Data, and Privacy Enforcement by Competition Authorities with Mikolaj Barczentewicz, Senior Lecturer (Associate Professor) in Law and Research Director of the Law and Technology Hub at the University of Surrey
- India's Newly Adopted Data Privacy Framework with Rahul Matthan, Partner at Trilegal

October 2023 Monthly Members Call

This Monthly Members call featured exclusive insights on the following topics:

- Data Portability in a Post-DMA Era with Silvio Siliprandi, CEO at Hoda Digital
- Privacy and Data Protection Developments in Latin America with Jose Alejandro Bermudez, LATAM Advisor at CIPL
- UK Competition Markets Authority & Information Commissioner's Office Paper on Harmful Online Design in Digital Markets with Stephen Almond, Executive Director of Regulatory Risk at the UK ICO

MONTHLY MEMBERS CALLS

November 2023 Monthly Members Call

This Monthly Members call featured exclusive insights on the following topics:

- Key Data Protection Developments in Italy and the Italian DPA's Position on AI with Rocco Panetta, Managing Partner, Panetta Law
- Key Trends, Differences, and Challenges for Companies Developing and Deploying AI with Oliver Patel, Enterprise AI Governance Lead at AstraZeneca
- Why Modernizing Transatlantic Cooperation on Cross-Border Law Enforcement Access to Electronic Evidence Should be a Priority with Natascha Gerlach, Director of Privacy and Data Policy, CIPL
- Key Takeaways from the 2023 Global Privacy Assembly in Bermuda with Hilary Wandall, Chief Ethics & Compliance Officer at Dun & Bradstreet

December 2023 Monthly Members Call

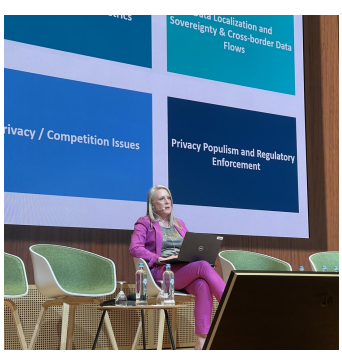
This Monthly Members call featured exclusive insights on the following topics:

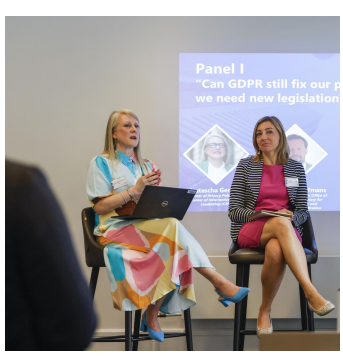
- The Content and Status of the Brazil AI Bill with Thiago Luís Sombra, Partner at Mattos Filho
- Key Takeaways from APPA and IAPP ANZ with Matthew Reisman, Director of Privacy and Data Policy at CIPL
- The New Report on International Data Flows by the UK Government's International Data Transfer Expert Council, Bojana Bellamy, President at CIPL
- Update on the EU Digital Regulation Package with Natascha Gerlach, Director of Privacy and Data Policy at CIPL

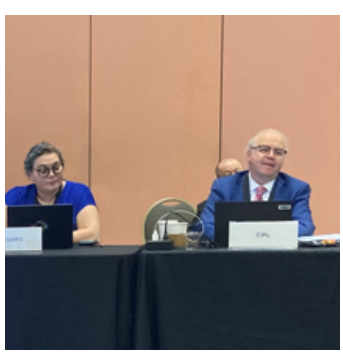
VII. PANELS AND KEYNOTES

Over 60 panels and keynote addresses

The CIPL team has presented around the world on key themes from our workstreams, from AI and PETs, to cross-border data flows, children's privacy and more. CIPL has remained a leading voice in the field, shaping the conversation around data protection around the world.







> This has been an exciting year of progress at CIPL on longstanding workstreams as well as new ones. Our expanded team in DC is deepening CIPL's engagement with U.S. stakeholders on responsible privacy and data policy; our teams in the UK and EU have continued to do the same in those jurisdictions; and we've worked together to make an impact in policy discussions in Asia, Latin America, the Middle East, and international forums like the G7. Globally, we have been researching, writing, and convening experts to discuss privacy-enhancing technologies (PETs), accountable governance for artificial intelligence (AI), biometrics, cross-border data flows, the sharing economy, and children's privacy and online safety, just to name a few topics. We are looking forward to making progress across these and other topics central to responsible data policy and governance in the year ahead.

Matthew Reisman
Director of Privacy and Data Policy, CIPL

The CIPL Team

A Global Team of Experts

BOJANA BELLAMY, PRESIDENT

MARKUS HEYDER, VICE PRESIDENT & SENIOR POLICY COUNSELOR

NATASCHA GERLACH, DIRECTOR OF PRIVACY & DATA POLICY

MATTHEW REISMAN, DIRECTOR OF PRIVACY & DATA POLICY

MARK SMITH, PRIVACY & DATA POLICY MANAGER

LAILA ABDELAZIZ, PRIVACY & DATA POLICY MANAGER

BURAK HAYLAMAZ, PRIVACY POLICY ANALYST

LUKAS ADOMAVICIUS, PRIVACY POLICY ANALYST

JENNIFER JIN, AI & EMERGING TECHNOLOGIES FELLOW

EDEN TAYYIP, PETS & EMERGING TECHNOLOGIES FELLOW

RICHARD THOMAS, GLOBAL STRATEGY ADVISOR

VIVIENNE ARTZ, DATA STRATEGY & PRIVACY POLICY ADVISOR

MICHELLE MARCOOT, DIRECTOR OF OPERATIONS, FINANCE & BUSINESS DEVELOPMENT

MALACHI CLARINGTON, COMMUNICATIONS & BUSINESS SPECIALIST

MADELEINE JONES-CASEY, DIGITAL CONTENT MARKETING SPECIALIST

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