

Instituto Brasiliense de Direito Público (IDP) and
Centre for Information Policy Leadership (CIPL) Joint Roundtable

Roundtable on Brazil Data Protection Law

IDP Brasilia
SGAS II St. de Grandes Áreas Sul 607 - Brasília, DF, 70200-670
Brasilia, Brazil
8 April 2019 | 10:00 – 17:00

AGENDA

10:00 Registration

10:30 Opening Remarks

- ❖ Laura Schertel Mendes, Professor, Instituto Brasiliense de Direito Público (Brazilian Institute of Public Law) and University of Brasília (UnB)
- ❖ Bojana Bellamy, President, Centre for Information Policy Leadership

10:45 Report: What is the current status of the Provisional Measure No. 869/2018 amending the LGPD, establishing the DPA and extending the effective date?

- ❖ Danilo Doneda, Professor, Instituto Brasiliense de Direito Público (Brazilian Institute of Public Law)

During the roundtables, experts from government, industry and academia will engage in an open discussion on key issues surrounding data protection developments in Brazil from Brazil's new data protection law (the Lei Geral de Proteção de Dados Pessoais (LGPD)) to the establishment of Brazil's national data protection authority (the "ANPD"). Participants will share views and strategies on the road ahead for organizations conducting business in Brazil as well as regulators with respect to the following data protection issues:

11:00 - 12:30 - Roundtable 1 - ANPD: Regulatory model

Presentation (15 min)

- ❖ Laura Schertel Mendes, Professor, Instituto Brasiliense de Direito Público (Brazilian Institute of Public Law) and University of Brasília (UnB)

Debates (5 min)

- ❖ Ricardo Cueva, Judge, Superior Court of Justice (STJ)
- ❖ Jonas Valente (Intervozes e Coalizão Direitos na Rede)
- ❖ Carolina Lessa, Director of Government Affairs, RELX Group

Questions:

- a. Why is it so important to have a central and independent DPA to bring LGPD to concretion?
- b. What is the role of a central DPA in creating a culture for data protection and innovation based on the responsible use of data in Brazil?

- c. 2020 will be the first cycle of regulatory data protection leadership and enforcement power for the upcoming ANDP. How can the ANDP hit the ground running and ensure its effectiveness both domestically in Brazil and in the international privacy landscape? What should be its initial priorities?
- d. What are some key lessons the ANDP can learn from the experience of other data privacy regulators around the globe?
- e. How can organizations and the ANDP work together to ensure the success of the LGPD? How can the ANDP address potential resistance by organizations not used to working with a data privacy regulator?
- f. Concluding remarks

12:30 - 13:30 - Lunch served in venue

13:30 - 15:00 - Roundtable 2 - Regulatory challenges

Presentation (15 min)

- ❖ Miriam Wimmer, Director of Telecommunications Services, MCTIC

Debates (5 min)

- ❖ Ana Paula Bialer, Partner, Bialer Falsetti Associados
- ❖ Marcela Mattiuzzo, Partner, Vinicius Marques de Carvalho Advogados
- ❖ Nathalie Gazzaneo, Manager, Privacy & Public Policy, Facebook

Questions:

- a. What aspects of the LGPD require further clarification and implementation guidance for industry?
- b. How to minimize and address potential conflict in the enforcement level between other regulators, consumer offices and the public prosecutor?
- c. What are the specific regulatory challenges for international data transfers?
- d. Concluding remarks

15:00 - 16:30 - Roundtable 3 - Accountability and Data Governance

Presentation (15 min)

- ❖ Bojana Bellamy, President, Centre for Information Policy Leadership

Debates (5 min)

- ❖ Bruno Bioni, Founder, Data Privacy Brasil
- ❖ Thiago Sombra, Partner, Matthos Filho Advogados
- ❖ Damien Kieran, Global Data Protection Officer, Legal Director & Associate General Counsel, Twitter

Questions:

- a. How can the ANDP incentivize efforts to implement organizational accountability?
- b. Given the short time frame for implementation of the new requirements under the LGPD, what should be the key focus areas in implementing the law across industry?
- c. How can organizations leverage their compliance efforts under the EU General Data Protection Regulation (GDPR) and other laws in implementing the LGPD?
- d. How should local and Latin-America wide organizations that have not built comprehensive privacy programs, in the context of GDPR compliance or otherwise, strategically approach this new compliance journey?

- e. Which aspects of the LGPD present new and unique implementation challenges that organizations may have to face for the first time?
- f. Concluding remarks

16:30-17:00 – Roundtable Results: challenges and next steps

PARTICIPANTS:

Public Sector:

Federal Superior Court

Min. Ricardo Cueva

MCTIC

Miriam Wimmer

Min. Economia

José Antonio Ziebarth (ME)

Senacon/ MJ

Fernando Meneguim

Enap

Guilherme Almeida

Private Sector:

Leonardo Palhares (Camara.e-net)

Felipe Brandão (Camara.e-net)

Tatiana Ribeiro (MBC)

CNI

Febraban

Marília Monteiro (Nubank)

CIPL Members:

Joana Almeida e Sousa (Amazon)

Marcia Miya (Apple)

Bojana Bellamy (CIPL)

Rebeca Garcia (Facebook)

Nathalie Gazzaneo (Facebook)

Laura Juanes (Facebook)

Martin Cosentino (Garmin)

Daniel Arbix (Google)

Rita de Cassia Carmo Shibata (IBM)

Francois Martins (MercadoLibre)

Pablo Segura (MercadoLibre)

Teresa Conceição (Novartis)

Carolina Lessa (RELX Group)

Camila Peinador Mod Zabisky (Teleperformance)

Damien Kieran (Twitter)
Pericles Davila (Walt Disney)

Lawyers:

Ana Bialer
Ciro Freitas
Vitor Moraes Andrade
Renato Monteiro
Marcela Mattiuzzo
Fabricio Motta
Thiago Sombra
Adriele Britto
Natalia Langenegger

University:

Bruno Bioni (Data Privacy Brasil)
Diego Machado (UERJ)
Ana Frazão (UnB)
Ricardo Morishita (IDP)
Alexandre Sankievicz (IDP)
Guilherme Pinheiro (IDP)
Jorge Galvão (UnB)

Civil Society:

Jonas (Intervozes)
Bruna Santos
Dennys Antonialli (InternetLab)
Sophia Vial (PROCONS Brasil)

Various:

CGI.br